



**ENABLING BETTER PLACES:
A USER'S GUIDE TO WISCONSIN
NEIGHBORHOOD AFFORDABILITY**





*This Page: Waunakee, WI, image credit: Google Earth Pro
Cover Page: Shorewood, WI, image credit: Google Earth Pro
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Introduction

Across the country, many people are finding that they can no longer afford to live in the communities that they prefer. This is true in big cities and small communities: the availability and price of housing is not meeting the needs of those working in jobs that are vital to the success of our communities, such as: teachers, firefighters, small business owners, and service industry workers.

Reforming state and local policies that inadvertently restrict the housing market has been a focus of numerous efforts. This guide has the same goal, adding clarity to which reforms are appropriate where. Too often reform is conceived of very broadly, but places and the regulations that shape them are diverse. The regulatory landscape of our building, zoning, and other land use codes needs to better consider existing physical conditions. Regulatory reform efforts that attempt to increase infill opportunities can do so in a more targeted and strategic manner, while maintaining community compatibility.

What is the “biggest little change” you can make to improve housing access and affordability in your community?

In Wisconsin, cities, communities, and villages need a wider range of housing options. Fewer than 20% of all households nationwide are families with children, and nearly 50% of all households are made up of one or two people. Much of the existing housing stock consists of large, single-family homes which may not be affordable—or practical—for the makeup of modern households. It is critical to make the process of adapting existing housing stock and building smaller and more varied housing easier.

The opposition between housing needs and housing stock is exacerbated by zoning regulations that inadvertently increase housing prices. Current regulations in Wisconsin often require large lots, deep setbacks, low densities, limited housing options, restrictions on re-purposing existing buildings, and excessive parking requirements. Such regulations can restrict opportunities for housing, increase costs for individuals and communities, perpetuate sprawling, auto-oriented development, and negatively affect Wisconsin's natural beauty.

CODE REFORM IN WISCONSIN

Code Reform in Wisconsin

The recommendations in this guide may be integrated into an existing use-based code, allowing more housing types to be attainable, or may be a way of trying out form-based coding. The recommendations are intended to be calibrated locally by looking at the most successful and desirable historic neighborhoods.

Prior to developing this guide, the CNU team met with five communities in Wisconsin, which served as case studies for this project: Eau Claire, Horicon, Ripon, Waukesha, and Waunakee. All five communities identified the following as desired outcomes in their communities and key areas of focus for this guide:

Increase Housing Availability

The five case study communities, along with other Wisconsin municipalities, are experiencing housing availability challenges. Some challenges are created by annexation constraints, others by growth strategies, and most by regulatory limitations. Eau Claire, Horicon, Ripon, Waukesha and Waunakee expressed an interest in finding solutions for augmenting housing supply, both in the market rate and the attainable and affordable sectors.

Encourage Aging in Place

Aging in place, whether it be by moving to smaller, more appropriate housing, or by making changes to their own residence, is a concern within the case study communities. Accessory Dwelling Units (ADUs) are a primary tool that can enable aging in place by allowing downsizing to occur, increase income for the retiree, and create an additional rental unit which may be more affordable than fee-simple housing.

Provide Better Housing Options

The case study communities also expressed a desire to provide better housing options that would respond to market demands. Across the millennial and baby boomer cohorts, there is an increased interest in missing middle housing—duplexes, smaller multi-family, cottage courts, and other ways of integrating smaller or more flexible housing options. Wisconsin has two primary means of permitting developers to create this type of housing (the Traditional Neighborhood Development and Planned Development District ordinances), but could be better served by adjusting the underlying zoning. Communities that do not have zoning to deliver these preferences are missing an economic development opportunity.

The Process

To develop this guide, the team:

1. **Identified Local Partners:** CNU and the League of Wisconsin Municipalities assembled a group of interested parties to be the local experts on this project. They included representatives from the Wisconsin Builders' Association, AARP Wisconsin, NAIOP-Wisconsin, state and local planning officials, and housing advocates. This group helped the code reform team understand common obstacles to creating more housing choice and the walkable neighborhoods that support housing choice.
2. **Conducted a Regulatory Assessment:** CNU asked the project's stakeholder group to fill out an assessment framework tool for their municipality, region, or communities they were familiar with, identifying common zoning barriers to housing and neighborhood walkability, and the specific regulations that determine these barriers. Not all questions within the framework applied to all communities.
3. **Engaged with the Wisconsin Context:** CNU conducted workshops with five Wisconsin communities to learn more about their specific planning and regulatory challenges and opportunities. The five case study communities were: Eau Claire, Horicon, Ripon, Waukesha, and Waunakee.
4. **Learned from the Municipalities:** The team identified seven core recommendations to address the most common issues that create obstacles to more affordable housing in Wisconsin.

Over the course of this project it became clear that community engagement and public buy-in is crucial to the success of code reform changes and acceptance of affordable housing. Often proposed changes to zoning regulations are met with considerable opposition. As a result, an education section was included to examine ways to increase public and resident buy-in to proposed zoning changes.

WISCONSIN DEVELOPMENT PATTERNS

Wisconsin Development Patterns

The form of streets, buildings, open spaces, and the overall assembly of communities has changed over time; it is a simple fact that exists in Wisconsin much as it does elsewhere in the United States and around the world. Most American cities were built during and after 1850, including most Wisconsin municipalities. During this period - from 1850 to present - changes in technology, social structure, and law have influenced the form of cities.

Today's regulatory constructs - zoning codes, subdivision ordinances, and engineering standards - rarely recognize the physical and operational differences between older and newer areas. However, these areas are defined by different structures of streets and blocks, which affects mobility, different types of housing, and sizes of properties. These issues are further affected by zoning and subdivision, and different norms concerning issues like pedestrian activity, gardening and landscaping, and animal husbandry, found in the municipal code.

Patterns Pre-1950s

Most development prior to 1950 was zoned with a set of very different goals than post-1950 or was not regulated by zoning at all. Proximity to downtown drove demand, which is reflected in properties that are considered small by recent standards and a mix of housing type and tenure, including single family homes, multi-family, duplexes, boarding houses, and accessory dwellings within close proximity to jobs and services. Townhomes were also built in this period, however they were usually found in larger cities.

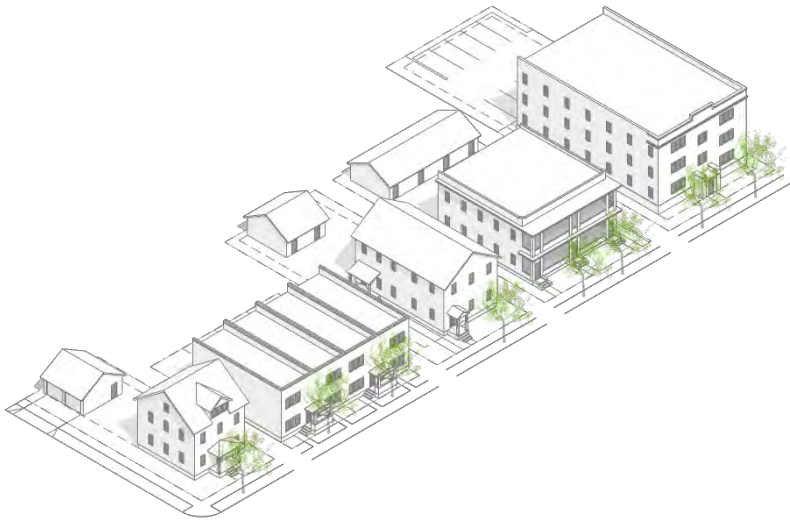
Buildings are generally located near the streets and near to neighbors. Garages, common only to single and two-household dwellings, are located behind the home and accessed by an alley or a driveway next to the home. Because many daily trips occurred on foot, the home's front door was oriented towards and directly accessed from the sidewalk.

This pattern continued to evolve. Many larger single-family homes were converted to 2, 3, and 4-family homes by internal divisions, retaining the overall building form and site plan elements. The conversions retained the area character while increasing housing supply. Additional modifications often included accessory dwellings combined with the garage, replacing the garage, or in a separate building within the rear yard.

