

Sec 133-16 Consideration

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 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.

Comprehensive Plan

The Comprehensive Plan addresses this topic most directly in the section on Housing, Page 43:

2.5. Maintain regulations that require new developments maintain a ratio of 75 percent detached, single family units and 25 percent attached units. Redevelopment projects and senior housing projects are exempt from this policy.

Also relevant in the Housing section:

1.1. Encourage housing developers to integrate different housing types and levels of affordability, especially within larger developments. This could include smaller, more affordable units accessible to first-time homebuyers.

1.3. Allow the development of low-income and moderate-income housing units when integrated appropriately with the surrounding neighborhood. Avoid concentrating such units in one location and avoid isolating such units from other housing.

1.1. Encourage senior housing in the community so that life-long residents of the Waunakee area have opportunities to remain in the community.

Possible Ordinance Changes

- Clarify that the 25/75 balance refers to total Village housing units
- Apply to all zoning districts that allow multifamily units
- Clarify that this standard could be applied to the entirety of a plat or development under common control, not just the portion zoned for multifamily units, meaning that new multifamily units can be balanced by new single family and duplex units in the same development
- Exempt senior housing from this ordinance
- Exempt redevelopment projects
- Revise to focus on occupied housing units, allowing for 1% vacancy in owner-occupied units (most of which are single-family) and 5% vacancy in renter-occupied units (most of which are in multi-family structures)

Potential Impacts

- Including C-1D in this ordinance could prevent the long-term concentration of multifamily units downtown
- Exempting redevelopment from this standard would negate the inclusion of C-1D in the ordinance, because this is generally used only in areas already developed

- Exempting senior housing removes a potential impediment to such housing; if the Village were to develop many new senior housing units, this could eventually limit the construction of new multifamily units for other households