

Excerpted from:

Village of Waunakee Zoning Amendment Considerations

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The Housing Task Force will make a recommendation regarding the following:

Review restrictions on rezoning for multifamily use (Section 133-16) and relation to Comprehensive Plan. Policy may need to include entire Village, and not just identified districts, and consider exceptions for senior living facilities.

Background: Currently the zoning code allows rezoning to R-4, R-5 or PUD with multifamily use only if multifamily is less than 25% of all housing units within the Village. There is strong demand for multifamily units right now, and many have been approved and/or built downtown in the C-1D District. This demand is further documented by a the 2017 housing study prepared for the Village by CARPC (see Attachment B). Based on data from the American Community Survey (ACS), 2012-2016, about 17% of Waunakee units are in buildings with 3 or more units. For reference, that figure is 44% in Middleton, 38% in Sun Prairie, 45% in Fitchburg, 22% in DeForest, 27% in Verona.

Current ordinance language

Sec. 133-16. - Restriction on rezoning for multifamily use.

(a) Intent. It is the intent of this section to promote the health, safety, and general welfare of the residents of the village by limiting the total number of multifamily units, defined as three or more attached dwelling units, available for occupancy in the village so that there will continue to be a predominance of the population living in detached single- or two-family residences.

(b) Determination for rezoning. No additional rezoning to R-4, R-5, or PUD with multifamily units shall be allowed which would have the effect of allowing more than 25 percent of the total dwelling units to be multifamily units. Dwelling units designed and approved as owner-occupied condominiums for which the condominium declaration under Wis. Stats. § 703.09 prohibits the rental thereof shall not be considered single-, two- or multifamily residences for purposes of the determination under this subsection. Any other condominium dwelling units shall be considered multifamily dwelling units under this subsection. In implementing this subsection, the plan commission may either deny or modify a proposed zoning amendment or conditional use permit or direct the building inspector to not issue additional building permits, unless such issuance would be consistent with the intent of this section.

(c) Applicability. This section shall not apply to properties that were rezoned to R-4, R-5 or PUD with multifamily units prior to December 31, 1997.