

..Number  
081661  
..Version  
PROPOSED SUBSTITUTE A  
..Reference

..Sponsor  
ALD. BOHL

..Title  
A substitute ordinance relating to off-street parking requirements for day care centers.

..Sections  
295-403-2-a (table) am  
295-403-2-f cr

..Analysis

This ordinance requires a day care center to provide one off-street parking space for every 2 peak-shift employees, as well as one space for every 15 persons for which the facility is licensed to provide care. This requirement shall not apply to:

1. A licensed day care facility in a dwelling unit where care is provided to 8 or fewer children per shift.
2. A day care center located in a building containing an elementary or secondary school, religious assembly, community center, cultural institution or library as a principal use.
3. A day care center in operation on the effective date of this ordinance.

..Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Table 295-403-2-a of the code is amended to read:

<b>Table 295-403-2-a NUMBER OF PARKING SPACES REQUIRED, BY USE</b>	
<b>Uses</b>	<b>No. of Parking Spaces Required</b>
<b>RESIDENTIAL USES</b>	
Single-family dwelling	no min.; max. of 4 spaces
Two-family dwelling	no min.; max. of 4 spaces on the premises
Multi-family dwelling:	
<u>Zoning Districts</u>	<u>Min. ratio of parking spaces to dwelling units*</u>
RM1, RM2, RM3, RM4, RO1, NS1, LB1, RB1	1:1
RT4, RM5, RM6, RM7, RO2, NS2, LB2, RB2, CS, C9A, IM	2:3
* Note: In RM6, RM7, C9A and IM districts, a private elderly housing project shall have one parking space for every 2 dwelling units; in other zoning districts, a private elderly housing project shall have 2 parking spaces for every 3 dwelling units. Public housing for low-income families and public or federally-assisted low-income elderly housing projects shall provide one parking space for every 2 dwelling units.	
Attached single-family dwelling	min. of one space; max. of 4 spaces
Live-work unit	one for each live/work unit in the building
Mobile home	N.A.
Watchman/service quarters	none
Family day care home	see requirement for dwelling unit type
<b>GROUP RESIDENTIAL USES</b>	
Rooming house	one for every 2 rooms
Convent, rectory or monastery	one per facility
Dormitory	one for every 15 beds or fraction thereof
Fraternity or sorority	one for every 2 rooms
Adult family home	one
<i>Foster Homes</i>	
Foster family home	one
Small foster home	one
Group home or group foster home	one
<i>Shelter Care Facilities</i>	
Family shelter care facility	one
Small group shelter care facility	one
Large group shelter care facility	one
Community living arrangement	one
Transitional living facility	one per dwelling unit
<b>EDUCATIONAL USES</b>	
Day care center	[[None (limited-use) or as required by the board (special use)]] > > one for every 2 peak-shift employees plus one for

**Table 295-403-2-a  
NUMBER OF PARKING SPACES REQUIRED, BY USE**

<b>Uses</b>	<b>No. of Parking Spaces Required</b>
	every 15 persons for which the day care center is licensed to provide care; see s. 295-403-2-f for additional information< <
School, elementary or secondary	None
College	None
School, specialty or personal instruction	None
<b>community-serving uses</b>	
Library	None
Cultural institution	None
Community center	as required by the board for special use approval
Religious assembly	one for every 6 seats in the assembly hall
Cemetery or other place of interment	None
Public safety facility	None
Correctional facility	None
<b>COMMERCIAL AND OFFICE USES</b>	
General office	one for each 500 sq. ft. of the first 2,000 sq. ft. of gross floor area; one for each 1,000 sq. ft. of gross floor area in excess of 2,000 sq. ft. ; storage or utility spaces shall not be included when calculating gross floor area
Government office	see general office
Bank or other financial institution	see general office
Currency exchange, payday loan or title loan agency	see general retail establishment
Installment loan agency	see general retail establishment
Retail establishment, general	min. of one for each 1,000 sq. ft. of gross floor area; max. of 3.5 for each 1,000 sq. ft. of gross floor area unless otherwise permitted pursuant to s. 295-403-2-e; storage or utility spaces shall not be included when calculating gross floor area
Garden supply or landscaping center	see general retail establishment
Home improvement center	see general retail establishment
Secondhand store	see general retail establishment
Outdoor merchandise sales	one for each 500 sq. ft. of outdoor or indoor space devoted to the display of goods for sale
Artist studio	None
Adult retail establishment	see general retail establishment
<b>HEALTH CARE AND SOCIAL ASSISTANCE USES</b>	
Medical office	see general office
Health clinic	see general office
Hospital	one for every 4 beds
Medical research laboratory	see general office
Medical service facility	see general office
Social service facility	see general office
Emergency residential shelter	as required by the board for special use approval
Nursing home	one for every 4 beds
<b>GENERAL SERVICE USES</b>	
Personal service establishment	see general office