Critical aspects of this era that should continue to be respected are:

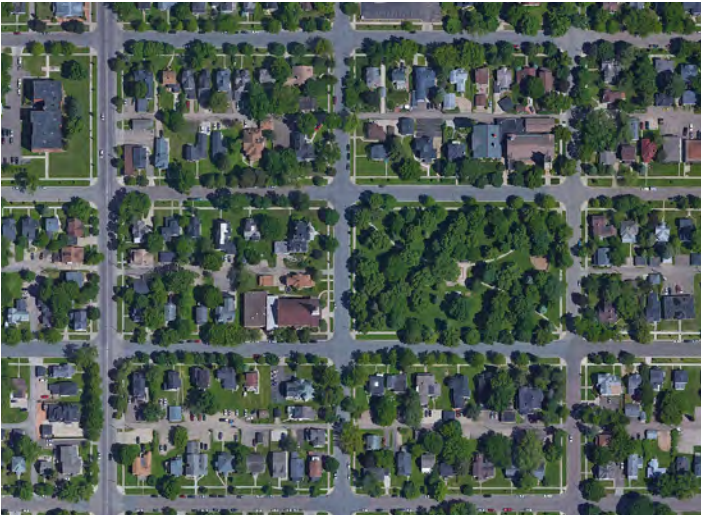
- Buildings located close to sidewalks and to side property lines.
- Garages located in the rear, behind the home relative to the sidewalk.
- Driveways minimized, both in size and location, preserving the front of the property for the home and yard.
- Rectilinear block shapes of a consistent size.
- Highly connected street network of narrow streets.
- Accessory commercial uses in primarily residential neighborhoods.

WISCONSIN DEVELOPMENT PATTERNS

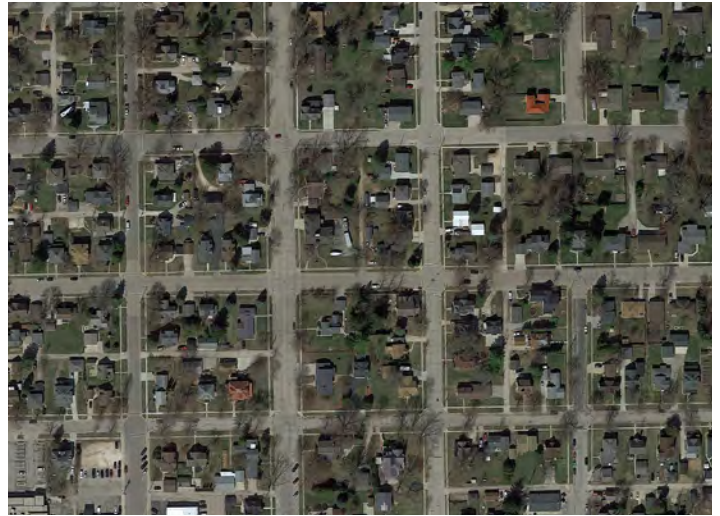


Building Types

Residential buildings of this era were the most diverse, used the least land area, and delivered the greatest number of dwellings. These factors combined to preclude the highest level of affordability while creating beautiful, walkable neighborhoods that have held their value over the decades.



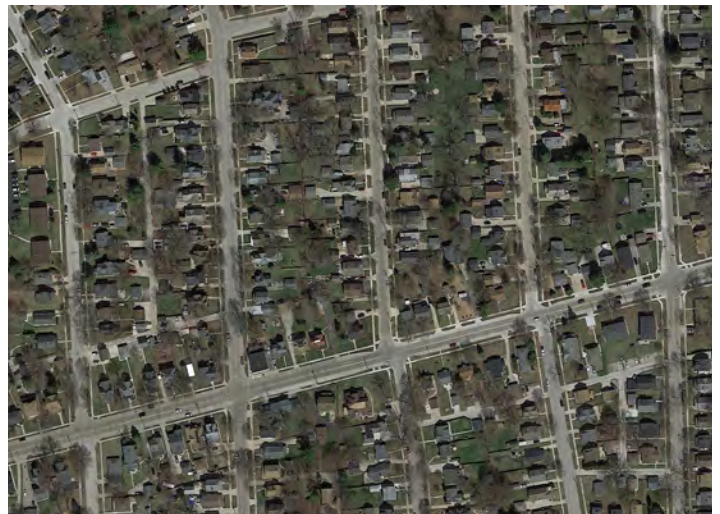
Eau Claire, image Credit: Google



Horicon, image credit: Google



Ripon, image credit: Google



Waukesha, image credit: Google

WISCONSIN DEVELOPMENT PATTERNS

Patterns 1950-1980

The development period between 1950 and 1980 was influenced by increasing national standards promoted by the federal government through financing programs and by trade organizations like the Urban Land Institute. This resulted in a reduction of the types of housing built and changes in the predominant pattern of streets, blocks, and lots. Housing provided during this period was largely single family and aimed at the burgeoning federally-backed mortgage products. These homes ranged from modest to the beginning of the “McMansion,” and developments had relatively little variety. Multi-family developments during the mid-century were physically separated from single-family areas. Uniquely observed in Wisconsin is a prevalence of duplex houses during this and later periods. Townhouses were not a common building type during this period.

Vehicular access to homes and parking areas was provided adjacent to the street. Driveways are a dominant feature of the streetscape. Locating the garage inline with the front of the house resulted in wider homes that were sited on larger lots than prior periods. Because the driveway and garage are both in the front, vehicles are commonly parked between building facades and the street.

The pattern of streets and blocks shifted during this period from a purely rectilinear, gridded structure to incorporate angled streets, curvilinear streets, and cul-de-sacs. Street networks generally retained a high degree of connectivity and block sizes were similar to or only somewhat larger than the typical pre-1950 block until the 1970s. Cul-de-sacs began to emerge in this period but were limited in their application and in the length of the street segment. Typically, cul-de-sacs were used to add extra lots where geometries created by angled streets or odd property boundaries occurred. This pattern is clearly illustrated in the 1968 version of the Urban Land Institute’s Community Builders’ Handbook.

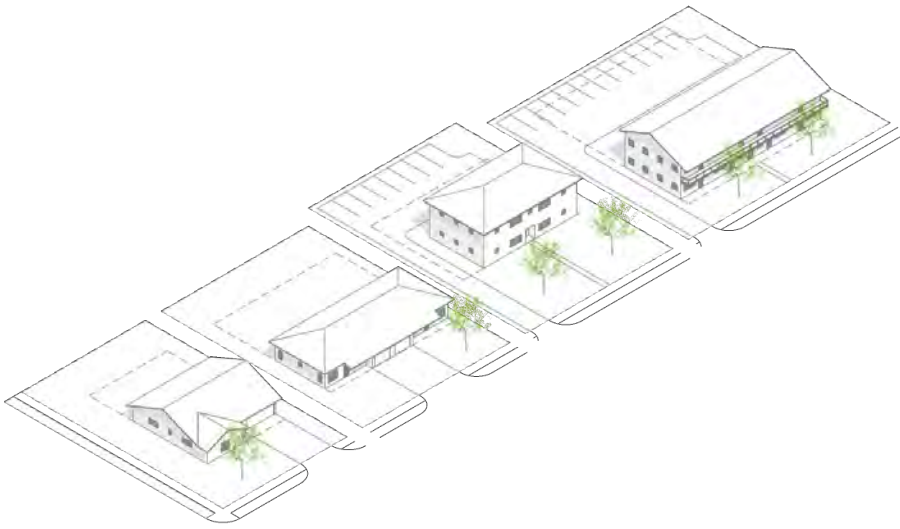
Critical aspects of this pattern that should continue to be respected are:

- Buildings located 20-to-30 feet from sidewalks.
- Garages located close to or aligned with the front facade, but not occupying more than 40% of the width of the facade.
- Driveways minimized in width, preserving the front property area for the home and for yard space.
- Infrequent cul-de-sacs, limited in length.



