BEST PRACTICES
RESIDENTIAL ZONING CODE

EVALUATION GUIDE TO ADDRESS THE DANE COUNTY HOUSING CRISIS

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Executive Summary

The **Best Practices Residential Zoning Guide** is a resource for Dane County communities to **evaluate and identify regulatory barriers that limit housing supply and diversity, as well as regulations that increase the cost of housing**. This guide supports the implementation of the Dane County Regional Housing Strategy (RHS) by providing practical tools to help local governments address the area's housing crisis.

Best Practices Guide: Main Elements

Part 1: Zoning Evaluation Checklist

Part 2: Model Districts, Definitions, and Guidelines

Part 3: Guide to Streamlining Housing Approvals

Dane County is experiencing a housing crisis caused by rapid job and household growth, soaring home prices, and decades of underproduction of new housing units. In response, the Regional Housing Strategy (RHS) was developed as a collaborative effort among local governments, planners, and community stakeholders to identify shared challenges and define coordinated responses. The RHS set an ambitious action plan for the next five years centered around 5 Housing Priorities and 17 Strategic Actions. Strategy 4 calls for the Region to **"Advance Zoning Reforms and Update Local Zoning Codes."** The "Best Practices Guide to Residential Zoning" addresses this strategy by providing a workbook for local governments in Dane County to help them consider zoning updates that will increase the supply, diversity, and affordability of housing.

The Role of Zoning in Housing Supply and Cost Zoning restricts the type of housing allowed to be built, as well as housing size and location. These restrictions increase development costs, ultimately preventing the construction of many in-demand types of owner- and renter-occupied housing. Zoning was historically used to facilitate racial segregation and continues to disproportionately impact low-income and minority communities today. Many zoning codes still reflect a system developed over 100 years ago. Meanwhile, demographics, development needs, and housing preferences have changed. Land and construction costs have far outpaced wage growth, making housing less and less attainable. Local governments should review their zoning codes for barriers to housing development to ensure that their land use regulations reflect the needs and projected growth of their communities. While factors like labor, materials, and financing costs lie largely outside local control, zoning and land use policy remain key tools for local governments to shape future development.

Who Should Use This Guide? This guide should be used by local government planning and zoning practitioners such as community planners and zoning administrators. Conclusions drawn and insights gained from using the guide should be communicated with the local government's elected and appointed officials as well as interested residents and stakeholders to develop the best policies specific to their community.

Every community is different. This guide is not a checklist of requirements but a good starting point for thoughtful analysis and informed discussion. By taking a closer look at how zoning works in practice, communities can position themselves to better meet their current and future housing needs, foster equitable access, and long-term community success. Housing should be considered within the context of broader community goals.

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Zoning Code Evaluation Checklist: Addressing the Housing Crisis

Key Zoning Updates

1. Allow for a variety of housing types
2. Reduce minimum lot sizes & setbacks
3. Increase the number of permitted dwelling units by acre
4. Reduce parking requirements
5. Allow multi-unit housing by right

The Zoning Code Evaluation Checklist provides a tool to help municipalities identify and evaluate which code recommendations are best suited for their individual code updates. The checklist is organized around six zoning topics.

Checklist Topics

1. Dimensions
2. Density
3. Land Use
4. Parking
5. Approval Processes
6. Non-Zoning Guidelines

How to Use the Evaluation Checklist

Zoning practitioners should use the Checklist like a workbook, reviewing each evaluation criteria and comparing it to the existing zoning regulation in their communities. The checkbox offers a “yes” or “no” choice in response to criteria questions. A “yes” answer generally means the existing regulation is relatively aligned with best practices in residential zoning, while a “no” answer is intended to signal that changes may be appropriate.

The Checklist is not meant to grade the community on their housing-related regulations but rather to identify areas for improvement. The “zoning best practice” column provides value added information to explain how the criteria could specifically be amended to align with metrics and practices that support increased housing supply and decreased housing costs. Specific numbers and policies should be adjusted by communities to meet their needs and consider local housing, political, and geographic contexts.

1.1: Dimensional Requirements

Topic Overview:

What are dimensional requirements?

Zoning codes use dimensional requirements to regulate the physical size and density of development on a lot including characteristics like lot size, lot width, setbacks, and height. These standards control the form of how a building can fit on a given lot and within the context of its surroundings. These standards dictate how much land can be consumed per housing unit.

Do dimensional requirements impact housing supply and cost?

Modifying dimensional requirements can dramatically affect the cost of housing. For example, allowing smaller lots can also facilitate a more compact development pattern that consumes less land overall. With smaller lots, the cost of streets and utilities are spread across more housing units and reduce the cost for each individual lot. Compact development patterns can also reduce municipal operating costs with less pavement for repairs, maintenance, and plowing per household, for example. Overall, adjusting dimensional requirements can drive down the cost of a housing unit and increase the supply of housing units for sale or rent.

Within each evaluation criteria, a range of options may be available rather than a "one size fits all" approach to zoning districts and zoning regulations. Where a range exists, the smallest category is not automatically the "best." A range is presented to illustrate that different options are available. For example, reducing lot sizes below the common traditional 10,000 square foot minimums is best practice. However, minimum lot size evaluation should not stop there. The exact mix of zoning districts and minimum lot sizes should be determined according to the community's zoning district make-up and local context.

Evaluation Checklist:

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
1	*Minimum Lot Size.* Does your zoning code allow lot sizes less than 10,000sf?	☐	☐		Increase options for smaller lot zoning and limit the use of new large lot zoning. Include single-family lots with minimums less than 10,000sf.	Larger lots cost more than smaller lots. Larger lots also require longer driveways, road frontage, sewer, sidewalk, etc. which lot owners must pay for.
2	*Minimum Lot Size.* Does your zoning code allow residential lot sizes between 5,000sf-7,500sf?	☐	☐		Best practices recommend lot sizes ranging from 5,000sf-7,500sf for street-loaded single-family. Reduce other dimensions like setbacks based on the lot size.	See above.
3	*Minimum Lot Size.* Does your zoning code allow a residential lot size of 3,000sf?	☐	☐		3,000 sf lots work well for alley-loaded development because they avoid "snout houses" (thrust garages), allow for houses with no garages or driveways.	See above.

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
4	*Minimum Lot Frontage or Lot Width*. Does your code allow lots less than 60-80 feet wide?	☐	☐		Best practices lot widths range from 30-60' depending on the zoning district and housing formats permitted.	Smaller widths enable smaller lots which cost less. Smaller lots also save on space and can increase the number of homes built in an area, adding to the supply of housing.
5	*Minimum Lot Frontage or Lot Width*. Does your zoning code allow lots as narrow as 30 feet?	☐	☐		Widths as narrow as 30' work well with smaller-lot alley-loaded housing where the front door faces the street.	See above.
6	*Zero-Lot Line Allowance*. Does your code allow zero-lot line housing (townhomes and duplexes)?	☐	☐		Allow structures with a shared zero-lot line with fee-simple ownership on each side. Any district that allows over two units could have a zero-lot line option.	Zero-lot line development enables home ownership without costly and complex condominium forms of ownership and reduces costs compared to detached ownership units.
7	*Minimum Setbacks*. Does your code allow less than 30-foot front, corner, and rear yard setbacks? And less than 10-foot side yards?	☐	☐		Communities should generally reduce setbacks to match historic patterns rather than larger standards common in 20th Century suburban development when land was much more abundant and less expensive. Consider incorporating form-based standards (such as porch encroachments and garage restrictions) to enable desirable design outcomes.	Large setbacks mandate more private open space and larger lots (i.e., higher land cost). This can create a sprawling development pattern and increase the cost of infrastructure (roads, sewers, sidewalks, etc.)
8	*Minimum Setbacks, Urban Lots.* Does your zoning code allow 10-15' front setbacks?	☐	☐		For smaller lots in an urban setting, front yard setbacks can be reduced to 10'-15'. Privacy is created from the street by using porches, fences, landscaping, or raising the ground floor elevation higher than sidewalk level.	Smaller setbacks allow smaller lots and can create compact, traditional neighborhood development. Smaller lots cost less for the homebuyer. Smaller lots can also allow for more homes to be built within a given area.
9	*Minimum Setbacks, Alley Loaded Lots.* Does your code allow 2-5'	☐	☐		Reduce rear alley-accessed setbacks to 2'-5'. This dimension slows alley traffic and eliminates the ability for vehicles to overhang into the alley space.	See above.

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
	rear setbacks for alley-accessed lots?					
10	*Porch Encroachments.* Does your code allow porch encroachments beyond the front setback?	☐	☐		Allow 8-10' porch setbacks beyond the front yard setback. A 10' setback may be necessary to accommodate street-side utility easements. An ideal porch depth is wide enough for outdoor furniture (i.e. useable).	Porch encroachments allow more use of the lot and contribute to neighborhood character by creating active spaces adjacent to the public street.
11	*Garage Placement and Proportion.* Does your zoning code regulate garage location and proportion?	☐	☐		Eliminate code requirements for a residential garage. Garage placement requirements are not required but could be used to balance design and affordability considerations. In this case, garages may be required to be even with or behind the front of the house. At maximum, allow garage protrusions 4'-8' forward of the principal structure. Limit garage proportion to 50-60% of the façade length.	Garage placement and proportion is a design characteristic that avoids garage-dominating facades. Form-based standards balance design and affordability considerations. Not requiring a garage, or only having a one-car garage, can provide significant savings on the cost of a single-family home. Homes without garages can be located near transportation routes, or where on-street parking is available.
12	*Minimum Dwelling Unit Sizes*. Does your code eliminate minimum dwelling unit floor area requirements?	☐	☐		Older codes often require a minimum floor area per unit. Instead, remove minimums so lots can accommodate smaller format homes (such as units under 1,000sf). Building and fire codes will dictate minimum safety standards for living area.	The number of people per household is declining and households are growing at a faster rate than housing units. Smaller units can increase supply to address this demand. Smaller units can be less expensive, reduce rental costs, and increase options for first-time homebuyers.
13	*Building Separation Requirements*. Does your zoning code eliminate principal building separation requirements?	☐	☐		Zoning codes often require large separations between principal buildings (i.e., over 20 feet). Instead, remove this from the zoning code and instead defer to building code requirements for safety.	Large building separations encourage a suburban, sprawling development pattern and consumes more land. More land = higher costs.