**Table 295-403-2-a  
NUMBER OF PARKING SPACES REQUIRED, BY USE**

<b>Uses</b>	<b>No. of Parking Spaces Required</b>
Business service	see general office
Building maintenance service	see general office
Catering service	see general office
Funeral home	one for each 100 square feet of floor area of a chapel, parlor or other room used for funeral services, but not less than 4 spaces
Laundromat	see general retail establishment
Dry cleaning establishment	see general retail establishment
Furniture and appliance rental and leasing	see general retail establishment
Household maintenance and repair service	see general retail establishment
Tool/equipment rental facility	see general retail establishment
<i>Animal Services</i>	
Animal hospital/clinic	see general retail establishment
Animal boarding facility	see general retail establishment
Animal grooming or training facility	see general retail establishment
<b>MOTOR VEHICLE USES</b>	
<i>Light Motor Vehicle</i>	
Sales facility	none (permitted use) or as required by the board (special use)
Rental facility	none (permitted or limited use) or as required by the board (special use)
Repair facility	as required by the board for special use approval
Body shop	none (permitted use) or as required by the board (special use)
Outdoor storage	none (permitted use) or as required by the board (special use)
Wholesale facility	None
<i>Heavy Motor Vehicle</i>	
Sales facility	none (permitted use) or as required by the board (special use)
Rental facility	none (permitted use) or as required by the board (special use)
Repair facility	none (permitted use) or as required by the board (special use)
Body shop	none (permitted use) or as required by the board (special use)
Outdoor storage	none (permitted use) or as required by the board (special use)
<i>General Motor Vehicle</i>	
Filling station	as required by the board for special use approval
Car wash	none
Drive-through facility	none
<i>Parking</i>	
Parking lot, principal use	N.A.
Parking lot, accessory use	N.A.
Parking structure, principal use	N.A.

**Table 295-403-2-a  
NUMBER OF PARKING SPACES REQUIRED, BY USE**

<b>Uses</b>	<b>No. of Parking Spaces Required</b>
Parking structure, accessory use	N.A.
Heavy motor vehicle parking lot, principal	N.A.
Heavy motor vehicle parking lot, accessory	N.A.
<b>ACCOMODATION AND FOOD SERVICE USES</b>	
Bed and breakfast	one for each sleeping room, plus one additional space
Hotel, commercial	one for every 1,000 square feet, or fraction thereof, of gross floor area on the ground floor or above
Hotel, residential	one for every 2 sleeping rooms
Tavern	see general retail establishment
Assembly hall	one for every 1,000 square feet of gross floor area or fraction thereof
Restaurant, sit-down	see general retail establishment
Restaurant, fast-food/carry-out	see general retail establishment
<b>ENTERTAINMENT AND RECREATION USES</b>	
Park or playground	none
Festival grounds	None
Recreation facility, indoor	see general retail establishment
Recreation facility, outdoor	as required by the board for special use approval
Health club	see general retail establishment
Sports facility	as required by the board for special use approval
Gaming facility	N.A.
Theater	one for every 100 square feet of floor area in the theater auditorium
Convention and exposition center	as required by the board for special use approval
Marina	None
Outdoor racing facility	as required by the board for special use approval
Adult entertainment establishment	see general retail establishment
<b>STORAGE, RECYCLING AND WHOLESALE TRADE USES</b>	
Recycling collection facility	None
Mixed-waste processing facility	None
Material reclamation facility	None
Salvage operation, indoor	None
Salvage operation, outdoor	None
Wholesale and distribution facility, indoor	None
Wholesale and distribution facility, outdoor	None
<i>Storage Facilities</i>	
Indoor	None
Outdoor	None
Hazardous materials	None
<b>TRANSPORTATION USES</b>	
Ambulance service	see general office
Ground transportation service	see general office
Passenger terminal	None
Helicopter landing facility	None

**Table 295-403-2-a  
NUMBER OF PARKING SPACES REQUIRED, BY USE**

<b>Uses</b>	<b>No. of Parking Spaces Required</b>
Airport	None
Ship terminal or docking facility	None
Truck freight terminal	None
Railroad switching, classification yard or freight terminal	None
<b>INDUSTRIAL USES</b>	
Manufacturing, light	None
Manufacturing, heavy	None
Manufacturing, intense	None
Research and development	None
Processing or recycling of mined materials	none
Contractor's shop	see general office
Contractor's yard	none
<b>AGRICULTURAL USES</b>	
Plant nursery or greenhouse	none
Raising of crops or livestock	none
<b>UTILITY AND PUBLIC SERVICE USES</b>	
Broadcasting or recording studio	see general office
Transmission tower	see general office
Water treatment plant	see general office
Sewerage treatment plant	see general office
Power generation plant	see general office
Substation/distribution equipment, indoor	see general office
Substation/distribution equipment, outdoor	see general office
<b>TEMPORARY USES</b>	
Seasonal market	none
Temporary real estate sales office	none
Temporary concrete/batch plant	none
Live entertainment special event	none

Part 2. Section 295-403-2-f of the code is created to read:

f. Parking Requirement for Day Care Centers. The off-street parking requirement for day care centers shall not apply to:

f-1. A licensed day care facility in a dwelling unit where care is provided to 8 or fewer children per shift.

f-2. A day care center located in a building containing an elementary or secondary school, religious assembly, community center, cultural institution or library as a principal use.

f-3. A day care center in operation on the effective date of this ordinance [city clerk to insert date].

..LRB  
APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date:\_\_\_\_\_

..Attorney  
IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date:\_\_\_\_\_

..Requestor

..Drafter  
LRB09138-3  
JDO  
05/13/2009