Plan of Canterbury Commons, MI, image credit: ULI Community Builders’ Handbook, 1968

WISCONSIN DEVELOPMENT PATTERNS



Building Types

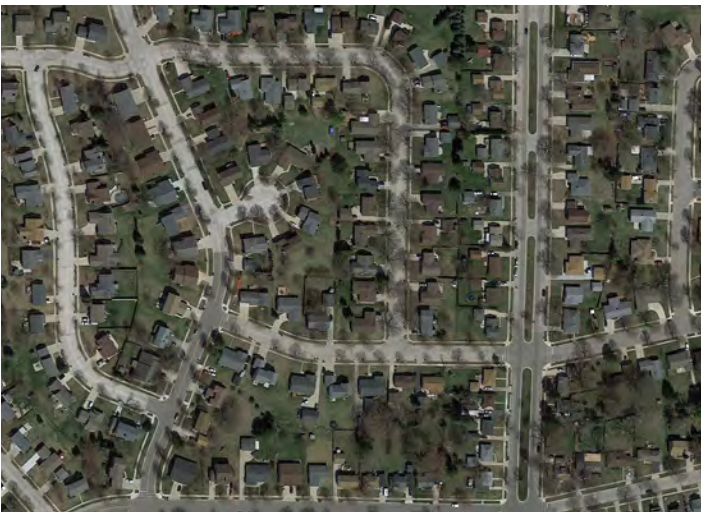
Residential buildings of this era were the least diverse, used a much larger land area, and delivered fewer dwellings than the prior era. Automobiles began to dominate the landscape, and the beauty and function of the neighborhood became less important than that of the individual building.



Horicon, image Credit: Google



Ripon, image credit: Google



Waukesha, image credit: Google



Waunakee, image credit: Google

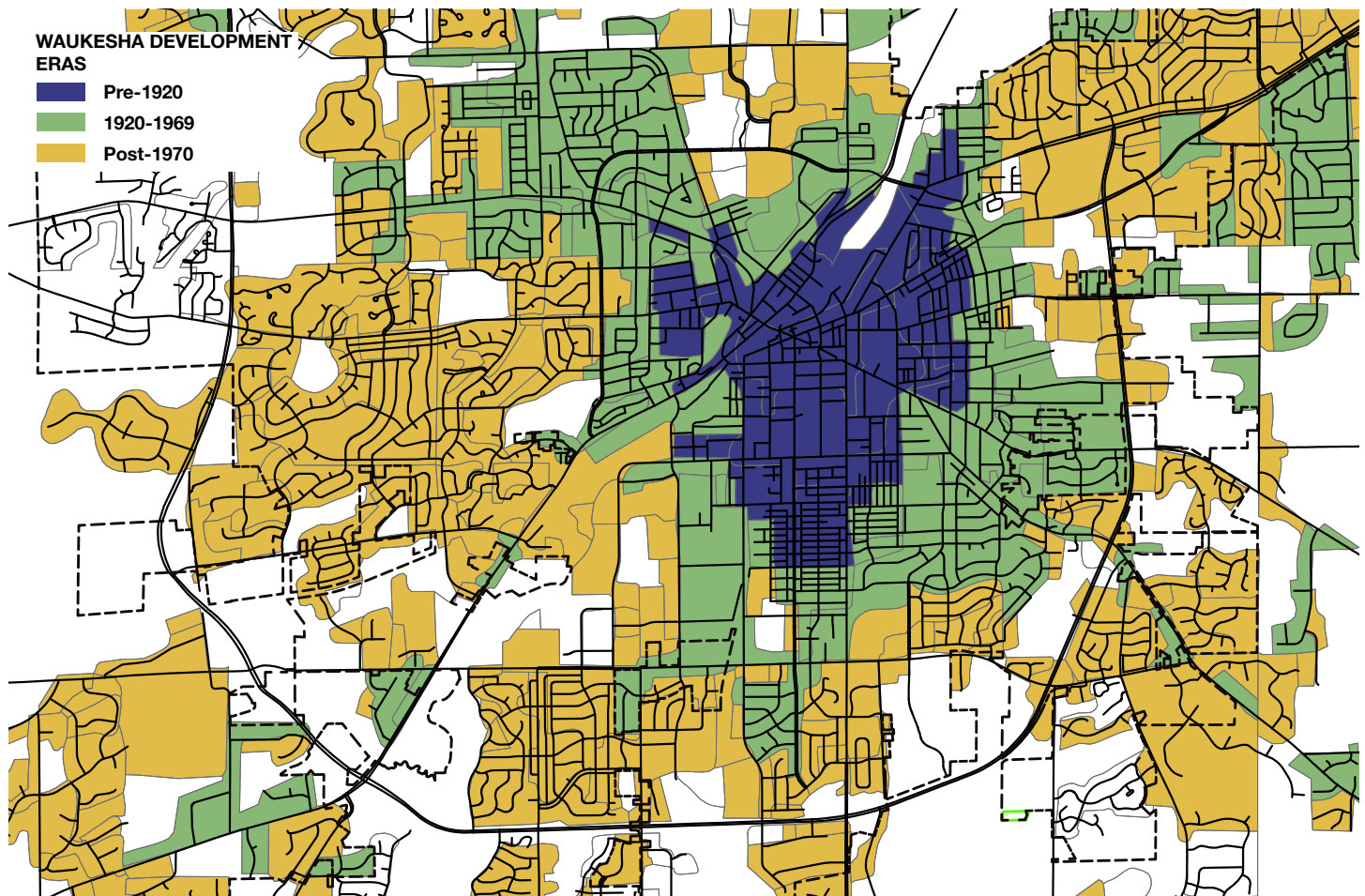
WISCONSIN DEVELOPMENT PATTERNS

Patterns 1980-Present

The present period and recent past have seen a divergence in development patterns, influenced by the emergence of Traditional Neighborhood Developments (TNDs). Some portions of development in this period resemble an extension of the principles of the 1950-1980 period, while others follow the TND system, which is markedly different.

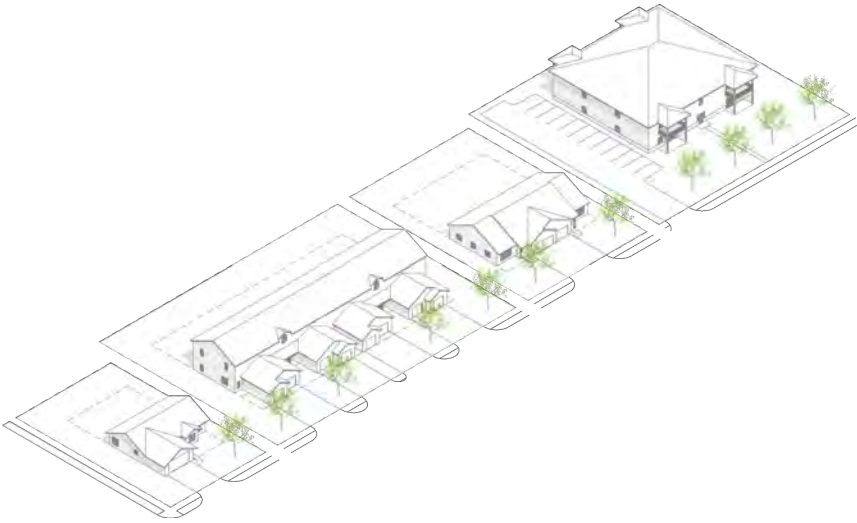
Traditional Neighborhood Development patterns exhibit similarity to both the pre-1950 and 1950-1980 patterns of growth. TNDs include a connected street network which defines principally rectilinear blocks, with some variation for angular and curvilinear streets. This pattern includes alleys in some or most of the development, in particular in areas with multi-family, townhomes, duplexes, and small single family homes. TNDs typically develop housing at a higher density than development between 1950-1980, but not higher than that prior to 1950.

In some Wisconsin municipalities, development between 1980 and 1990 follows this more universally common condition, while growth in others reflects the pattern of 1950 to 1980, occupied by housing matching the common aspects of the 1980 to 1990 period. This condition is illustrated on the following page in Eau Claire where blocks are more regular in shape with a small degree of angularity or curvature of streets, yet the housing stock demonstrates common aspects of the 1980-1990 period. Waunakee, on the other hand, illustrates street and block layouts more universally common.