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
14	*Lot Depth.* Does your code eliminate lot depth requirements?	☐	☐		Lot depth requirements can increase lot sizes unnecessarily. Instead, front and rear setbacks set the buildable area. Otherwise, common residential lot depths are 80'-100'.	Some view lot depths as an arbitrary zoning rule that adds complexity and creates larger lots.

1.2: Density Requirements

Topic Overview:

What are density requirements?

Density restrictions control the number of housing units allowed to be built on a parcel of land or within a particular area. A density limitation is usually expressed as a maximum number of dwelling units per acre (e.g., 7 dwelling units/acre). However, other zoning regulations also restrict the density of development on a lot such as Floor Area Ratio (a measure of the building's gross square footage compared to the lot area) or a simple limitation like the number of dwelling units per building. Density restrictions can be effective in ensuring there is enough capacity in infrastructure (like sanitary and storm sewer) and public services (like police and fire) to serve the development. However, the application of density restrictions often restricts housing options even when capacity is available to serve the development. Other standards can effectively manage the character, mass, and form of buildings (such as maximum building height and setbacks) without using overly restrictive density limitations.

How do density requirements impact housing supply, diversity, and cost?

Where density restrictions exist, they limit the overall housing supply, driving up prices for both rentals and owner-occupied units. Land becomes more expensive when density regulations limit how much of it can be used, making it an even more valuable resource, and limiting the supply of housing. Higher land costs are paid for by the homeowner or renter, making housing costs more expensive. Conversely, loosening density restrictions can increase housing supply and help to lower housing costs. Higher density opportunities allow greater housing unit variety which can accommodate different household types, income levels, and different stages of life.

Evaluation Worksheet:

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
1	*Maximum Floor Area Ratios (FAR).* Does your zoning code avoid maximum FAR requirements per lot for residential development?	☐	☐		Eliminate low FAR restrictions (such as 0.15) from residential zoning districts. Instead, prescribe standard zoning metrics like height, setbacks, and lot coverage ratios.	Low FAR limits restrict height and density and can increase increasing housing costs.

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
2	*Maximum Lot Coverage Ratios*. Does your code have lot coverage ratios greater than 35%?	☐	☐		Allow greater lot coverage that reflects historic patterns (including impervious surfaces and buildings). Medium lots = 60-70%, small lots = 70-90%, and downtown or urban districts = up to 100%. With higher impervious surfaces, regional stormwater may be required. Zoning practices should be balanced with other development considerations like stormwater management.	Great coverage promotes more efficient use of land. Less land consumption = lower costs.
3	*Maximum Density Requirements*. Does your code eliminate maximum density by district (ex. Units/acre or unit maximums)?	☐	☐		Eliminate density maximums. Instead, prescribe standards for building setbacks and height to guide desired development character.	Density maximums restrict housing supply, which increases prices. Limiting density can encourage sprawl. More land consumption = higher costs.
4	*Bonus for Affordable Housing*. Does your code include a "bonus" (e.g., height) for affordable housing units?	☐	☐		In exchange for affordable housing units, bonuses can allow taller buildings or more units (if otherwise limited by the code).	State law prohibits inclusionary zoning requirements that mandate affordable housing. However, zoning may use voluntary incentives such as bonuses.

1.3: Land Use Requirements

Topic Overview:

What are land use requirements?

Zoning ordinances define which land uses are allowed within a specific zoning district such as residential or commercial uses. A residential land use category can include multiple different types of housing such as single family detached or attached homes, two-family homes in various formats, small scale multi-family buildings like four- or eight-unit apartments, and higher density multi-family buildings like twelve or twenty-unit apartment buildings. Residential land uses can also include other unique development forms like "Pocket Neighborhood" housing or "Accessory Dwelling Units." Within a zoning district, land use requirements are described as "Permitted" or "Conditional Uses." Permitted uses can occur

"by-right," upon demonstration of compliance with all zoning requirements. Conditional use permits may be allowed only after a public hearing, additional municipal approvals, and potential satisfaction of conditions on the use, increasing the cost and time of development.

How do land use requirements impact housing supply, diversity, and cost?

Limitations on allowed land uses in a zoning district restrict housing development. For example, districts designed exclusively for single-family detached housing limit the supply of housing to be built vs. a district that allows twin homes, two-family, or small multi-family and greater diversity of housing types.

Evaluation Checklist:

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
1	*Exclusive Single-Family Districts*. Does your code allow multi-unit housing by-right in districts where two-family and multi-family already exist as non-conforming uses?	☐	☐		Traditional neighborhoods have a mix of single-family, two-family housing formats, and other multi-unit formats (e.g., tri-plex and four-plex), yet the zoning district in place may only allow for single-family use. Instead, allow multi-unit formats in districts where they already exist.	Match district rules to land uses already occurring in the area rather than creating barriers that make these housing types illegal.
2	*Exclusive Single-Family Districts*. Does your zoning code allow mixed residential formats in districts (single-, two-, and multi-family)?	☐	☐		Some communities are "eliminating single family zoning" by removing exclusive "single-family detached" districts. Instead, zoning districts can allow mixed-residential types using common single-family dimensions.	Traditional neighborhoods feature "gentle" or "hidden density," and "missing middle" housing types in areas that feel like single family neighborhoods. This creates housing diversity and more affordable units.
3	*Accessory Dwelling Unit (ADU)*. Does your zoning code allow ADUs by-right?	☐	☐		Enable attached or detached ADUs as a permitted use by-right in all residential districts. Allow either the ADU or principal structure to be owner-occupied. Allow square foot maximums ranging from 750-1,000sf. Do not require additional parking minimums for the accessory unit.	ADUs can create additional income for the principal owner to offset housing costs or allow for aging in place. Financing is difficult to obtain for conditional use ADUs making them more expensive and a lot less likely to occur vs. ADUs permitted by right.

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
4	*Two-Family Format Housing*. Does your code allow multiple formats including side-by-side, stacked, front-back, and zero lot line?	☐	☐		Restrictive codes only allow for a side-by-side duplex. Code should also allow stacked, front-back, and zero-lot line configurations.	Restricting two-family formats to only one version is overly restrictive and depresses housing supply.
5	*Townhomes*. Does your code allow zero-lot development to enable attached town houses?	☐	☐		Attached townhomes situated on zero-lot line parcels should be a by-right land use in at least one residential zoning district.	Attached zero-lot line townhomes can enable ownership without costly and complex condominium forms of ownership and allow more units in less space than single-family.
6	*Pocket Neighborhood Development*. Does your zoning code include a district crafted specifically for Pocket Neighborhood style housing?	☒	☐		Allow clusters of small, detached or attached homes that provide a communal space for residents, often on challenging infill lots. Create a zoning district to enable Pocket Neighborhoods by-right to avoid challenges with density or parking restrictions. Work with Fire Departments to ensure consistency with Fire Lane requirements.	Pocket Neighborhoods offer smaller format housing that make efficient use of a common lot that is often situated within existing development. This type of housing can be owner-occupied, most often subject to a condominium plat due to lot layout limitations without street frontage. Units can be built without garages, and include surface parking spots in a designated area, helping to reduce housing costs and limitation with lot sizes.
7	*Multi-Family Development.* Does your code eliminate density caps, unit maximums, and per unit land minimums for multi-family?	☐	☐		Remove unit caps and density caps on multi-family. Remove per-unit square footage land area requirements. Use standards like setbacks, lot coverage, and height to result in desired character.	Density caps restrict multi-family housing and contribute to the housing shortage. Large per-unit square footage minimums can increase the required lot size. Bigger lots = higher costs.
8	*Mixed-Use Development*. Does your code enable residential development in commercial districts?	☐	☐		Enable residential development in commercial districts such as above the ground floor or as stand-alone residential structures where appropriate.	Allowing residential land uses nearer to employment centers, for example, can create workforce housing opportunities with lower transportation costs.

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
9	*Multiple Principal Buildings Per Lot*. Does your code allow multiple principal residential buildings per lot by-right?	☐	☐		Many codes prohibit multiple principal buildings on the same lot or only allow them via Planned Development zoning or Conditional Use Permit. Instead, enable these common forms of rental unit development on a single lot.	Longer processes delay housing construction. This adds uncertainty and cost to the process.

1.4: Parking Requirements

Topic Overview:

What are parking requirements?

Parking requirements in a zoning code dictate the minimum number of parking spaces necessary for different land uses. The purpose of parking requirements is to ensure there is sufficient parking, typically on-site, to accommodate the expected traffic generated by the development. Some communities use parking maximums to limit the provision of parking stalls above and beyond the minimum needed. Parking minimums are often relaxed in transit-oriented areas, such as within a quarter mile of a park and ride or transit stop. Aside from municipal parking regulations, lenders often require a certain level of parking in order to provide bank financing for the project.

How do parking requirements impact housing supply and cost?

Parking requirements must be met to develop housing that complies with a community's zoning ordinance. Costs associated with parking requirements include the cost to design parking areas and to provide the land needed to accommodate the parking in a driveway or surface lot, or in a garage or parking structure. These costs are passed on to the renter or homebuyer. Excessive use of land for parking also consumes land that could instead be used for additional housing units.

Evaluation Checklist:

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
1	*Single Family and Two-Family Parking Minimums*. Does your code minimize parking requirements?	☐	☐		Older codes often require 3 spaces and might require a garage for these housing types. Instead, reduce or remove parking minimums for single-family and two-family uses.	Higher parking requirements and/or a garage can add tens of thousands of dollars to the housing cost.
2	*Attached or Detached Garages.* Does your code eliminate	☐	☐		Remove requirements for housing units to have individual garages and driveways where street parking or	A garage and driveway add tens of thousands of dollars to the housing cost.

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
	requirements for garages or driveways?				surface parking is nearby, or the units are close to transit.	
3	*Multi-Family Parking Minimums.* Does your code remove escalating scales per bedroom for multi-family parking minimums?	☐	☐		Reduce or remove escalating parking minimums based on the number of bedrooms per unit. Some communities are considering removal of all parking minimums or reducing parking minimums to 1 or 1.5 per unit.	Older codes commonly require 2 spaces for a single-family detached home but 3 spaces or more for a three-bedroom apartment. This disproportionately affects multi-family units. There may also be guest parking requirements.
4	*On-Site Driveways (Single Family and Two-Family).* Does your code have minimal pavement width requirements when driveways are needed?	☐	☐		When on-site parking minimums are required, a paved surface is usually required to accommodate the parking space. Minimum dimensions can be as low as 10-12 feet wide instead of excessive wider dimensions. If there are no parking minimums, it is not necessary to require paved driveways on site.	Reducing parking minimums and requirements for paved surfaces can reduce costs per housing unit. Without parking minimums, the area needed for development is reduced (less land = lower costs).
5	*Parking Maximums.* Does your code use parking maximums for residential development?	☐	☐		Maximums ensure that no more than 125%-150% of the minimum required parking is built on site.	Establishing parking maximums avoids excessive land consumption for surface parking lots (more land = higher costs).

