



**A G E N D A**  
**CITY OF WAUPUN PLAN COMMISSION**  
**Waupun City Hall – 201 E. Main Street, Waupun WI**  
**Wednesday, July 28, 2021 at 4:30 PM**

**VIDEO CONFERENCE AND TELECONFERENCE**

The Waupun Plan Commission will meet virtually at 4:30 pm on Wednesday, July 28, 2021 via Zoom. The Public may access the conference meeting online or by phone. Instructions to join the meeting are provided below.

To Join the Zoom Meeting:

<https://us02web.zoom.us/j/84141135162?pwd=enRXTS9QYkRHU2VhT0dsZ2FJUJIUT09>

Meeting ID: 841 4113 5162

Passcode: 671833

By Phone: +1 312 626 6799 US (Chicago)

**CALL TO ORDER**

**ROLL CALL**

**PERSONS WISHING TO ADDRESS THE PLAN COMMISSION**--State name, address, and subject of comments. (2 Minutes)

*No Public Participation after this point.*

**FUTURE MEETINGS AND GATHERING INVOLVING THE PLAN COMMISSION**

**CONSIDERATION - ACTION**

1. Approve minutes of the June 16, 2021 meeting.
2. Public Hearing - Conditional Use Permit Application - ACS RBHS, LLC at 1025 Tanager St. for a split two-family dwelling per section 16.03(2)(d)(iii) of the Waupun Municipal Code.
3. Public Hearing - Conditional Use Permit Application - ACS RBHS, LLC at 1029 Tanager St. and 1031 Tanager St. for a split two-family dwelling per section 16.03(2)(d)(iii) of the Waupun Municipal Code.
4. Public Hearing - Conditional Use Permit Application - Tom Kulczewski, Real Sportscards at 324 E Main St. to install a projecting sign per section 16.11(2)(a) of the Waupun Municipal Code.
5. Site Plan Review - Brittain House Parking Lot
6. Discuss Long Range Plan for Central WI Christian Development and Future Lincoln Street Extension Requirements.
7. Residential Zoning District Amendments

**ADJOURNMENT**

*Upon reasonable notice, efforts will be made to accommodate disabled individuals through appropriate aids and services. For additional information, contact the City Clerk at 920-324-7915.*



**MINUTES**  
**CITY OF WAUPUN PLAN COMMISSION**  
**Waupun City Hall – 201 E. Main Street, Waupun WI**  
**Wednesday, June 16, 2021 at 4:45 PM**  
(Draft)

**VIDEO CONFERENCE AND TELECONFERENCE**

The Waupun Plan Commission met virtually at 4:45 pm on Wednesday, June 16, 2021 via Zoom.

**CALL TO ORDER**

Chairman Nickel called the meeting to order at 4:45 pm

**ROLL CALL**

Members Present: Jon Dobbratz, Jerry Medema, Elton TerBeest, Jill Vanderkin, Jeff Daane, and Julie Nickel

Member Excused: Mike Matoushek

Staff In Attendance: Steve Brooks, Susan Leahy, and Sarah VanBuren

Also Present: Raven Whisper, Ashley Vandekolk, Krista Bishop, Rohn Bishop Sr., and Seth and Patrick from Cedar Corp.

**PERSONS WISHING TO ADDRESS THE PLAN COMMISSION**

There was not public participation

**FUTURE MEETINGS AND GATHERING INVOLVING THE PLAN COMMISSION**

The next Plan Commission meeting will be on Wednesday, July 21, 2021 at 4:30 pm

**CONSIDERATION - ACTION**

1. Recognition of Mayor Appointment of Board Members

**PLAN COMMISSION (3 Year Term)**

The Plan Commission shall consist of the Mayor, who shall be its presiding officer, the Director of Public Works, CDA member, an Alderperson appointed by the Council annually and 3 citizen members.

Simultaneous membership on the Board of Zoning Appeals and Plan Commission is permissible.

MAYOR	Serve as Chairman		
ALDERMAN			Michael Matoushek
CDA Member		4/30/24	Jill Vanderkin
CITIZEN		4/30/23	Elton Terbeest
CITIZEN		4/30/24	Jerry Medema
CITIZEN		4/30/24	Jon Dobbratz
UTILITY GENERAL MANAGER	Ex Officio		
DIRECTOR OF PUBLIC WORKS			

2. Nominations and Appointment of Secretary.  
Motion by Vanderkin, seconded by Medema to nominate Mike Matoushek as Secretary. No other nominations were put forward. Motion carried, unanimously.
3. Motion to Establish Day of Month and Time of Board Meeting.  
Motion by Daane, seconded by Medema to move the monthly Plan Commission meetings to the last Wednesday of each month at 4:30 pm. Motion carried, unanimously.

4. Approve Minutes of the April 28, 2021 meeting.  
Motion by Medema, seconded by TerBeest to approve the minutes of the April 28, 2021 meeting. Motion carried, unanimously.

5. Public Hearing - Conditional Use Permit application of Ahsley Vandekolk, The Parlor Hari Boutique at 8 W Main St. to install a projecting sign per Section 16.11(5)(e) of the Waupun Municipal Code.

Questions were asked about the 10 foot clearance from the ground to the sign and also how it would be fastened to the building.

Motion by Dobbratz, seconded by Medema to approve the Conditional Use Permit as presented.