Waukesha Historic Development, image credit: City of Waukesha

WISCONSIN DEVELOPMENT PATTERNS



Building Types

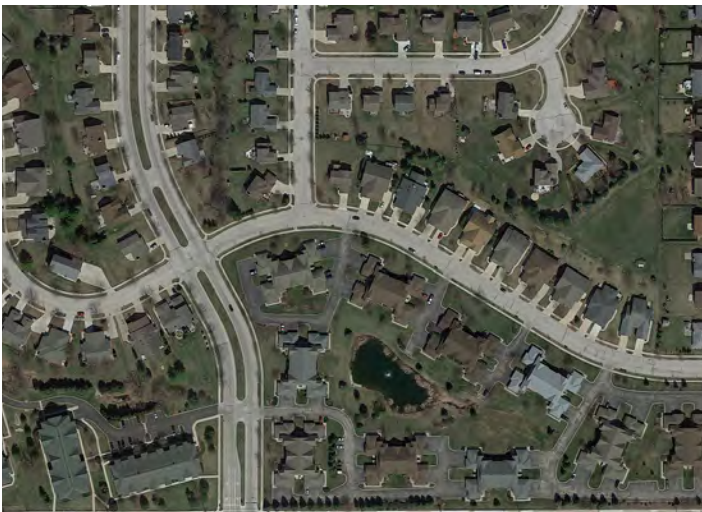
Townhouses have regained popularity in the last decades, but the development of small apartment buildings has declined, except in areas governed by TND ordinances. In many areas parking quotas have increased, with a corresponding loss of affordability due to the increased land area needed.



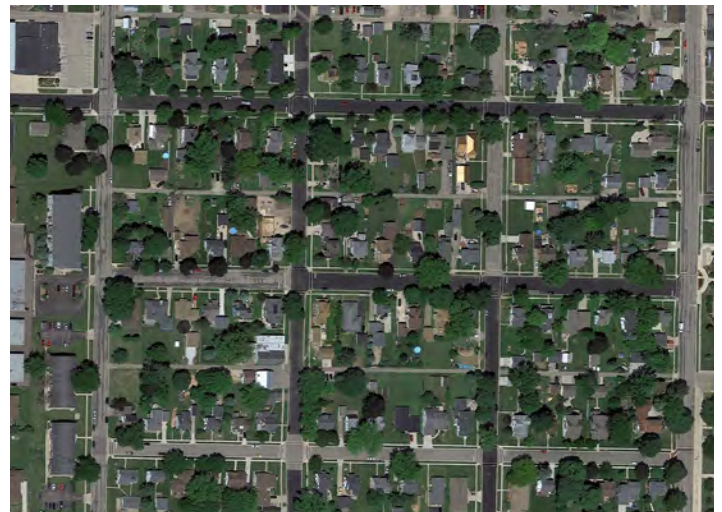
Eau Claire, image Credit: Google



Ripon, image credit: Google



Waukesha, image credit: Google



Waunakee, image credit: Google

LAYING THE GROUNDWORK

Implementing Reform: Laying the Groundwork

In order to successfully reform the regulatory environment, municipal officials and planning professionals need to lay the groundwork for change by understanding and examining the misalignment between what zoning they have and the zoning they want. This process can include demonstrating how the misapplication of zoning has led to the creation of nonconformities between existing buildings and uses, how zoning can shape new development in ways that are incompatible with existing places, and how in many instances zoning is preventing new places from being built that match the most-loved existing places.

Step 1. Demonstrate the Need

To make the case for a zoning adjustment process, communities need to demonstrate that misalignments exist, and the extent of misalignment with current conditions. Pre-1950's development is typically the easiest place to start because these areas predate zoning, and they tend to include beloved neighborhoods where it is easy to make the case that they should not be illegal, nonconforming, or irreproducible. Identify a block of pre-1950's development near to downtown or the primary main street, but generally residential.



image credit: Google Earth

The above example demonstrates a condition in a Wisconsin municipality. This historic block falls within a zoning district that does not align with existing housing. As demonstrated, every property or building on this block is nonconforming by today's standards. In this sample block, every property violates the zone's minimum required setbacks. In addition, the corner properties were subdivided at a point, which now violates the minimum lot size standards as well as maximum lot coverage. The conditions on neighboring blocks are similar. These zoning standards require revision. Wisconsin has established statewide standards permitting occupation and expansion of nonconforming buildings, lots, and uses. However, historic buildings, patterns of lots, and well established uses are key to a community's character and should be legal, not an exception.

LAYING THE GROUNDWORK



Pattern Survey Hertfordshire, image credit: DPZ

Step 2. Survey Existing Patterns

The next step in successful reform is to survey the existing patterns and gather the common elements that produced the development that is most valued and desired. Common methods for evaluation include:

- Utilizing existing data to determine the predominant age of structures in different parts of the municipality.
- Utilizing plat data to determine the process and age of subdivisions across the municipality.
- Utilizing mapping, aerial photography, and visual surveying to determine significant differences in the pattern of streets and blocks and bulk and character of buildings.

The goal of pattern evaluation is to define the boundaries between areas of differing blocks and building character in order to accurately align new zoning standards.

Once accurate pattern boundaries have been established, the types and intensities of buildings should be identified. The purpose of identifying different types and intensities is to establish sub-boundaries within the patterns, which may differ by era.

Examples from the Case Study Communities:

In Eau Claire and Waukesha, historic neighborhoods often mix historic single family, duplex, multi-family, and townhomes together, along with small scale neighborhood commercial uses. But in Waunakee and Ripon, historic neighborhoods are exclusively single family, differentiated from nearby main street development. For Waunakee and Ripon, this would suggest one sub-boundary for the main street and another for the pre-1950's neighborhoods. For Eau Claire and Waukesha, this would suggest a sub-boundary for the downtown, another for the highly mixed pre-1950's neighborhoods, and a third for other pre-1950's neighborhoods that are predominantly single family. See the previous explanation of pattern differences for cues concerning the degree of separation that is common in each era of development. More recent development patterns have more separation between uses and types of buildings, and as a result should include sub-boundaries reflecting that separation. In older areas, however, avoid the temptation to separate buildings by type or use when that separation does not exist historically.

LAYING THE GROUNDWORK



Incursion Example, Waukesha, image credit: Google Street View

Step 3. Adjust Zones to Match Common

Building and Site Details

Once the existing patterns and sub-boundaries have been identified, survey existing buildings within those areas to determine common conditions. The range of typical existing conditions should be analyzed as a means of deriving zoning standards from what has already been established. Common building and site details include: lot size, building height, building setbacks, encroachments, entry locations, lot coverage by buildings, the number of units per property, and building types (detached single unit dwellings, attached single unit dwellings, duplexes, multiple dwelling buildings, and accessory buildings and structures). Some areas may have a variety of conditions, while other areas may have very little variety. Aligning zoning in this way is the first step to ensuring the character of future development aligns with existing area character.

A character survey sheet is included in the appendix as a resource.

Recognizing Past Incursions

In many situations, non-compatible development has been permitted in the past, which should not be confused with a common pattern to retain through the zoning update process. Historically these incursions may have created resistance to new housing throughout the jurisdiction rather than recognizing them as incompatible with the surrounding context. While the goal of re-aligning zoning is to enable and support what has already been established, incursions that differ significantly from the predominant pattern should remain non-conforming.

An example of such an incursion is pictured here, a large multi-family building in Waukesha which is significantly out of scale with surrounding buildings. The larger building was built in a much more recent era than the surroundings and violates the existing pattern by the building's height and total square footage. However other examples of smaller, compatible multi-family buildings are found nearby. Often such incursions create an anti- multi-family reaction rather than more appropriately identifying the bulk of the building as incompatible. In addition to building bulk, the location and size of parking areas is a common incursion which should be corrected within a zoning update.



Green Bay, WI, image credit: CNU

RECOMMENDATIONS

With the understanding of how existing zoning is restricting housing in Wisconsin communities, the following general changes are recommended to enable more housing choice. Doing any of them will put Wisconsin places in a better position to allow housing choice for all of the state's residents. In that way, this serves as a menu of recommendations.

Common Code Issues

CODE ISSUE: Adjust lot and yard standards



Most Wisconsin municipalities require minimum lot sizes that are not conducive to smaller single-family homes, townhomes, and other historically common housing types. In historic neighborhoods, this creates issues with nonconforming lots. In newly developed areas, this results in a very limited range of new housing, both in size and cost. Twentieth century zoning was drafted to reflect suburban goals and best practices of the time, which do not reflect the character of historic communities nor current goals for providing housing type, tenure, and price point diversity. The result is many parcels have challenges with any changes to the buildings, the parking or the number of dwellings because of lack of conformity.