1.5: Approval Processes

Topic Overview:

What are zoning approval processes?

Zoning approvals authorize property owners to use land in a specific way according to local zoning rules. Approval can be administrative or discretionary. Administrative approvals are facilitated by municipal staff after a project demonstrates that the development complies with all ordinance requirements. Discretionary approvals, such as conditional use permits or rezoning requests, include more intensive review processes. This often requires public hearings, committee meetings, and final authorization by a governing body. There is greater uncertainty,

cost, and time associated with discretionary approvals whereas administrative approvals must be granted for permitted uses that comply with codes and typically require less processing time.

How do zoning approval processes impact housing supply and cost?

Additional time and uncertainty are a risk to housing developers. More risk can suppress housing development and cause greater lags in developing much needed housing supply. The longer and less standardized approvals are, the more cost to the developer that gets passed to the future homeowner or rental household.

Evaluation Checklist:

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
1	*Staff Level Approvals*. Does your code allow staff level approvals for housing units greater than single-family or two-family?	☐	☐		Zoning codes typically allow administrative approvals of single family and two-family developments. Expand this to allow administrative approvals of housing formats up to 8-12 multi-family units if permitted in the zoning district, without the need for Plan Commission site plan or architectural review.	Staff approvals reduce the time and cost in development approvals, helping to reduce the housing shortage.
2	*Minimizing Use of Planned Development (PD) Zoning*. Has your community created new zoning districts that accommodate common PD requests by-right?	☐	☐		Create zoning districts that reflect modern development and housing needs rather than requiring a lengthy PD process. Approve similar housing in standard zoning districts instead.	PD zoning adds significant time and uncertainty to entitlement processes which delays housing construction and adds cost.
3	*Minimizing Conditional Use Permits*. Has your community reduced the number of land uses that require conditional use permits?	☐	☐		Adding housing types by right in appropriate districts and with desired standards, allows for a variety of needed housing to be created more easily. Where conditional uses remain, Plan Commissions may approve conditional uses without final approval by the governing body. This can streamline the process.	Conditional use processes add uncertainty, time, and cost to housing development. In addition, a municipality's ability to deny conditional uses is limited under 2017 WI Act 67 making many conditional use reviews performative.

1.6: Non-Zoning Guidelines

Topic Overview:

What are non-zoning guidelines?

Zoning ordinances are only one part of the housing market. Zoning influences where and how developments are built based on municipal regulations. Many other factors influence housing development and costs including land suitability, labor, building materials, and financing. Other municipal ordinances and plans can play a role, too. Subdivision codes, stormwater ordinances, building codes, and Comprehensive Plans, for example, work together with zoning to create a regulatory framework for development review. State and municipal programs can also impact housing through incentives, encouragement, and education.

How do non-zoning guidelines impact housing supply, diversity, and cost?

There are countless ways that the entire regulatory and development framework can impact housing supply and cost. This section of the evaluation checklist provides key recommendations related to Comprehensive Plan and Subdivision Code standards relative to alignment with zoning recommendations.

Evaluation Checklist:

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
1	*Housing Study: a community-wide assessment of housing needs*. Has your community completed a housing study?	☐	☐		Assess community housing as a first step to identify issues and demand. Use the assessment to drive Comprehensive Plan goals and zoning and subdivision implementation policies.	Community conversations around housing can lead to successful adoption of zoning amendments and/or approval of housing development projects.
2	*Comprehensive Plan: align land use policies with the desired zoning framework*. Has your community updated housing and land use policies to enable more housing?	☐	☐		Zoning amendments must be consistent with the Comprehensive Plan. Create mixed density and use categories in the Comprehensive Plan instead of exclusive density and use categories (e.g., mixed residential vs. SF, TF, MF).	Proactively aligning comprehensive plan and zoning goals not only complies with State Law but can avoid costly delays in entitlement review processes as developments are proposed.
3	*Comprehensive Plan: reduce restrictive density limits (e.g., 6 units per acre)*. Has your community evaluated density limits in land use categories?	☐	☐		Comprehensive Plans should guide zoning decisions and can broadly recommend density thresholds. However, restrictive density limitations can be a barrier to zoning text and map amendments.	Comprehensive Plan policies may conflict with zoning goals. Amending a Future Land Use map can add months on top of a zoning entitlement process.

	Zoning Requirement	Yes	No	Existing Code Notes (for Community Use)	Zoning Best Practice	Housing Affordability Impact
4	*Comprehensive Plan: Update the Housing Chapter*. Does your community have a Housing Element that was updated within the last five years?	☐	☐		Updating the Housing Chapter as a stand-alone planning effort can align broader goals with zoning efforts without undertaking an entire Comprehensive Plan update.	Aligning goals in the Housing Chapter encourages community consensus prior to approving housing developments. Having up-to-date plans can also unlock funding sources (e.g., WHEDA programs).
5	*Comprehensive Plan: Enable infill and redevelopment*. Does your Plan encourage infill and redevelopment for housing?	☐	☐		Older Future Land Use (FLU) maps may segregate land use patterns or plan for new housing growth primarily in greenfield areas. Update FLUs to enable infill and redevelopment to create more housing.	Infill and redevelopment can make more efficient use of existing infrastructure and add housing units to existing neighborhoods.
6	*Subdivision Code: Lot frontage. Does your subdivision code allow lots with less than 50 feet of frontage on a public street?*	☐	☐		Development must comply with zoning and subdivision codes, but sometimes the codes conflict. Zoning may enable 30' of lot frontage while the subdivision code might require 50'. Instead, amend the subdivision code to defer to zoning standards.	Aligning the zoning and subdivision code can make development review easier and possibly save time in review processes.
7	*Subdivision Code: Narrower Streets*. Does your subdivision code enable local road widths of less than 66 feet?	☐	☐		New neighborhoods often have narrower streets, but subdivision codes might have strict rules for wider streets. Enable flexible street widths in the subdivision code. Appropriate width depends on the area context and fire safety accessibility.	Wider road widths add cost to the lot buyer.
8	*Subdivision Code: Expanded Use of CSMs.* Does your subdivision code allow expanded use of CSMs for multi-family development?	☐	☐		State law enables municipalities to create more than 4 lots via CSM for multi-family development rather than a full Platting process. Amend subdivision ordinances following procedures laid out in Wisconsin Statutes including a stated maximum number of parcels.	Expanded CSMs work well for attached townhome development, which enables fee-simple ownership of individual units. Using a CSM can reduce the time and cost associated with approval processes compared to a Plat.

1.7: Notes

Zoning Code Evaluation Checklist

This page is provided as a worksheet to help you summarize your code evaluation findings. Where does your code work well for enabling cost-effective housing development? Where does your code present barriers to or add costs to housing development? Are there clear code revision priorities that could present more housing opportunities in your community? What steps are needed to implement priority actions?

2

Model Zoning Districts, Definitions, and Guidelines

Model zoning code language provides a starting point for local governments to develop zoning solutions. Communities should customize the model language to their specific context, including consideration of local infrastructure, demographics, housing conditions, and community goals. The model language provided in this guide includes:

- 2.1 – Model residential zoning districts
- 2.2 – Best practice for permitted land uses by zoning district
- 2.3 – Incorporating housing into mixed-use zoning districts
- 2.5 – Best practice residential parking requirements
- 2.6 – Accessory dwelling unit detailed text
- 2.7 – Pocket neighborhood detailed text
- 2.8 – Definitions for housing types, bulk dimensions, and family

2.1: Model Zoning Districts

Each of the seven model zoning districts aims to provide flexibility and remove barriers to the development of new diverse housing opportunities. Communities may adapt the model districts to best suit their needs. Adoption of a new district should include at least the following key elements: (1) a purpose statement, (2) density, intensity, and bulk regulations, and (3) a list of land uses that are permitted or conditional uses.

The model districts are designed to be applied in different locations within a single neighborhood, rather than utilizing one district for an entire neighborhood. For example, a given neighborhood that includes a mix of single-family, two-family, and multi-family housing types would apply a pattern of different zoning districts to enable each housing type.

To increase options available to a community, **Model District E** is designed to allow for broader application of a single zoning district across a larger geographic area while enabling multiple housing types with varying dimensions. This avoids the need to rezone individual groups of lots if the lots can comply with the dimensional standards for the given type of housing.

While each local government will determine how to use the districts, an ideal outcome would be a neighborhood that contains a mix of housing types and zoning districts. Zoning decisions should be guided by careful neighborhood planning and design to support community goals for neighborhood development.

Model Districts

District A: Pocket Neighborhood

District B: Small Lot Alley-Loaded

District C: Small Lot Front-Loaded

District D: Medium Lot Residential

District E: Mixed Middle

District F: Medium Multi-Family Residential

District G: Medium-High Multi-Family Residential

When should a community amend their zoning code?

Key indicators that zoning revisions are necessary include:

- The code no longer reflects the community's vision
- The code fails to address current needs and challenges
- The code is outdated or obsolete, reflecting development practices that don't match modern needs
- The code is frequently challenged in disputes or litigation
- The code is difficult to interpret, and information is hard to find
- The code doesn't reflect new planning policies

Should a community revise or rewrite their entire zoning code?

First, a community should complete an evaluation of their zoning code to assess barriers to housing development using the Checklist in Part 1 of this guide. In addition, the community should evaluate how the zoning code is functioning overall, considering key indicators listed above. Depending on the functionality of the current code, targeted amendments may be sufficient such as incorporation of one or two new zoning districts or adjustment of bulk regulations within existing zoning districts. In other cases, a full rewrite may be necessary to rework the mix of zoning districts. In either case it will be important to have consistency throughout the entire code. A zoning code rewrite should include ample time and resources to adequately address community needs and should ideally be based on feedback developed during a broader planning process.

