

GENERAL ORDINANCE NO. 42-10

AN ORDINANCE  
AMENDING CHAPTER 13,  
GREEN BAY MUNICIPAL CODE,  
REGARDING PAVING AND RESURFACING

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 13-302, Green Bay Municipal Code, is amended by adding the following definitions:

**13-302 General Definitions.** Unless otherwise expressly stated or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. All words and phrases not defined shall have their common meaning. Definitions of land uses listed in this ordinance are listed in Section 13-303. Definitions of signs are listed in Section 13-304.

**Building Alteration – changes to structural parts, mechanical equipment, or location of openings, but does not increase the overall area of the building.**

**Parking Lot Alteration – modifications to parking areas that does not increase the limits of the existing parking lot and includes the following:**

**1. Patch – re-striping, crack filling, seal coating as general maintenance of existing parking areas, including filling in, removal and replacement of up to 500 square feet of pavement.**

**2. Resurfacing - existing surfaces that are removed above the base course and repaved with no expansion of the parking area.**

**3. Rehabilitation - existing parking areas are pulverized and compacted in place with pavement being added on top of the new base material with no expansion of the parking area.**

**4. Reconstruction - existing pavement and base course are removed with the sub-base being re-compacted to allow for pavement or base course and pavement being placed with no expansion of the parking area.**

**5. New Construction - virgin soil or exposed soil is modified to allow for the construction of a parking area.**

**SECTION 2.** Section 13-407, Nonconforming parking lots, Green Bay Municipal Code, is created as follows:

**13-407. Nonconforming parking lots.** Nonconforming parking lots are parking areas that were lawfully constructed but do not meet the current dimensional and/or interior lot landscaping requirements of this ordinance for primary or accessory uses in the zoning district in which they are located. A nonconforming parking lot may be maintained and repaired subject to the provisions of this section.

(a) **Maintenance and repair.** Ordinary maintenance and repair may be made to nonconforming parking lots including patching and resurfacing.

(b) **Rehabilitation, reconstruction, or expansions shall not be made to existing nonconforming parking lots without prior approval compliant with this code, except those listed Section 13-1802(d).**

**SECTION 3.** Section 13-1802(d), Green Bay Municipal Code, is repealed and recreated as follows:

**13-1802. Applicability.** Site plan review shall apply to all new construction, remodeling, or expansion or change of uses, with the following exceptions:

(d) ~~Alteration or expansion of an existing parking lot that results in a change of no greater than 10 percent of the total number of parking spaces.~~ Existing parking areas that are patched and/or resurfaced are not required to file a site plan. Existing parking areas up to 500 square feet may be rehabilitated or reconstructed in a one year period without a site plan.

**SECTION 4.** Section 13-1821, Green Bay Municipal Code, is amended as follows:

**13-1821. Interior parking lot landscaping.** The purpose of interior parking lot landscaping is to minimize the expansive appearance of parking lots and provide shaded parking areas. Landscaping shall consist of planting islands and medians comprising the required planting area specified under item (1) below.

(d) **General Compliance.** For existing parking lots that currently do not comply with the interior lot landscaping as of the adoption of this ordinance, such landscaping shall be provided when any one of the following occurs:

(1) Any new construction of a parking lot must comply with the current requirements of this ordinance.

**(2) Existing approved parking areas that are either rehabilitated or reconstructed are required to replace existing approved interior lot landscaping or provide a total of five percent (5%) interior lot landscaping.**

**(3) When an existing approved parking lot is expanded by twenty five percent (25%) or greater than 7500 square feet in total surface area, the entire parking area shall be brought into compliance with the requirements of this ordinance. All expanded areas are considered cumulative.**

**(4) Re-striping, patching, resurfacing of an existing parking areas shall not be subject to this requirement.**

**SECTION 5.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 6.** This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance and has no financial impact on the City.

Dated at Green Bay, Wisconsin, this 18<sup>th</sup> day of January, 2011.

APPROVED:

/s/James J. Schmitt  
Mayor

ATTEST:

Anita M. Raleigh  
Deputy Clerk

First Reading: 12/21/10  
Effective Date: 1/22/11