Area and width – Most zoning codes have exemptions for lack of conformity, but there is a lost opportunity for context-sensitive densification. If zones are adjusted to reflect the historic parcels, the cost of the variance process could be avoided, additional dwellings could possibly be added, and non-conforming complications with insurance and mortgages could be avoided.

Setbacks – Most case study communities have very little variation throughout their residential zoning districts, and they are all distinctly 20th century suburban standards. Both front and rear setbacks are quite large. In neighborhoods with historic alleys, the rear yard requirement makes existing garages non-conforming and prevents the location of additional parking off the alley.

Lot coverage – Like the other lot metrics, most case study communities have a 35% lot coverage that is standard across most zoning districts. This standard is the single greatest barrier to densification since many lots are nonconforming in their current state of development and there is no opportunity for any enlargement of the building footprint to accommodate additional dwellings.

RECOMMENDED CODE CHANGES

- Lot widths and areas should be realigned to match historic patterns favoring narrower lots.
- Setbacks should be reduced to historic distances to allow greater use of the existing lots.
- Increase permitted lot coverages to match historic patterns.

COMMON CODE ISSUES

CODE ISSUE: Historic Multi-Family

Historic Multi-Family. Many historic neighborhood uses were outlawed in the 20th century, separating housing types that were not only compatible but complementary.



Housing types that were historically inserted into neighborhood fabric with very low impact on traffic, impervious surface, and quality of life include three-family, four-family, and six-family units. Current zoning practices have restricted their construction by dividing housing into single-family, two-family, townhouses, and multi-family zones, eliminating medium density housing. Duplexes, three-family, and some four-family types are no larger than a large single-family residence.

Because these dwelling types fit easily into the scale of many neighborhoods, permitting conversions (as well as allowing for construction of new buildings) is a logical choice for adding housing to a community.

RECOMMENDED CODE CHANGES

- Allow multi-unit housing as permitted uses in single-family zoning districts which have historically included two-family and multi-family. Ensure multi-unit housing is held to the height and frontage dimensions of existing single household dwellings or historic multi-unit housing. The number of units is determined by the size of the building, not by density calculations.

CODE ISSUE: Accessory Dwelling Units (ADUs)



Permitting ADUs within neighborhoods is a good first step toward adding housing with minimal impact on existing development. ADUs occur organically throughout Wisconsin cities, and villages. They were often the upper level of carriage houses or garages, as well as in attics and basements. This use is one of the most significant tools to gently increase density at a scale that is virtually invisible within a neighborhood. It allows the homeowner to reduce the cost of housing with additional income, enables aging in place by downsizing on the same parcel, and assists with elder care.

RECOMMENDED CODE CHANGES

- Accessory dwellings should be allowed by right for all single-family zoning districts.
- Additional parking spaces should not be required for an accessory dwelling.

COMMON CODE ISSUES

CODE ISSUE: Remove Unnecessary Regulations and Restrictions

Jurisdictions should consider adjusting rules that commonly create barriers to providing housing. Many cities have a list of commonly sought variances which can point to problems with unnecessary or incompatible rules. Density metrics such as ‘unit per acre’ are often a barrier. In most instances bulk standards such as height, setbacks, lot coverage, and parking standards limit potential density.



Density. Bulk standards, as discussed above, create more predictable outcomes than density standards. Additionally, density standards are not well analyzed, are easily politicized, and unreasonably restrict housing. The density of most historic neighborhoods is much higher than most residents, officials, and regulators realize. If density is retained as a development restriction, existing per-property densities should be surveyed along with the other building and site details noted above, and on the Character Survey Form in the Appendix.

Use. Use categorization is the next most common requirement in need of adjustment. Most jurisdictions apply a list of permitted uses to any given zone. If the proposed use does not exactly match a permitted use, the proposal must be denied, no matter how benign or desirable it may be. This issue is most common in downtowns and main streets, but it can carry over into principally residential areas also. Typical use categories detrimental to housing include the restriction of single-family, two-family, or multi-family. This restricts the very appropriate middle density that has been eliminated from contemporary zoning ordinances.

Commercial use. Disallowing housing in downtowns, main streets, and other generally commercial areas is also problematic. In an effort to increase street activity in a mixed-use zone, jurisdictions sometimes prohibit housing on the ground floor, or altogether. While this is effective if the need for retail fills those spaces, in situations where the need is not there this approach is unnecessary and counterproductive to producing more housing. These and similar unnecessary rules should be simplified or removed.

RECOMMENDED CODE CHANGES

- Permit residential uses within downtown and Main Street zoning districts.
- Permit residential uses, including multi-family, in commercial districts.
- Manage residential density with building types not units per acre in each district. Consider using three to five residential zones, depending on locations:
 - Post-1950's era: Single-family, Two-family, Townhouses, Three to Six-family, and Multi-family districts.
 - Pre-1950's era: Single-family, two-family and townhouses, Three to Six-family, and multi-family districts. These are best implemented with intensity levels of low intensity, medium intensity, and high intensity. Permit neighborhood-scaled commercial uses within the medium and high intensity residential districts.

COMMON CODE ISSUES

CODE ISSUE: Adjust Parking Requirements

Smaller multi-family dwellings can be nearly impossible to build if two paved, off-street parking spots are required per unit. Minimum on-site parking requirements for housing should seldom be more than one per unit. If street parking or other shared parking spaces are available then even less parking can be required. Allowing on-street or shared parking to count toward the minimum required parking spaces will provide some flexibility for landowners. On-street parking is shared among many users and has the additional benefit of separating pedestrians from moving vehicles.



In recent years, municipalities across the country have begun to accept that parking minimums have been a poor planning tool, both in accurately predicting parking needs and successfully producing great places. In most cases, lenders and tenants will demand a minimum number of parking spaces, which will be provided regardless of municipal regulations. Municipalities should focus on where that parking is located, rather than in how much parking is required. Within historic neighborhoods, minimum parking requirements can be eliminated entirely, or at a minimum, reduced substantially.

The effects of excessive parking requirements on housing affordability are often underestimated. In areas that are walkable to school, jobs, and other daily needs, the cost of each unneeded parking space inflates the cost of housing (The average cost of a paved parking space is estimated at about \$4,000 and structured parking can be five times that). Overly high parking requirements can block new housing options that fit seamlessly into existing neighborhoods, such as accessory dwellings, small infill buildings, and conversions of large houses into more than one residence.

RECOMMENDED CODE CHANGES

- Reduce or eliminate parking minimums.
- Allow shared parking to count toward parking minimums.
- Allow on-street parking and allow it to count toward parking minimums.

COMMON CODE ISSUES

CODE ISSUE: Evaluate Processes

Most of the case study communities contributing to this guide reported having Planned Development District (PDD) ordinances. PDDs are used to circumvent mis-aligned zoning standards, resulting in a broken process. Zoning principally by PDD is evidence of a failing zoning code. Revising a code to reflect the local market and community vision is the best practice.

Each individual PDD adds to future administrative complexity, and creates a zoning system that neither neighbors nor developers can predict. Standards and processes should be evaluated to ensure that zoning creates predictable outcomes, is easy to understand, and is easy to navigate. Applicants should be provided with the most expedient approvals path, particularly for smaller infill conditions, recognizing where and to what extent community oversight is necessary.

Greenfield development typically requires some degree of master planning such as is provided by the subdivision and site plan process. Here too, though, the processes should be clear and predictable, which is rarely true.

The long-term implication of overusing PDD ordinances is a very complex set of overlapping rules, individually negotiated, and a severe lack of predictability. This has not yet become evident in most places because most homes built under these ordinances have not been redeveloped and are unlikely to be redeveloped in the near future. However, this practice should be minimized, and new zoning and subdivision standards established to direct growth in alignment with market demands. The state of Wisconsin requires municipalities larger than 12,500 residents to adopt Traditional Neighborhood Development ordinances. It also encourages smaller municipalities to adopt such ordinances. In all cases common TND zones should be established, similar to historic districts, that address issues of building bulk, placement, and window percentage, leaving only the more specific stylistic and site design standards to regulation by homeowner covenants.

The development community has signaled a desire for a development format that follows market trends. As this format also aligns with other state and regional goals, a clear and predictable process should be provided to achieve these new neighborhoods in Wisconsin's smaller municipalities as well as the larger ones.