District A: Pocket Neighborhood

Purpose Statement: Pocket Neighborhoods are comprised of small residential buildings that may be made of detached, attached, or townhouse units. Where possible, the units should have a common open space to share. A Pocket Neighborhood may be developed on individual lots or with a common form of ownership. This district is intended to promote infill development and redevelopment within established neighborhoods or to create new developments that are built at a scale and character consistent with surrounding development patterns. *(See Section 2.6 for additional requirements)*.

Density, Intensity, and Bulk Regulations:

Principal Buildings:	Requirement
Minimum Lot Area	None
Maximum Impervious Surface Ratio	65 percent district-wide 90 percent individual lots
Minimum Lot Width	None
Minimum Lot Depth	None
Minimum Lot Frontage at Right-of-Way*	30 feet
Minimum Principal Building Setbacks – District Periphery	10 feet
Minimum Interior Side Yard Setbacks	5 feet
Minimum Principal Building Separation	10 feet or 0 Lot Line
Maximum Principal Building Height	35 feet
Minimum Pavement Setback (lot line to pavement, excludes driveway entrances)	2 feet on side and rear yards 10 feet from any street right-of-way
Dwelling Unit Size	800 sf – 1,000 sf
Accessory Buildings: **	
Minimum Accessory Building Setbacks (all lot lines)	3 feet
Maximum Height	22 feet

* All lots must front on a public street for 30', or, when enabled by the subdivision code, lots may front on a common green where such common green fronts on a public street for at least 30' and where such lots have rear access to a public alleyway meeting fire lane requirements.

**Accessory buildings on individual lots are limited to detached garages. Accessory buildings in common areas may include shared garages, gazebos, shelters, clubhouses, and maintenance sheds. Such common area structures may be located on a lot without a principal structure.

District Image Example

District Impact:

Pocket neighborhoods allow for much needed smaller, less expensive single-family housing. In addition, they offer first time homebuyers, seniors, and young families options to stay or re-locate in their community. They also consume less land and are flexible in shape and size, a great use of infill development, or as part of a planned development.

District B: Small Lot Alley-Loaded

Purpose Statement: This district is intended to create, preserve, and enhance areas for single family detached dwellings. This district is designed for alley-loaded homes.

Density, Intensity, and Bulk Regulations:

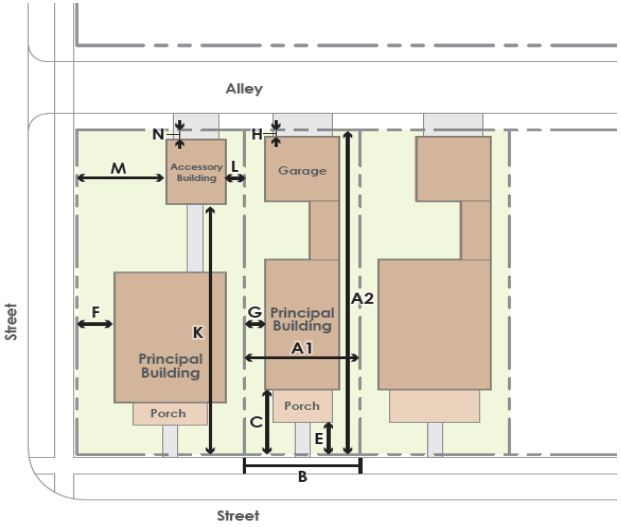
	Principal Buildings:	Requirement
A1xA2	Minimum Lot Area	3,000 square feet
	Maximum Impervious Surface Ratio	90 percent
A1	Minimum Lot Width	30 feet
A2	Minimum Lot Depth	100 feet
B	Minimum Lot Frontage at Right-of-Way	30 feet
C	Front Setback	Minimum: 15 feet, Maximum: 20 feet
D	Minimum Front-Loaded Attached Garage Setback	n/a
E	Minimum Porch Setback (on front and street side yard)**	10 feet
F	Minimum Street Side Setback (on corner lots)	10 feet
G	Minimum Side Setback	5 feet
H	Minimum Rear Setback	2-4 feet*
I	Maximum Principal Building Height	35 feet
J	Minimum Pavement Setback (lot line to pavement, excludes driveway entrances)	2 feet on side and rear yards 10 feet from any street right-of-way
	Accessory Buildings:	
(K) Minimum Front Setback (even with or behind the principal structure); (L) Minimum side setback (2 feet); (M) Minimum Side Setback (on corner (even with or behind the principal structure); (N) Minimum rear setback (3 feet); Maximum Height (22 feet).		

**Note: This district is designed to allow alleys in the rear of the lot. The minimum garage door setback to the rear lot line should be 2 feet.*

***Porches are not required but may encroach further into the front yard when used.*

District Image Example

District Setback Diagram



District C: Small Lot Front-Loaded

Purpose Statement: This district is intended to create, preserve, and enhance areas for single family detached or two-flat dwellings. This district is designed for smaller lot front-loaded homes but may accommodate alley-loaded homes.

Density, Intensity, and Bulk Regulations:

	Principal Buildings:	Requirement
A1xA2	Minimum Lot Area	5,000 square feet
	Maximum Impervious Surface Ratio	75 percent
A1	Minimum Lot Width	50 feet
A2	Minimum Lot Depth	100 feet
B	Minimum Lot Frontage at Right-of-Way	30 feet
C	Front Setback	Minimum: 20 feet, Maximum: 25 feet
D	Minimum Front-Loaded Attached Garage Setback**	2 feet behind the plane of the principal structure.
E	Minimum Porch Setback (on front and street side yard)***	10 feet
F	Minimum Street Side Setback (on corner lots)	10 feet
G	Minimum Side Setback	5 feet
H	Minimum Rear Setback	Front-loaded: 20 feet, Alley-loaded: 2 feet
I	Maximum Principal Building Height	35 feet
J	Minimum Pavement Setback (lot line to pavement, excludes driveway entrances)	2 feet on side and rear yards 10 feet from any street right-of-way
	Accessory Buildings:	
(K) Minimum Front Setback (even with or behind the principal structure); (L) Minimum side setback (2 feet); (M) Minimum Side Setback (on corner (even with or behind the principal structure); (N) Minimum rear setback (3 feet); Maximum Height (22 feet).		

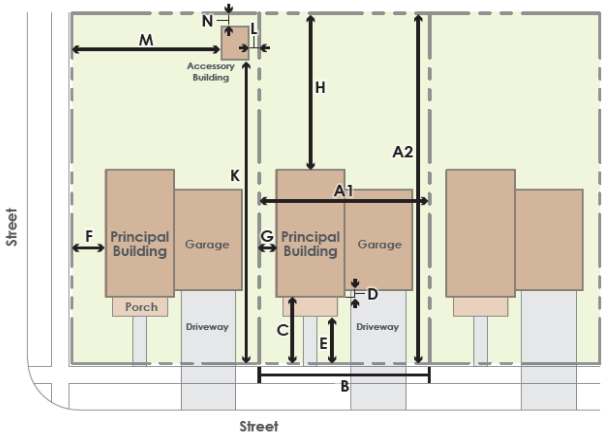
**Note: This district is designed to allow alleys in the rear of the lot or front-loaded single family.*

***Garage shall comprise no more than 50% of the front façade.*

****Porches are not required but may encroach further into the front yard when used.*

District Image Example

District Setback Diagram



District D: Medium Lot Residential

Purpose Statement: This district is intended to create, preserve, and enhance areas for single family detached and two family attached dwellings.

Density, Intensity, and Bulk Regulations:

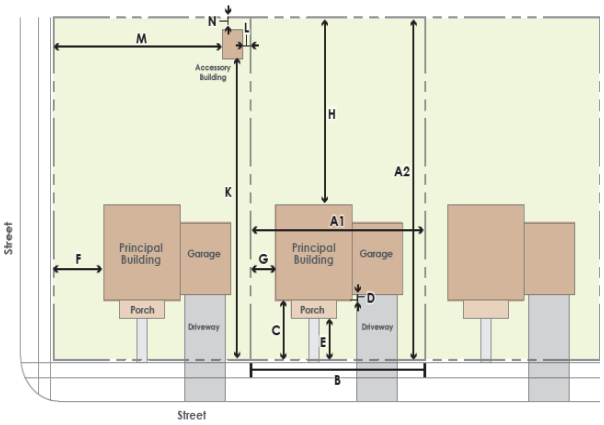
	Principal Buildings:	Requirement
A1xA2	Minimum Lot Area	7,500 square feet
	Maximum Impervious Surface Ratio	60 percent
A1	Minimum Lot Width	60 feet
A2	Minimum Lot Depth	100 feet
B	Minimum Lot Frontage at Right-of-Way	30 feet
C	Front Setback	Minimum: 20 feet, Maximum: 25 feet
D	Minimum Front-Loaded Attached Garage Setback*	2 feet behind the plane of the principal structure
E	Minimum Porch Setback (on front and street side yard)**	10 feet
F	Minimum Street Side Setback (on corner lots)	20 feet
G	Minimum Side Setback	8 feet
H	Minimum Rear Setback	20 feet
I	Maximum Principal Building Height	35 feet
J	Minimum Pavement Setback (lot line to pavement, excludes driveway entrances)	2 feet on side and rear yards 10 feet from any street right-of-way
	Accessory Buildings:	
(K) Minimum Front Setback (even with or behind the principal structure); (L) Minimum side setback (2 feet); (M) Minimum Side Setback (on corner (even with or behind the principal structure); (N) Minimum rear setback (3 feet); Maximum Height (22 feet).		

**Garage shall comprise no more than 50% of the front façade.*

***Porches are not required but may encroach further into the front yard when used.*

District Image Example

District Setback Diagram



District E: Mixed Middle

Purpose Statement: This district is established to encourage the development of new traditional neighborhoods that incorporate the characteristics of existing traditional neighborhoods. Features include a variety of lot sizes and integrated housing types, detached or alley-loaded garages, traditional architectural features such as porches, an interconnected street system and the creation of a high-quality public realm.

Density, Intensity, and Bulk Regulations:

	Principal Buildings:	Single-Family Detached	Single-Family Attached (Townhome)	Two-Family (2 Unit)	Two-Family (Twin)	Single-Family ADU	Multi-Family (Except Resi. Building Complex)
A1xA2	Minimum Lot Area (Sq. Ft.)	2,900	2,000/du	2,500/du	1,800/du	5,000 (per lot)	600/du + 300/bedroom >2
	Maximum Impervious Surface Ratio	75%	90%	75%	75%	80% (per lot)	75%
A1	Minimum Lot Width (Ft.)	30	20	40	25/du	50	50
B	Minimum Front Setback (Ft.)	15	15	15	15	n/a	15
C	Maximum Front Setback (Ft.)	30 or up to 20% greater than block average	30 or up to 20% greater than block average	30 or up to 20% greater than block average	30 or up to 20% greater than block average	30 or up to 20% greater than block average	30 or up to 20% greater than block average
D	Minimum Street Side Setback (on corner lots) (Ft.)	Principal: 8 Garage: 10	Principal: 8 Garage: 10	Principal: 8 Garage: 10	Principal: 8 Garage: 10	Principal: 8 Garage: 10	Principal: 12 Garage: 10
E	Minimum Side Setback (Ft.)	5	Exterior End Walls: 6	5	5	5	10
F	Minimum Rear Setback (Ft.)	Street: 20 Alley: 2	Street: 20 Alley: 2	Street: 20 Alley: 2	Street: 20 Alley: 2	Street: 20 Alley: 2	Street: 20 Alley: 2
G	Maximum Principal Building Height (Ft.)	3 Stories or 35’	3 Stories or 40’	3 Stories or 35’	3 Stories or 35’	2 Stories, no greater than height of principal structure	4 Stories or 52’

District F: Medium Multi-Family Residential

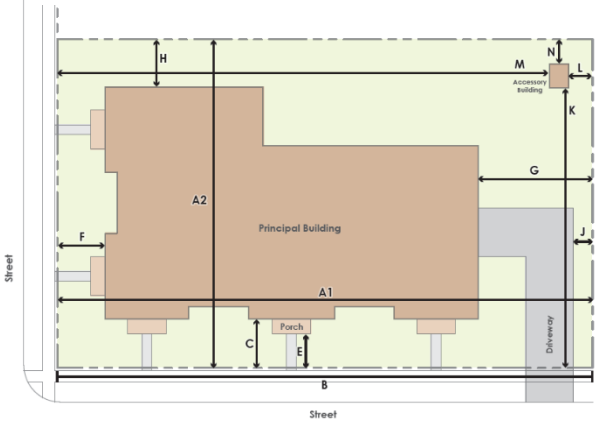
Purpose Statement: This district is intended to create, preserve, and enhance areas for multi-family uses in small buildings such as multiplexes or apartments at low densities with approximate units per building of up to 20.

Density, Intensity, and Bulk Regulations:

	Principal Buildings:	Requirement
A1xA2	Minimum Lot Area	10,000 square feet
	Maximum Impervious Surface Ratio	70 percent
A1	Minimum Lot Width	80 feet
A2	Minimum Lot Depth	120 feet
B	Minimum Lot Frontage at Right-of-Way	30 feet
C	Front Setback	20 feet
E	Minimum Porch Setback (on front and street side yard)	10 feet
F	Minimum Street Side Setback (on corner lots)	20 feet
G	Minimum Side Setback	8 feet
H	Minimum Rear Setback	20 feet
I	Maximum Principal Building Height	40 feet or 3 stories
J	Minimum Pavement Setback (lot line to pavement, excludes driveway entrances)	5 feet on side and rear yards 10 feet from any street right-of-way
	Accessory Buildings:	
(K) Minimum Front Setback (even with or behind the principal structure); (L) Minimum side setback (2 feet); (M) Minimum Side Setback (on corner (even with or behind the principal structure); (N) Minimum rear setback (3 feet); Maximum Height (22 feet).		

District Image Example

District Setback Diagram



District G: Medium-High Residential

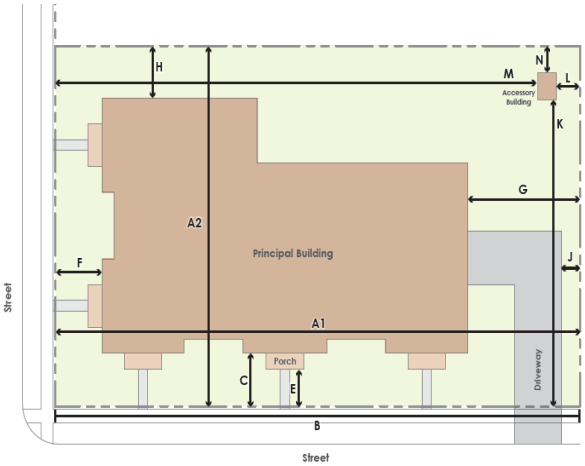
Purpose Statement: This district is intended to create, preserve, and enhance areas for multi-family uses in small and mid-size buildings such as townhomes, multiplexes, or apartments at medium densities with up to approximately 50-65 units per building.

Density, Intensity, and Bulk Regulations:

	Principal Buildings:	Requirement
A1xA2	Minimum Lot Area	15,000 square feet
	Maximum Impervious Surface Ratio	75 percent
A1	Minimum Lot Width	100 feet
A2	Minimum Lot Depth	120 feet
B	Minimum Lot Frontage at Right-of-Way	50 feet
C	Front Setback	20 feet
D	Minimum Front-Loaded Attached Garage Setback	Even with the plane of the principal structure
E	Minimum Porch Setback (on front and street side yard)	10 feet
F	Minimum Street Side Setback (on corner lots)	20 feet
G	Minimum Side Setback	8 feet
H	Minimum Rear Setback	20 feet
I	Maximum Principal Building Height	60 feet or 4 stories
J	Minimum Pavement Setback (lot line to pavement, excludes driveway entrances)	5 feet on side and rear yards 10 feet from any street right-of-way
	Accessory Buildings:	
(K) Minimum Front Setback (even with or behind the principal structure); (L) Minimum side setback (2 feet); (M) Minimum Side Setback (on corner (even with or behind the principal structure); (N) Minimum rear setback (3 feet); Maximum Height (22 feet).		

District Image Example

District Setback Diagram



2.2: Best Practices Permitted Land Uses by Zoning District

By-Right Vs. Conditional Use

Permitted land uses are those authorized "by-right" in a zoning district. If a development meets all requirements in the ordinance, the land use may obtain a zoning permit. Allowing more projects by-right can greatly reduce administrative burden, provide greater predictability for developers, and expedite the local entitlement process.

Best practices include by-right housing at various scales, formats, and price points. Single-family and two-family housing types are typically exempt from site plan approval requirements. This should be expanded to exempt additional housing types like townhomes for example, where appropriate, or allow for administrative (staff level) site plan review and approval. Allowing specific housing types by-right helps to increase the supply of much needed housing.

	Permitted Land Uses	Model Residential Zoning Districts						
		A: Pocket Neighborhood	**B: Small Lot Alley-Loaded**	***C: Small Lot Front-Loaded***	**D: Medium Lot**	**E: Mixed Middle**	**F: Medium Multi-Family**	**G: Medium-High Multi-Family**
Land Uses (See Definitions in Section 2.7)	Single Family (Detached)	✓	✓	✓	✓	✓		
	Two-Flats (Stacked)	✓	✓	✓	✓	✓		
	Duplex (Side by Side)				✓	✓	✓	✓
	Twin Home (Zero Lot Line)	✓	✓	✓	✓	✓	✓	✓
	Townhome (2+ Attached)	✓			✓	✓	✓	✓
	Multiplex (3+ Individual Entry)	✓				✓	✓	✓
	Apartments (3+ Common Entry)					✓	✓	✓
	Nonresidential							
	Accessory Dwelling Units		✓	✓	✓	✓	✓	✓

2.3: Incorporating Housing into Mixed-Use Zoning Districts

This section is oriented to infill and redevelopment sites that may be suitable for new housing. As every community's zoning districts will differ greatly, the recommended approach for enabling residential into already-developed parts of the community is to conduct a review of existing districts and incorporate mixed use buildings and freestanding residential as permitted uses into existing zoning districts.

Incorporating Mixed Use Development

In many communities, commercial zoning districts do not allow any type of residential land use, or they significantly restrict residential land uses. In many instances, areas zoned for commercial land uses meet all the criteria for successful implementation of multi-family housing and mixed-use development. Encouraging residential development in these areas also brings residents closer to desired amenities and reduces the transportation impacts of new housing. **Allowing by right multi-family and mixed-use in commercial areas is another important strategy in reducing the cost of housing.**

The following list of "mixed use" buildings could be added to as permitted land uses within existing commercial zoning districts to enable residential opportunities throughout the community – including along commercial corridors or in established downtown and village centers. Standalone residential developments are best accomplished by rezoning, using one or more of the model residential zoning districts provided above.

(1) **Multi-Family with Limited Commercial:** A mixed-use building which contains residential and one or more principal nonresidential land uses on the ground floor.

   (a) The principal nonresidential use shall be limited to the ground floor of the building and shall consist of a minimum of 33 percent of the gross floor area of the ground floor. This includes a shared lobby or entryway space for residential and nonresidential uses. On-site vehicle parking and access may not exceed 25 percent of the gross floor area of the ground floor. This includes vehicle parking and access for both residential and nonresidential uses.

(2) **Mixed Use Building:** A building containing a mix of principal nonresidential land uses and principal residential land uses.

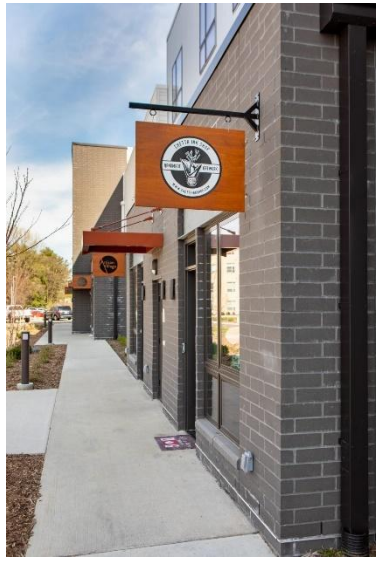
   (a) The principal non-residential use shall consist of a minimum of 50 percent of the gross floor area of the ground floor (including shared lobby spaces). This includes a shared lobby or entryway space for residential and nonresidential uses. On-site vehicle parking or access shall comprise no more than 25 percent of any portion of the ground floor area that faces a right-of-way. This includes vehicle parking and access for both residential and nonresidential uses.