Jurisdictions that wish to adopt a TND ordinance will do well to begin by taking a close look at the model ordinance created by the Wisconsin extension service. It is intended to be used with minor adjustments for local conditions and should make the adoption process much more straightforward. [Wisconsin Model TND ordinance](#).

RECOMMENDED CODE CHANGES

- Adopt a Traditional Neighborhood Development ordinance.
- Consider replacing existing PDDs with TND standards.
- Assess and streamline the subdivision process including standards that direct development outcomes and a time limit on municipal response.
- Assure workforce housing applications will be prioritized and response time limited to 90 days, max.

COMMUNITY EDUCATION

Community Education

As of June 2021, Wisconsin is estimated to need approximately 120,000 rental units across a spectrum of incomes, according to the National Low Income Housing Coalition. In addition to less expensive housing, adding market rate housing improves housing choice for everyone, up and down the income ladder. In order to combat community resistance to additional or different housing, an investment in community education around the benefits of housing choice should be undertaken. The following are recommended topics for a community education campaign to increase public support for code reforms that will increase housing choice.

Fear and lack of knowledge are the two largest hurdles to combat community resistance. A critical first step is to assure your code reform reflects the character of the neighborhoods it will apply to. ADUs should fit in anywhere, and a garden apartment complex fits in a limited number of places. If the standards reflect the context, and it is adequately illustrated, it goes a long way toward providing knowledge and assuaging the fear.

Who is at the table?

The most important thing is that everyone who has a stake in the success of the city should be a part of the conversation. A robust community engagement process begins with getting the most diverse group of perspectives involved at an early stage. A focus should be placed on engaging renters, young people, people who work in the area but cannot afford to live there, in addition to current homeowners. Many people care deeply about their neighborhoods, but are not likely to attend community meetings. Social media pages or neighborhood listservs can be a valuable resource for public engagement.

Additional tools to be considered in public engagement include:

- Allow public comment at times other than during a public meeting through a website dedicated to housing issues.
- Hold pop-up events at libraries, grocery stores, liquor stores, bars, parks, playgrounds, farmers' markets, street festivals, church events.
- Hang posters with leading questions and space for responding in public places such as bus stops, laundromats, bars, churches, parks, playgrounds.
- Encourage people to bring their children to public meetings.
- Make sure that meetings are held in non-intimidating, accessible public spaces.
- Hold online conversations as well as in-person meetings.
- Convene meetings at different times and on different days.
- Follow local pages on social media and engage directly with active users of those pages.
- Provide online engagement opportunities such as visual preference surveys, housing issue surveys, leading questions, etc.

Ensure planning commissioners and elected officials are at the table so they understand the needs within the community. Elected officials are frequently pressured by the vocal minority and do not hear from code reform advocates. They need sufficient data to be able to withstand pressure from the NIMBY (“not in my back yard”) community that tends to fear additional housing.

COMMUNITY EDUCATION

Who can't afford to live here?

Area Median Income (AMI) is the income right in the middle of the income range for a particular place. Half of those working earn less, half earn more. It's not an average, so it isn't skewed by a handful of high earners, but reflects the full range of wages. When housing advocates talk about workforce housing they are referencing housing affordable at between 60 and 100 percent of AMI. Low-income housing is affordable for those making less than 60 percent of AMI.

According to the 2020 census, state-wide AMI for Wisconsin is \$64,168, which translates to \$1600 monthly for housing and utilities. Teachers, police officers, librarians, nurses make approximately 80% of statewide AMI. Childcare workers, service workers of all kinds, and bus drivers make less than 50% of statewide AMI. These numbers will differ in every locality but should be considered during a conversation about housing needs.

People who have to commute long distances can't be full citizens of the place where they work or the place where they live – too much time is spent traveling. These individuals are also paying the financial costs of commuting: maintaining a car is estimated to cost \$10K annually. Reliable transportation is crucial in order to keep a job.

In addition to the costs to individuals when we have inadequate housing choices, there is also a cost to the community. Maintaining streets, water and sewer lines, and other infrastructure in neighborhoods with historic building patterns is significantly less expensive than maintaining that infrastructure in neighborhoods with large lots. If the only place we allow more housing to be built easily, by right, is large-lot subdivisions we are committing ourselves to higher costs now and in the future.

What will it look like?

When asking residents to permit more housing choices, neighbors are typically curious as to what it will look like. Abstract discussion about adding more density or changing the Floor Area Ratio do not translate into a general public understanding of what to expect.

When municipalities propose allowing up to three units on a single lot, a common step up from single family zoning, it is important to create standards that will ensure that these new buildings will be about the same size and impact as the existing single family houses. These are known as ‘bulk standards’ because they regulate the size of the building, not the number of units in the buildings. To create effective bulk standards, begin by measuring the biggest houses in the neighborhood to determine the largest reasonable size.

Craft illustrations that show clearly what adding these buildings will mean. Choose a vacant lot and have renderings made that show how a new building will fit. In addition to drawings, show photographs of existing buildings that match what is being proposed.

When proposing Accessory Dwelling Units, provide illustrations that show garage apartments and backyard cottages. In the same way, if front and side setbacks need to be adjusted to allow adding ADUs or adding another building, create illustrations to show what this will look like on existing lots. Without illustrations community members might not understand what increasing density entails. An instinctive response by residents is that an increase in density implies buildings bigger than what that is currently permitted, which is why illustrations are a key component to the community education process.

The other issue that commonly arises around increasing housing choice is that many of these new units will be rentals. There is a myth that renters don’t care about their neighborhoods, are bad neighbors, or create chaos and noise. One way to approach this topic with residents is to ask what their first living arrangement was after leaving home, or school. Common responses are:

- I lived in my parent’s basement.
- I rented with friends.
- I rented alone.
- I bought a house or condo.

Then ask the same question about their children. This allows residents to see that they weren’t born homeowners and serves as a tool to humanize renters. If there is concern about short-term rentals, they can be limited to the extent allowed by Wisconsin Statute 66.1014. If there is concern about bad behavior then address the behavior with noise ordinances or similar rules. Be sure that your public outreach reaches renters: if you are mailing fliers to the building owners, renters who live in that neighborhood won’t know about the proposed changes. Renters understand the issues of lack of rental units and the associated high prices. They are the voices needed to counteract opposition.

COMMUNITY EDUCATION

Who benefits from adding housing choice?

Many people in Wisconsin and nationwide cannot afford to live within a reasonable distance of their jobs due to lack of housing and are forced to bear the time and the financial burden of lengthy commutes. Who else is affected by lack of housing choice?

- Young people. If we want to retain a lively economy we need young people, and, as noted above, younger people are more likely to be renters.
- Single people who don't want the burden of a house and yard. According to statistics compiled by the American Association of Retired People, 28% of all households are single people living alone. Couples without children comprise another 25%.
- Older people whose big, single family house no longer meets their needs. Most people prefer to stay in their current neighborhood as they age and allowing more housing choice can meet this need. Allowing large single family houses to be reconfigured with more units also works for this demographic: if two or three apartments can be created out of a residence then the homeowner has income to help maintain the building and can create an apartment with accommodations such as one-floor living and a walk-in shower which make aging in place simpler and safer.
- Families with children only represent 20% of the population but they need housing choices also. Allowing more housing within walking distance of shops and libraries and restaurants makes family life easier. Perhaps only one car is necessary, reducing both carbon footprints and costs. Older children and teens can walk or use public transportation, lifting some of the transportation burden from parents.

It is important to be willing to engage directly with residents who are opposing any change to allow more housing choice but not allow them to drive the conversation. Neighborhood associations, because they are vocal and organized, can have an out-sized effect on the public conversation. Elected officials and municipal employees often defer to these voices because they are assumed to speak for entire neighborhoods when in fact they only speak for some of the residents. This is where careful observation of social media can provide other voices which need to be invited into the conversation as a counterbalance.

People are afraid of change. We have to make the possibility of change palatable, quantifying what that change might look like, and who these new neighbors might be.

Building a coalition

If a jurisdiction is going to be successful in implementing code changes to allow more housing choice it is crucial that a coalition of advocates are mobilized to advocate for those changes in the public process. It's important to involve housing advocates and builders along with the people we identified above who want to live somewhere and cannot. Those are the voices that the process needs to amplify.