(3) **Live/Work Building:** A multi-unit building, typically arranged in a townhouse format, in which each unit contains a commercial use on the ground floor with a residential use on upper floors, with both uses typically occupied by the same resident/business operator, but not required. The commercial space may or may not be interconnected to the residential use with an internal stair or elevator.

(a) The live/work building is typically the primary dwelling of the occupant.

(b) The nonresidential component of the live/work building is limited to the following land uses, but only if such uses are also permitted by right or by conditional use permit in the applicable zoning district:

1. Office
2. Service and Sales
3. Artisan Production Shop



Incorporating Standalone Residential Uses

Communities should conduct a review of their existing zoning districts – particularly commercial and downtown-oriented districts – and consider adding standalone multi-family land uses as permitted uses. Standalone refers to the entire property/building being used for single land use type, rather than a mix of land use types. Alternatively, if the community wishes to have a finer degree of control over where multi-family uses are located, communities could amend their zoning map to apply one or more of the residential zoning districts in Section 2 to specific sites that have been identified for residential use. Use of these zoning districts should be consistent with surrounding development, good planning practices, and the community's Comprehensive Plan.

2.4: Design Guidelines

What are design guidelines?

Zoning codes provide a broad framework for land use and dimensional requirements. Design guidelines offer more specific details on how buildings should be designed based on the land use framework and context provided in the zoning code. Design guidelines specify requirements for structures such as building materials, façade treatments, building orientation, mass and character requirements, landscaping, lighting or other aesthetic or architectural character details.

How do design guidelines impact housing supply and cost?

Pros: Design guidelines offer predictability for developers and communities. With clear expectations, guidelines reduce conflict and uncertainty in the development process. They also help to streamline approvals for projects that meet design standards and help keep the costs of development down if they remain clear, simple, and minimal.

Cons: Design requirements for certain building materials or building designs add to housing cost and limit options available to developers and often makes housing unattainable for future homeowners. Time and uncertainty in the development review process are also a costly risk to housing developers and can delay projects and cause re-designs. Greater risk will suppress housing development or cause greater lags in developing needed housing supply.

Best practices in design regulation will find an appropriate balance between prescribing design requirements that are easy to interpret, limited, reasonable, understand the community goals, and consider the cost of impact to housing.

Some examples:

- Building Orientation: Where possible, homes should face the primary street with a visible front door or entryway.
- Materials: Use a consistent and durable material palette (e.g. wood, fiber cement, stucco, brick, siding). Limit highly reflective surfaces. No more than two primary exterior materials per elevation.
- Windows and Doors: Front facades should have windows and doors that are proportionate to the wall area. Blank walls facing a “Main Street” are not allowed.
- Privacy and Setbacks: second-story windows facing adjacent backyards must be setback at least 10 feet from the rear property line. Fences and hedges in front yards must not exceed 3 feet in height.

Conclusion: Guidelines may vary slightly between different types of housing but should not be over burdensome because of the potential for added delays and costs, which limits housing supply and increases the sale price. These kinds of guidelines can be adopted as part of a form-based code, a design overlay district, or simply added to existing zoning regulations. They strike a balance between control and flexibility, ensuring that new development fits without being overly burdensome.

2.5: Best Practices Residential Parking Requirements

Minimum parking requirements, often established many decades ago, greatly influence the cost of construction. One method of reducing development costs and enhancing the livability of the built environment is by reducing *minimum* parking requirements and/or establishing *maximum* parking requirements. Many communities across the country have removed minimum parking requirements altogether, leaving it up to the developer/property owner to determine their own parking needs.

Below are model residential parking requirements by land use types that are defined in Section 2.13. These minimum parking spaces represent a reduction from common minimums used in area zoning codes today. Parking minimums are often relaxed in transit-oriented areas, such as within a quarter mile of a park and ride or transit stop. Parking maximums are often used to encourage more efficient use of space and plan for greater densities of development. However, parking maximums may also add burden to housing processes or conflict with lending practices as many financing institutions may have minimum parking thresholds needed to provide a loan.

Land Use Type	Minimum Number of Parking Spaces
Single Family Dwelling Unit	1 per dwelling unit
Duplex, Twin Home, or Two Flat	1 per dwelling unit
Townhome	1 per dwelling unit
Multiplex or Apartment	1 per dwelling unit
Mixed Use Buildings	50% reduction of minimum parking required for all land uses
Live/Work Buildings	50% reduction of minimum parking required for all land uses
Accessory Dwelling Unit	0 per dwelling unit (no more than required for the principal unit)
Pocket Neighborhoods	1 per dwelling unit

2.6: Best Practices Accessory Dwelling Unit Text

Adding Accessory Dwelling Units (ADUs) as permitted uses is a method for enabling diverse residential development. ADUs can be rental or owner-occupied and enable new housing units within both new and established neighborhoods. Below is a model accessory dwelling unit land use description.

Note: If the community wishes to allow accessory dwelling units above detached garages, increasing the maximum height of the detached accessory structure from 22 feet (as noted in model districts in Section 2) to approximately 24 feet is recommended.

Accessory Dwelling Unit: A residential dwelling unit located on the same lot as a single-family dwelling unit, either in the same building as the single-family dwelling unit or in a detached building. An ADU is independently habitable and provides the basic requirements of shelter, heating, cooking, and sanitation.

(1) The number of occupants of the Accessory Dwelling Unit shall not exceed two unrelated individuals.

(2) Additional entrances shall not be added to the front elevation of an existing building but may be added to side or rear or street side elevations.

(3) Accessory Dwelling Units shall adhere to the principal setback requirements and standards for the underlying zoning district.

(4) Accessory Dwelling Unit entryways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.

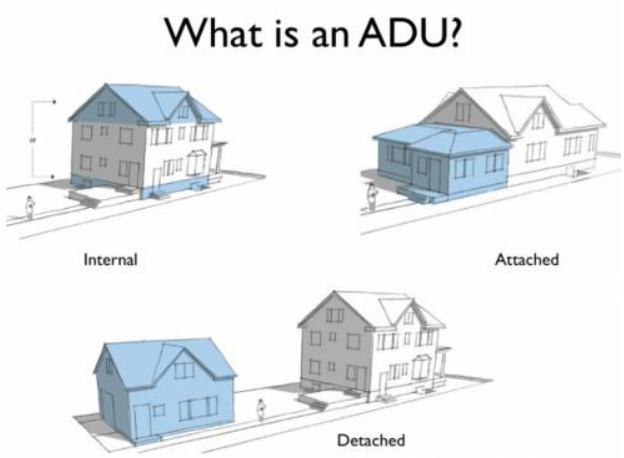
(5) For Accessory Dwelling Units located on the same lot as a single family dwelling unit, the following additional regulations shall apply:

  (a) The principal building or Accessory Dwelling Unit must be occupied by the owner of the property.

  (b) The maximum size of an Accessory Dwelling Unit shall not exceed 75 percent of the principal dwelling's floor area, up to a maximum size of 800 square feet.

  (c) The appearance or character of the principal building must not be significantly altered so that its appearance is no longer that of a single-family dwelling with a unified front architectural façade and a single front entrance.

  (d) Minimum required parking: No additional parking required beyond minimums required for the principal dwelling unit.



Source: Housing Wiki

2.7: Best Practices Pocket Neighborhood Text

Pocket Neighborhood: Pocket Neighborhoods are comprised of small residential buildings that may be made of detached, attached, or townhouse units. A Pocket Neighborhood may be developed on individual lots or with a common form of ownership. This district is intended to promote infill development and redevelopment within established neighborhoods or to create new developments that are built at a scale and character consistent with surrounding development patterns.

(1) Each dwelling unit should have access to the common open space. A minimum size for the common open space is not prescribed, however the overall site development must provide a maximum of 65% impervious surface. The common open space may not be used as a stormwater facility.

(2) Attached or detached garages on individual lots may face private access lanes. It is ideal if the garage does not face the public street but should not be prohibited. The lots available for pocket neighborhoods are often different shapes and sizes and flexibility in design is critical to their success. Accessory structures other than detached garages on individual lots are prohibited.

(3) A Pocket Neighborhood must meet fire access requirements including a 20’ wide all weather paved surface to access all dwelling units.

(4) A Pocket Neighborhood may be developed as a condominium or with individual fee-simple lots. All lots must meet subdivision requirements for frontage on a public street. When enabled by the subdivision code, lots may front on a common green where such common green fronts on a public street for at least 30’ and where such lots have rear access to a public alleyway meeting fire lane requirements.

(5) Minimum required parking: One space per dwelling unit. Parking spaces may be located in attached or detached garages, or in common surface parking areas or shared garages.

2.8: Best Practices Definitions

Housing Types

Single family dwelling unit: A dwelling unit type that consists of a fully detached single family residence which is located on an individual lot. Single family dwelling units are designed for one family (see Family definition) and have no roof, wall, or floor in common with any other dwelling unit. A single-family dwelling that contains an in-family suite is still considered a single-family dwelling. A manufactured or modular home is considered a single-family dwelling unit permitted by the State of Wisconsin Uniform Dwelling Code (UDC) or has received a Federal Manufactured Housing Certificate label.

- **Manufactured home:** A one or two family home certified and labeled as a manufactured home under 42 USC 5401-5426 which when placed on the site is set on an enclosed foundation in accordance with §70.043(1) Wis. Stats. and subchapters III, IV, and V of chapter COMM 21, Wis. Adm. Code, or a comparable foundation as approved by the local Building Inspector, is installed according to manufacturer's instructions, is properly connected to utilities, has asphalt shingles and a gable or hip roof, has insulated glass windows, has vinyl, aluminum or other quality siding, and is a minimum of 22 feet wide.
- **Mobile home:** A type of single-family dwelling unit suitable for year-round occupancy designed to be towed as a single unit or in sections, with or without a permanent foundation, with walls of rigid, un-collapsible construction, and with water supply, sewage disposal, and electrical convenience. A Mobile Home includes both a "mobile home" and a "manufactured home" as defined by Wisconsin Statutes. A Mobile Home does not include a "modular home" as defined by this Chapter. Any similar dwelling unit which has its own motor and/or remains on wheels shall be considered a recreational vehicle.
- **Modular home**: A dwelling unit meeting the Uniform Dwelling Code that is transported to the building site in sections, does not have a permanent chassis, and is permanently mounted on a permanent foundation. A modular home is regulated as a single-family dwelling unit.