When you are ready to propose a code change to allow, for example, four-plexes, talk immediately to organizations and people who are concerned with housing shortages. Get out in front and line up supporters so that the first thing that people hear is not objections from people opposed to change. Have the conversations early and often, and in all the places listed above, not just in the planning office or at planning meetings.

Make sure to build champions within your governing body. Without strong advocates among the elected officials, a contentious hearing can have unexpected and unfortunate results. However, if there are coalition members on the board, they can articulate the need for the code edit.

This guide is primarily focused on creating incremental change in the regulatory environment and changes in zoning code that will allow more housing choice. But these ideas about who gets heard and who is at the table also apply once the code is changed. It is not enough to allow four-plexes if the process to build them is too complicated. Jurisdictions need to actively encourage the kind of housing that is wanted and the coalition is important for that, too.



DU...
EAU CLAIRE
ESTD
NORTH BARSTOW DISTRICT

Eau Claire, WI, image credit: Joshua Clements

Resources

The appendix is comprised of a group of tools to assist in common areas of code reform. Some are means to craft reform, such as the character survey, and others are models of language that can be used as a template for specific code issues like ADUs and parking minimums. Each tool must be locally adjusted to respond to the context.

CHARACTER SURVEY

Character Survey

A character survey is the first step in understanding the existing context of a place, determining which reforms are needed, and selecting the content of new regulations such as common dimensional standards. To build a coalition as discussed in the Community Education section, a good practice is to convene a group of advocates and opponents, and collectively identify the most loved areas within the community. The group then collectively photographs, measures, and counts the physical metrics that make up the area. A sample survey follows.

Step 1: Define your districts and pick examples

First decide which areas need regulatory reform. Next, pick example blocks to measure in each of the districts you intend to revise. One way to pick blocks is to choose those that people respond positively to the most. This is an aspirational approach, and the new metrics in your code will be set to guide development to match those best-loved blocks. Another approach is to pick blocks that show the full range of variation in existing dimensions. This approach will help you put new dimensional standards in your code that make as many existing conditions as possible conforming under the new regulations.

Step 2: Measure example blocks using the character survey form

Print one copy of the character survey form to take into the field for each area or condition being analyzed. Take a walking tour and measure the elements shown on the form. Lot widths, building heights, setbacks, uses, parking location, and percent window glazing are all important elements to measure. Photograph the street section and views of building facades. For a street photo, it is usually best to stand on the sidewalk approximately where a planting strip would be, and shoot at an angle to include some of the buildings and all of the sidewalk, and catch a bit of buildings on the far side of the street. For the facade, in the same area showing the same building(s), stand in the street and shoot the entire front yard including the facade. Include the entire lot width if possible; building height is less important.

Step 3: Measure less visible elements using online maps or aerial photography

In addition to measuring the elements you can access during a walking tour, use online maps or other aerial photography to measure elements over the whole area, such as lot coverage, lot depth, the number and setback of outbuildings, and parking location.

Step 4: Analyze results and set new dimensional standards

Once you have measured the selected blocks, sit down with (1) the completed character survey forms, (2) maps or aerial photos of the area, and (3) a new blank character survey form for each district you are adjusting. Consider the metrics for your measured blocks and the conditions in the rest of the area and decide what dimensions to set for your revised zone(s). Fill in the metrics on the blank character survey form (one for each district you are revising), and these metrics will be the basis for your zoning amendment.

CHARACTER SURVEY SAMPLE

Historic Neighborhood



STREET NAME @ STREET NAME

Average Block Dimension	670 x 340
Units per Acre	8 - 12
Average Lot Size	24 x 90

STREET DIMENSIONS

ROW Width	49'
Moving Lanes	2
Parking Lanes	1
Pavement Width	25'
Curb Type	raised 6"
Curb Radius	18"
Sidewalk	12'
Planter Type	tree well
Planter Width	2' x 2'
Planting Pattern	episodic

BUILDING STANDARDS

Private Frontage Type	Stoop, Shopfront
Building height	4 stories max
First floor above grade	18" resid. 0 shop
Lot size	18' - 36' wide
Lot coverage	80% max.
Buildout percentage @ sidewalk	80% min.
Front Setback	0 min, 12' max
Side Setback	0 min
Rear Setback	3' min.
Outbuilding Setback	3' min.
Ground Level Function	res, retail, office

ACCESSORY DWELLING UNITS

Accessory Dwelling Units

Accessory dwellings could add thousands of more attainable housing units with little strain on infrastructure or additional maintenance expense to local municipalities. Additionally, ADUs have little impact on the character of neighborhoods and can help subsidize mortgages for property owners. However, it is not uncommon for ADU's to face resistance from the community. One common concern is noise and maintenance; a solution is to require owner-occupancy in one of the two units. Each community will likely face different fears from residents, but clear and objective standards will help alleviate many, if not all concerns. A sample ordinance is included here for local revisions.

Sample Accessory Dwelling Unit Code Amendment

It is the policy of a **MUNICIPALITY** to permit accessory dwelling units in a manner that enhances residential neighborhoods and helps residents meet their housing needs. The following standards apply:

1. Accessory dwelling units are a permitted use in any zoning district that permits single-family dwellings.
2. The property owner must occupy either the primary dwelling or accessory dwelling unit as their principal residence.
3. A maximum of one accessory dwelling unit is permitted per residential lot.
4. An accessory dwelling unit may be incorporated within an existing dwelling, an existing accessory building, or a new accessory building.
5. When proposed as a new structure separate from the existing dwelling unit, an accessory dwelling unit must comply with the following standards:
 - a. The facade of the accessory dwelling must be at least 20 feet further from the street than the facade of the principal dwelling.
 - b. The width of the accessory dwelling unit parallel to the street may not exceed 60% of the width of the single-family dwelling.
 - c. The height to the eave of the accessory dwelling may not exceed 80% of the height to the eave of the principal dwelling.
 - d. These requirements do not apply to preexisting buildings converted to accessory dwelling units.
6. Accessory dwelling units may not exceed 50 percent of the total area of the principal dwelling.
7. No additional parking is required for accessory dwelling units.
8. Applicants must provide the **ZONING ADMINISTRATOR** with certification from the municipal health department that the water supply and sewage disposal facilities are adequate for the projected number of residents.

MINIMUM PARKING STANDARDS

Minimum Parking Standards

Parking minimums can significantly increase the cost of housing, and can result in negative environmental impacts. Most parking standards are generic, not based upon local parking studies or usage norms. Reduced parking minimums are becoming more common across the country; even large retailers like Walmart have reduced parking minimums in the last decade. However, parking is frequently a point of contention and must be carefully negotiated locally. Emerging best practice is to allow the market demand and financing criteria to control parking minimums, and for municipalities to regulate parking location, access, and loading. The suggested text amendment below provides a default historic neighborhood condition and an alternative which requires parking for more suburban conditions. One thing of note in this sample is that parking location is more important than parking minimums. Suburban parking locations have scarred historic neighborhoods, reduced walkability, and created points of conflict with pedestrians and cyclists.

Sample On-Site Parking and Loading Amendment

1. On-site parking spaces are not required. [Alternative for suburban condition: “On-site parking spaces must be provided in accordance with Table 1. Each on-street parking space directly adjoining the site will replace two parking spaces otherwise required by Table 1.”]
2. Parking spaces constructed on-site must be located behind buildings relative to the front property line. Where site configurations make this impossible, parking spaces may be placed on the side of buildings provided they are set back at least 30 feet from the street.
3. Access to on-site parking and loading areas is limited as follows:
 - a. Access must be from a rear alley where available.
 - b. Access may be from a street adjoining the rear or side property line if a rear alley is not available.
 - c. If access is not possible from a rear alley or rear or side street, access may be provided from a driveway along the front property line.

Uses	Minimum parking spaces required
All Residential Units	1 space per dwelling unit
All Lodging Units	1 space per room
All Assembly Uses	1 space per 4 installed seats
All Retail and Service Uses	1 space per 300 sq. ft. of display floor area
Medical Office	1 space per 400 sq. ft. of gross floor area
All Other Office	1 space per 500 sq. ft. of gross floor area
Food and Beverage	1 space per 4 indoor seats

HISTORIC NEIGHBORHOOD STANDARDS

Historic Neighborhood Standards

Within our five case study communities, the areas in those municipalities that are most misaligned with zoning standards are the historic neighborhoods. To permit infill and densification, the following adjustments should be considered. The metrics are based upon measurements from the participating municipalities and should be adjusted locally through the development of a character survey.

[N] - Neighborhood District

1. Intent

- a. The Neighborhood District encompasses the blended density residential areas adjacent to village and city centers. Neighborhood Districts are intended to permit one, two, three, and four household residences as well as neighborhood commercial uses while complementing and connecting to the adjacent centers.
- b. Additionally these regulations seek to increase the availability of attainable housing by reducing barriers that may disadvantage individuals unfamiliar with the complexities of development, land use regulations, and the myriad requirements, agencies, and goals involved in maintaining a stable village, city, region, and state.

2. Dimensional Standards for Structures and Lots

- a. All structures and lots must meet the dimensional standards listed in Table 2.

Lot Width	40' min. and 100' max.
Setbacks	
Front	8' min. and 16' max.; 2' min. for neighborhood commercial uses
Side	4' min.
Rear: Principal Building	2' min. with rear lanes or 12' min.
Rear: Outbuildings	0' min. with rear lanes or 2' min.
Parking Setback from Building Front	20' min.
Maximum Building Height	2.5 stories
Maximum Building Width	50' per building
Maximum Building Coverage	60% per site

[Numbers above must reflect the character of the local context. See the description of the character survey above.]

HISTORIC NEIGHBORHOOD STANDARDS

3. Height of Structures

- a. Structure height is limited by stories above sidewalk grade.
- b. Ground floor stories exceeding 20 feet are considered two stories.
- c. Mezzanines exceeding 30% of the ground floor area are counted as an additional story.

4. Building Standards

- a. Building facades within 20 feet of sidewalks must have a minimum of 15% glazing.

5. Allowable Uses

- a. Table 3 indicates allowable uses in the Neighborhood zoning districts.
- b. The uses and groups of uses listed in the first column of Table 3 are defined in section [\[insert section\]](#).
- c. Standards and procedures for conditional uses are described in section [\[insert section\]](#).
- d. Multiple permitted uses within a single building, and multiple buildings and permitted uses on a single site, are allowable provided that the dimensional standards in Table 2 and other zoning regulations are met.
- e. Conditional uses may be permitted only upon approval by the **ZONING BOARD** using the standards in section [\[insert section\]](#). Site plan review will be performed simultaneously by the **ZONING BOARD** while considering the conditional use application.
- f. Temporary uses are regulated by section [\[insert section\]](#), not by the allowable uses listed in Table 3.

HISTORIC NEIGHBORHOOD STANDARDS

Table 3. Allowable Uses	
Residential Uses	
Six units or fewer	Permitted Use
Over six units	Conditional Use
Lodging Uses	
Bed and breakfast inn	Permitted Use
Hotel, motel, and other lodging uses	Not Permitted
Institutional Uses	
School or daycare with <12 pupils	Permitted Use
School or daycare with 13+ pupils	Conditional Use
Place of worship with <10 parking spaces	Permitted Use
Place of worship with 11+ parking spaces	Conditional Use
Other institutional uses	Not Permitted
Commercial Uses	
Home occupation	Permitted Use
Offices/shops in converted house	Conditional Use
Food and beverage service in converted house	Permitted Use
Industrial Uses	
All industrial uses	Not Permitted

ADDITIONAL RESOURCES

Further Resources for Code Reform

The following resources offer a broader context to the topic of code reform. A variety of model ordinances and guidance tools for reforming development regulations are available from various sources. These examples suggest a range of possible expanded code reform efforts and may be useful in envisioning future initiatives.

- [The Project for Lean Urbanism](#) has developed a [Lean Code Tool](#) that provides suggestions for intentionally lightening the red tape created by excessive controls, redundancies, contradictions, delays, and unintended consequences found in many zoning codes. These suggestions are meant as general guidelines for quick fixes, rather than the locally appropriate recommendations in this guide.
- [The Center for Applied Transect Studies](#) supports the [SmartCode](#), a model transect-based planning and zoning ordinance based on the analysis of the built environment. It is intended to directly encourage walkable, mixed used neighborhoods, combat sprawl, preserve open lands, and reduce energy consumption. As a general guide it the Smart Code will need to be calibrated for local conditions.
- [The American Planning Association](#) has a number of resources focused on understanding land development regulation, including 21 model codes. [The guidebook Smart Codes: Model Land-Development Regulations](#) (PAS 556), while published in 2009, still offers a good overview of regulation and offers guidance on developing model smart growth ordinances.
- The [U.S. Environmental Protection Agency's](#) Smart Growth program has developed an extensive [website](#) for a range of coding tools, audits, model codes, and other helpful publications. Many of these tools and codes suggest modest to complete regulatory overhauls, and would therefore require larger initiatives than that outlined in this guide.
- The [AARP](#) has created a series of valuable workbooks dealing with issues of livability for all ages. Each workbook provides planning tools to help complete a livability project, as well as implementation funding recommendations.
- [The Form-Based Codes Institute](#) provides a resource page for those interested in form-based codes, a specific urban coding approach which represents the most holistic version of land development regulation reform. Their [Resources](#) offer a variety of ways to increase understanding of form-based code terminology and usage, review a library of best practice sample codes, connect with supporting organization and technical assistance, and access additional information.

ADDITIONAL RESOURCES

Accessory Dwelling Units

The following resources show ways of both implementing code reform to encourage Accessory Dwelling Units and programs to encourage their construction. Since ADUs are most often built by homeowners, not developers, jurisdictions need to include homeowner-focused programs and homeowner-friendly policies.

- The article from the [Sightline Institute](#) focuses on Vancouver BC ADUs, but the information is widely applicable. The Sightline Institute has many resources on housing topics, all well-researched and accessible.
- The website [Accessory Dwellings](#) was founded, and is edited, by 3 volunteers in Portland, Oregon. Kol Peterson and Eli Spevak, along with now-retired Martin Brown, have amassed a wealth of information about ADUS, particularly from the homeowner's perspective.
- The New Hampshire Housing Finance Authority, a non-profit focusing on creating housing, has written several clear and accessible [ADU guides](#) for municipalities and homeowners. They are excellent models for similar guides in Wisconsin.
- The AARP has produced [ADU guides](#) as part of their livable communities effort. They are well-illustrated and very informative for both individuals and jurisdictions.

ADDITIONAL RESOURCES

Parking Reform

This set of resources offer helpful information on reducing or eliminating parking requirements from a variety of sources.

- [This article](#) from the American Planning Association is a good overview of the issues around parking and why parking reform is a crucial piece of housing reform.
- [NAOIP](#), a major commercial real estate organization, has weighed in extensively on parking from the perspective of commercial developers.
- The Environmental and Energy Study Institute, a bi-partisan legislative advisory group working to combat climate change and energy efficiency, has produced [this article](#) about the necessity for parking reform from the climate change perspective.
- [Does Parking Matter?](#) a website which collects information about parking reform and advocates for parking reform has extensive resources including a list of [Cities that have eliminated](#) or reduced parking requirements.
- [Parking Reform Network](#) is a nonprofit organization dedicated to addressing the damage done by excessive parking requirements.

Public Engagement

- [NAR Realtor magazine](#) has produced an entire issue on the housing shortage, including the article linked directly here, which addresses the question of how to talk effectively about increasing housing stock.
- [Desegregate Connecticut](#) is a coalition of housing supporters, environmental groups, professional planners, and elected officials which has organized to lobby for zoning regulation changes to allow more affordable housing and more housing choice. They are an excellent example of the kind of coalition needed to enact incremental zoning reform.
- Sightline Institute, a non-profit organization in the Pacific Northwest, has posted an excellent analysis on how the [residential infill project](#) in Portland was successfully implemented, in spite of vigorous opposition.
- [Legalizing affordable housing](#) is a series of articles from the Sightline Institute about coalition efforts to enable more housing choice.
- [Complete Communities Delaware](#) is another excellent example of successful coalition building for more housing choice with many resources and examples available on their website.

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Fish Creek, WI, image credit: Elvis Kennedy via Flickr





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