Two family residential: A building designed for two separate dwelling units in which one dwelling unit may have a roof, wall, or floor in common with another dwelling unit. For the purposes of this Chapter, Duplex, Twin House, and Two Flat dwellings are considered to be two family residential. A single family dwelling with an attached accessory dwelling unit is not a two family dwelling.

- **Duplex**: This dwelling unit type consists of two separate Single Family Dwelling Units, each having a private individual exterior entrance or private interior entrance from a shared foyer, and no shared internal access other than entry foyers and halls. Similar to Twin Houses, Duplexes are attached side-by-side units, each with a ground floor and roof. Unlike Twin Houses, the two dwelling units in a Duplex are located on one lot.
- **Twin Home**: This dwelling unit type consists of two separate Single Family Dwelling Units, each having a private individual exterior entrance or private interior entrance from a shared foyer, and no shared internal access other than entry foyers and halls. Similar to Duplexes, Twin Houses are attached side-by-side units, each with a ground floor and roof. Unlike Duplexes, each dwelling unit in a Twin House is located on a separate lot.
- **Two Flat (Stacked)**: This dwelling unit type consists of a single structure with two separate Single Family Dwelling Units, each having a private individual exterior entrance or private interior entrance from a shared foyer, and no shared internal access other than entry foyers and halls. Two Flats are attached units within a single structure with one unit above the other.

Multi-family residential: A building or structure designed for three or more separate dwelling units in which one dwelling unit may have a roof, wall, or floor in common with another dwelling unit.

- **Townhouse**: This dwelling unit type consists of attached structure, each having a private, individual access. This dwelling

unit type may be located on its own lot or a shared lot. Each dwelling unit shares at least one common wall with an adjacent dwelling unit.

- **Multiplex**: This dwelling unit type consists of three or more individual attached dwelling units which have private, individual exterior entrances.
- **Apartment**: This dwelling unit type consists of a single structure with three or more individual attached dwelling units which take access from a shared entrance or hallway.

Pocket Neighborhood housing: Pocket Neighborhoods are comprised of small residential buildings that may be made of detached, attached, or townhouse units. A Pocket Neighborhood may be developed on individual lots or with a common form of ownership. Pocket Neighborhood housing may provide infill development and redevelopment within established neighborhoods or create new development that is built at a scale and character consistent with surrounding development patterns.

Accessory dwelling unit: A residential dwelling unit located on the same lot as a principal dwelling unit, either in the same building as the principal dwelling unit or in a detached building. Entrances to individual units may be provided on the ground floor of a principal structure but may not be located on the front face of the principal structure. An ADU is independently habitable and provides the basic requirements of shelter, heating, cooking, and sanitation.

Mixed use: Some combination of residential, commercial, industrial, office, institutional, and/or other land uses within a district or development.

Live/work building: A multi-unit building, typically arranged in a townhouse format, in which each dwelling unit is typically occupied by the business operator of a commercial use (such as a shop, office, studio, or other workspace) in the same structure. The commercial use may or may not be connected to the residential use.

Affordable housing: Housing that is affordable to residents making 30-60% or below area median income, primarily, but up to 80% area median income.

Missing middle housing: Buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes such as duplexes, triplexes, fourplexes, fiveplexes, sixplexes, and up to 20 units depending on the size and character of the development, townhomes, stacked flats (two-flats), and cottage cluster housing.

Small format housing: Housing that creates new starter homes that are smaller in size and more affordable for first time homebuyers. They may or may not include a garage and driveway.

Workforce housing: Housing that is affordable to residents making 80-120% of the area median income.

Bulk Dimension Definitions

Building coverage: The percentage of a lot covered by principal and accessory buildings or structures.

Building footprint: The outline of the total area covered by a building's perimeter at the ground level.

Building height: The vertical distance from the established grade of the front façade (and only the front façade) to (a) the highest point of a flat roof; (b) the deck line of a mansard roof; (c) the average height between eaves and ridge for a gable, hip and gambrel roof; or (d) a point on the roof directly above the highest wall of a shed roof. The established grade is the grade shown on the approved site or construction plans (not the grade that exists before construction begins).

Building, principal: A building in which the main or principal use of the lot is conducted.

Dwelling: A building or one or more portions thereof, containing one or more dwelling units, but not including habitations provided in nonresidential uses such as lodging uses and commercial campgrounds.

Dwelling, attached: A dwelling joined to another dwelling at one or more sides by a shared wall or walls.

Dwelling, detached: A dwelling entirely surrounded by open space on the same lot.

Dwelling unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Floor area: The sum of the gross horizontal areas of the floors of a building, including interior balconies, mezzanines, basements, and attached accessory buildings, stairs, escalators, unenclosed and enclosed porches, heating and utility rooms, etc. Measurements shall be made from the outside of the exterior walls and to the center of interior walls dividing attached buildings.

Floor area determining floor area ratio: For the purpose of determining the floor area ratio, the floor area of a building is the sum of the gross horizontal area of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of the walls separating two buildings. The floor area of a building includes basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade where curb level has not been established, elevator shafts and stairwells at each floor, floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof), penthouses, attic space having head room of seven feet ten inches or more, interior balconies and mezzanines, porches, and floor area devoted to accessory uses. However, any space devoted to off-street parking or loading is not included in floor area.

The floor area of structures devoted to bulk storage of materials, including, but not limited to, grain elevators and petroleum storage tanks, is determined on the basis of height in feet; i.e., ten feet in height shall equal one floor.

Floor area ratio (FAR): Floor area of the building or buildings on the zoning lot divided by the area of the zoning lot, or, in the case of planned developments, by the net site area. The floor area ratio requirements, as set forth under each zoning district, shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.

Gross density: The result of dividing the number of dwelling units located on a site by the gross site area (see maximum gross density).

Gross floor area: The total floor area inside the building envelope on all levels of a building.

Gross site area: The total area of a single lot or the sum of multiple lots in common use.

Impervious surface: Surfaces that prohibit infiltration of stormwater. Homes, buildings, and other structures with roofs, as well as concrete, brick, stone, asphalt, gravel, and similar paved surfaces are considered impervious.

Impervious surface ratio: A measure of the intensity of land use, determined by dividing the total of all impervious surfaces on a site by the gross site area.

Lot: A parcel of land in one ownership and not divided by a street nor including any land within the limits of a public right-of-way. The term “lot of record " shall mean land designated as a distinct and separate parcel on a legally recorded plat, subdivision, or other instrument permitted by law, in the Register of Deeds office.

Lot area: The computed area contained within the lot lines of a recorded lot, including land over which easements have been established.

Lot depth: The mean horizontal distance between the front and rear lot lines.

Lot frontage: The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the right-of-way. All sides of a lot that abuts a street shall be considered lot frontage. On curvilinear streets, the distance of the arc between the side lot lines shall be considered the lot frontage.

Lot line: A lot line is the legal property line (including the vertical plane established by the line and the ground) bounding a lot except that where any portion of a lot extends into the public right-of-way or a proposed public right-of-way, the line of such public right-of-way shall be the lot line for applying this Chapter.

Lot line, front: A lot line which abuts a public or private street right-of-way. In the case of a lot which has two of more street frontages, the lot line along the street with the shortest frontage distance shall be the front lot line. In the case of a lot which has two or more street frontages and the dimensions of each are within ten percent of being equal, the front lot line shall be the street line designed by the owner and filed in the office of the Zoning Administrator. (See also lot line, street side).

Lot line, rear: In the case of rectangular or most trapezoidal shaped lots, that lot line which is parallel to and most distant from the front lot line of the lot. In the case of an irregular or triangular-shaped lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from the front line shall be considered to be the rear lot line. In the case of lots that have frontage on more than one road or street, the rear lot line shall be opposite the front lot line (shorter of the frontages).

Lot line, side: Any lot line other than a front or rear lot lines. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot is called an interior side lot line. An interior side lot line can be created with no side yard setback where a building envelope between two lots sharing a single structure is present. This is known as a zero lot line.

Lot line, street side: Any lot line which abuts a public or private street right-of-way which is not the front lot line (see also lot line, front).

Lot line, zero: An interior side lot line with no side yard setback where a building envelope between two lots sharing a single structure is present.

Lot width: The maximum horizontal distance between the side lot lines of a lot, measured parallel to the front lot line(s) at the required front yard setback (see minimum lot width).

Minimum lot area: The minimum size lot permitted within the specified zoning district.

Minimum lot width: The smallest permissible lot width for the applicable zoning district.

Minimum setback: The narrowest distance permitted from a street, side, or rear property line to a structure.

Minimum porch setback: The shortest distance between the porch and the nearest point on the front yard lot line. The post of the porch closest to a lot line is considered the wall for setback purposes.

Pavement Setback: The area between the nearest right-of-way or lot line and any impervious surfaces on the lot. This setback does not apply to driveways, driveway entrances, public sidewalks, or sidewalks perpendicular to the street right-of-way on private property.

Setback: The shortest distance between the exterior of a building or structure and the nearest point on the referenced lot line, excluding permitted projections.

Yard: An open space, other than a court, on a lot unoccupied and unobstructed from the ground upward except as otherwise provided in this Chapter.

Yard, front: A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the setback line parallel thereto on the lot.

Yard, rear: A yard extending across the full width of the lot, the depth of which is the minimum distance between the rear lot line and the setback line parallel thereto on the lot.

Yard, side: A yard extending from the front yard to the rear yard, the width of which is the minimum horizontal distance between the side lot line and the setback line parallel thereto on the lot.

Yard, street side: For corner lots, the yard between the front and rear lot lines, extending from the street side lot line to the nearest part of the nearest building or structure.

Family Definition

Family: A family is one of the following:

a) An individual; or,
b) Any number of people related by blood, marriage, domestic partnership, legal adoption, guardianship, or other duly authorized custodial relationship, and up to five (5) unrelated persons, all of whom live together as a single nonprofit housekeeping unit and share common living, sleeping, cooking, and eating facilities; or,
c) Up to five (5) unrelated people living together as a single housekeeping unit and sharing common living, sleeping, cooking, and eating facilities.

In addition to those described above, up to two (2) personal attendants who provide services for persons with disabilities described in (a) through (c) for the purposes of the Fair Housing Amendment Act (FHAA) or the Americans with Disabilities Act (ADA) shall be considered part of a family. Such services may include support and assistance with specific activities or daily living, including but not limited to personal care, housekeeping, meal preparation, laundry, and companionship.

2.9: Notes

Districts and Definitions

This page is provided as a worksheet to help you summarize your findings regarding model zoning districts, definitions, and guidelines. Which existing zoning districts work well for enabling cost-effective housing development? Are zoning district adjustments needed to enable certain land uses or forms of housing? Do existing parking requirements match your land use and housing goals or do they present barriers? Are there clear code revision priorities that could present more housing opportunities in your community? What steps are needed to implement priority actions?

3

Guide to Streamlining Housing Approvals

To address the significant increase in housing prices and address the housing shortage in Dane County it is important to not only consider adding a variety of housing types and sizer and updating local zoning codes. Communities also have an important opportunity to consider streamlining their housing approvals and create greater efficiencies for local committees, staff, and developers. Communities may improve their zoning review processes by addressing inefficiencies or unnecessary complexities. Improvements can make housing development more transparent, clear, and efficient for developers, review bodies, and the public. By providing simplified checklists and guides, allowing for administrative approvals, simplifying application requirements, and coordinating committee reviews, reduced time and greater efficiency can be gained and bring forward much needed housing.

While municipal zoning practices play a large role in housing development, they are not the only influencing factor. Even with modernized zoning codes and efficient processes, housing development may still be impacted by other factors including financing, labor, material costs, land constraints, and by the preferences and practices of the developer themselves. Opportunities for streamlining housing approvals should be evaluated and implemented where possible to contribute to an efficient development review systems overall.

Part 3 discusses four ways communities can streamline their housing approvals:

- 3.1 – Development Review Guide. *Simplify the development review and communication process.*
- 3.2 – Minimize use of PUDs. *Create standard zoning districts that allow a greater variety of housing types by right.*
- 3.3 – Development Review Team. *Coordinate municipal staff reviews, schedules, and communication.*
- 3.4 – Third Party Development Review. *Use external review services for specific services or time periods to avoid delays.*

3.1: Development Review Guides

Zoning codes are not always accessible documents. They can be difficult to read due to their complexity and use of technical terminology, they can lack clarity or have conflicting statements which complicate the interpretation process, and they can be long documents which make them challenging to navigate and digest. In addition, housing developers often work in multiple different jurisdictions which have their own unique set of regulations to understand, adding to the time it takes them to become accustomed to the community's specific processes. From the public's perspective, residents often have interest in housing developments proposed in their neighborhoods but may lack an understanding of the municipality's zoning authority or processes in reviewing such projects, partly due to the inaccessible nature of zoning codes.

A Development Review Guide is a document that outlines the procedures and requirements for reviewing development proposals in a much simpler format than a zoning code. Unlike a zoning code, a development review guide typically uses simplified language and formatting such as lists, bullet points, and graphics, to distill regulatory language into easily digestible snapshots of information. Having a development review guide can streamline housing development review by clarifying required steps from early stages of project concepts and eliminating uncertainties or misunderstandings.

Case Studies: City of Fitchburg and City of Monona, WI

The cities of Fitchburg and Monona both have color illustrated development review guides that summarize all processes related to zoning and development review. The documents are hyperlinked on the Planning Department home page for easy access. The guides may be provided as links in emails, handed out in pre-applications meetings, and reviewed online by interested parties. Each guide breaks review processes down into lists and adds information that the zoning code does not, such as an estimated timeframe to complete a process.

City of Fitchburg Development Guide
https://www.fitchburgwi.gov/DocumentCenter/View/27670/Development-Guide-Revised

City of Monona Development Procedures Manual
https://www.mymonona.com/DocumentCenter/View/10589/FINAL_Planning-and-Community-Development-Procedures_620

3.2: Minimizing Use of PUDs

Euclidean zoning was recognized by the U.S. Supreme Court as a constitutional approach to land development regulation in 1926. This zoning system divides a municipality into specific districts dedicated to a particular land use type and sets uniform development restrictions to each development allowed in that district. Many communities have zoning codes that are based on the Euclidean framework from this era resulting in mis-matched regulation of modern development via a 100-year-old system.

Some innovations have been made in response to issues that arose from the traditional Euclidean approach, however those also have their own critiques. Planned Development (PD) Zoning, for example, is a zoning technique developed in the 1960s to combat the rigid division of land into specific use districts with inflexible dimensional requirements. Developers were allowed to propose a customized zoning district through extended negotiations with the municipality to accommodate the needs of their specific project in exchange for community benefit. PD zoning has allowed many developments to obtain necessary entitlements but has also resulted in belabored, costly, and time-intensive zoning processes that are also highly unpredictable for the developer, decision makers, and the public.

Advocates for zoning reform recommend creating zoning districts that accommodate modern development types by-right, rather than requiring the lengthier customization of a Planned Development District.

Case Study: City of Middleton, WI

The City of Middleton undertook a full zoning code rewrite and adopted a new zoning code in 2024. Many housing developments approved by the city under the old code required Planned Development zoning because none of the standard zoning districts accommodated the exact form, use, density, or layout of development that was proposed to occur. In many cases, the housing development proposed was approved, but only after a lengthy, negotiated Planned Development review process, even though they were generally accepted by the reviewing parties involved.

As part of the zoning rewrite project, the city reviewed projects with PD zoning, along with best practices in zoning reform, and adopted new districts that allow similar developments to proceed with much more predictable review steps and standards. Under the old code, a project proposed as a Planned Development could take a minimum of eight city committee meetings. Under the new code, a similar project is approved after only 3 meetings.

3.3: Development Review Team

In many cases, even the best zoning codes cannot substitute for the benefits of having access to local staff and government leaders to discuss the details of a development proposal or process. A Development Review Team (DRT) is a group of municipal staff members who meet regularly to review and facilitate development proposals within the municipality, guiding them through the necessary steps to obtain approvals. The DRT provides an accessible point of contact for developers that offers multiple benefits to all parties involved.

Many communities in Wisconsin and across the country use a DRT framework in their regular municipal operations. The specifics vary by place and local capacity. The following components should be considered in developing a model for a successful DRT:

1) **Streamline the process**
   - Create a single coordinated process involving multiple departments and a dedicated DRT meeting time
   - Develop clear procedure manuals such as forms to request a meeting with the DRT or checklists for productive discussions with the DRT
   - Document meeting notes and establish a routine for sharing feedback during and after the meeting
2) **Establish the right team**
   - Include department leaders with diverse expertise including planning, engineering, economic development, and parks
   - Define team member roles including the primary point of contact, agenda manager, meeting facilitator, and recorder
3) **Leverage technology**
   - Allow applicants to attend meetings in-person or via virtual meeting platforms to maximize efficiency and accessibility
   - Save electronic copies of submitted applications and be prepared to share and discuss them during the meeting
   - Use a centralized tracking system to organize applications as they advance through the review process

Development Review Team Benefits

- Ensure compliance with zoning regulations
- Protect community interests including compliance with the local Comprehensive Plan
- Promote quality and consistency via a predicable review process
- Enhance collaboration with other municipal departments and developers
- Facilitate efficient review and communication, saving time and avoiding re-designs
- Support informed decision making
- Identify potential issues early on

Evaluation Questions:

Does your community have a Development Review Team? Do you have a guide or checklist with which to efficiently review each proposal? Do you have the necessary staff capacity, expertise, and resources to ensure the most efficient and successful review outcomes?

3.4: Third Party Development Review

Third-party development review refers to an independent assessment of a development project by an external party contracted by the municipality. Third- party involvement can improve efficiency by outsourcing compliance checks of a development against adopted municipal regulations. In addition, such reviews could increase quality control since the third-party reviewer may be tasked with related specific tasks and may possess specialized knowledge in compliance review.

By comparison, a municipal staff person in a smaller community often wears multiple hats and their limited time can be pulled in competing directions, which may result in review delays or inconsistencies. Some communities use the third-party review process to expedite review and arrive at issuance of building permits faster. Plan review services can also help fill scheduling gaps to avoid disruptions in municipal review processes. Examples might include anticipated parental leave, FMLA absences, staff turnover periods, or staff training or scheduled vacation absences.

Many communities use variations of third-party review services. Some may outsource the entire development review process with the community ultimately receiving a review letter and a recommendation to issue a permit or not. Other communities outsource specific components of development review such as stormwater compliance. Some communities rely on consultant services to cover all aspects of their planning and zoning needs rather than only compliance checks. Third party services may be contracted to public entities such as regional planning agencies or County divisions, or they may be contracted to consultant firms in engineering, planning, building inspection or architecture.

Third party development review may also benefit the permitting process which often deals with addressing conditions of approval, payment of fees, and other administrative requirements *after* a development project obtains approvals from the local governmental body and committees. Ideally, developers will be able to work with municipal staff to satisfy outstanding conditions and administrative requirements within six months of final approval by the local governmental body. It is important that municipalities have sufficient staff resources, software, and processes for clearing conditions attached to zoning approvals.

Third-Party Review Considerations

- Potential cost savings from limited contractor services
- Increased efficiency by streamlining compliance tasks and redistributing time for local staff
- Services may be used intermittently during periods of high permit volume, staff turnover, or scheduled staff absences
- Services may be targeted to a specific development component such as stormwater, engineering, or infrastructure review
- Provide a detailed list of what is to be included in the development review report to ensure transparency, accountability, and that each of the regulations have been met.

3.5: Notes

Streamlining Housing Approvals

This page is provided as a worksheet to help you summarize your findings regarding streamlining processes for housing approvals. Do you have existing processes that are confusing to staff, developers, or the public? What new or improved processes could be implemented to reduce staff review time? What steps are needed to implement priority actions?

Conclusion

This **Best Practices Residential Zoning Code Evaluation Guide** is meant to give communities tools to meet the needs of their community in this time of extremely high housing prices and a shortage of all types of housing, from homes for first time homebuyers to senior housing. It will be helpful for each community to not only have municipal staff review this guide but also provide an opportunity for more coordinated review and structured opportunity for discussion and feedback.

We are living in a much different time than even a generation ago. Bringing local codes and land use policies up-to-date and addressing these new conditions will be critical to addressing the housing crisis and achieving success in Dane County.

This Guide is accompanied by an Excel worksheet that follows the Evaluation Checklist in Part 1.