Vote: Nickel, TerBeest, Medema, Dobbratz, Daane – “AYE”

Vanderkin – Abstain

Motion carried 5/0/1.

6. Public Hearing - Conditional Use Permit application of Raven Whisper at 329 S Watertown St. to operate a dog grooming business out of her home per Section 16.13(5) of the Waupun Municipal Code.

A lot of questions were brought up such as the size of the room, signage, parking, hours of operation, kennels, noise, plumbing, and Ordinance 16.13 was brought up.

Motion by Medema, seconded by TerBeest to approve the Conditional Use Permit application on the conditions that they get neighborhood approval and the home is inspected once per year.

Vote: Medema, TerBeest – “AYE”

Dobbratz, Daane, Nickel, Vanderkin – “NAY”

Motion failed 2/4. Conditional Use Permit denied.

This item will be sent to the Council for their approval even though it's a Conditional Use Permit.

7. Public Hearing - Conditional Use Permit application of Krista Bishop at 307 E Main St. to install a projecting sign from the front of the store over the sidewalk per Section 16.11(2)(a) of the Waupun Municipal Code.

Krista Bishop appeared and discussed her plans for the sign. Questions were raised about the height of the sign and how it would be attached to the building.

Motion by Dobbratz, seconded by TerBeest to approve the Conditional Use Permit for a projecting sign at 307 E. Main St. as presented.

Vote: Nickel, TerBeest, Medema, Dobbratz, Daane, Vanderkin – “AYE”

Motion carried, 6/0.

8. Housing Study and Residential Zoning Districts.  
Seth and Patrick from Cedar Corp presented the housing study. They discussed ADU's and where Waupun sits with other cities. Discussion about how big of a lot would work, infrastructure, R2 permits. Commission members were asked to submit their ideas and thoughts to Sarah by July 9, 2021.

#### **ADJOURNMENT**

Motion by Medema, seconded by Dobbratz to adjourn the meeting. Motion carried, unanimously. Meeting adjourned.



CITY OF WAUPUN BUILDING INSPECTOR  
Waupun City Hall – 201 E. Main Street, Waupun WI  
P: 920-324-7917 \* F: 920-324-7939  
[www.cityofwaupun.org](http://www.cityofwaupun.org)

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## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that at a meeting of the Plan Commission of the City of Waupun, to be held via zoom on Wednesday the 28th day of July, 2021 at 4:30 O'clock in the P.M., there will be considered the application for a Conditional Use Permit of:

1. ACS RBHS, LLC at 1025 Tanager St. and 1027 Tanager St. for a split two-family dwelling per section 16.03(2)(d)(iii) of the Waupun Municipal Code.
2. ACS RBHS, LLC at 1029 Tanager St. and 1031 Tanager St. for a split two-family dwelling per section 16.03(2)(d)(iii) of the Waupun Municipal Code.
3. Tom Kulczewski, Real Sportscards at 324 E Main St. to install a projecting sign per section 16.11(2)(a) of the Waupun Municipal Code.

The meeting will be held via zoom.

To Join Zoom Meeting

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Meeting ID: 841 4113 5162

Passcode: 671833

Or by Phone: +1 312 626 6799 US (Chicago)

PLEASE TAKE FURTHER NOTICE that all persons desiring to be heard on the proposed Conditional Use in support thereof or in opposition thereto, must contact the Zoning Administrator prior to said meeting of the Plan Commission of the City of Waupun.

Dated this 12<sup>th</sup> day of July 2021

Susan Leahy  
Zoning Administrator  
City of Waupun

(PUBLISH July 21, 2021)

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Fee: \$150.00 Paid: \$150.00 Date: June 25, 2021



**CITY OF WAUPUN**  
201 E. Main Street  
WAUPUN, WISCONSIN 53963

## Conditional Use Permit Application

Applicant Name: ACS RBHS, LLC - Jim Hartung/Steve Blum Phone #414-416-8515/608-445-6172

Address: 353 Forest Grove, Ste 105 E-mail: steve@validohomes.com

City, State, Zip Pewaukee, WI 53072

Property Description and address:

1025/1027 Tanager Street

Conditional Use Requested:

Split Two-Family Dwelling

Zoning Ordinance Section Involved:

16.03(2)(d)(iii)

Date Presented to Plan Commission:

CONDITIONAL USE: ☐ Granted ☐ Denied

Comments:

Signature of Applicant (s)

VALIDO HOMES, INC.



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Susan Leahy  
Zoning Administrator  
City of Waupun

(PUBLISH July 21, 2021)

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Fee: \$150.00 Paid: ~~\$150.00~~ Date: JUNE 25, 2021



**CITY OF WAUPUN**  
201 E. Main Street  
WAUPUN, WISCONSIN 53963

## Conditional Use Permit Application

Applicant Name: ACS RBHS, LLC - Jim Hartung/Steve Blair Phone #414-416-8515/608-445-6172

Address: 353 Forest Grove, Ste 105 E-mail: steve@validohomes.com

City, State, Zip Pewaukee, WI 53072

Property Description and address:

1029/1031 Tanager Street

Conditional Use Requested:

Split Two-Family Dwelling

Zoning Ordinance Section Involved:

16.03(2)(d)(iii)

Date Presented to Plan Commission:

CONDITIONAL USE: ☐ Granted ☐ Denied

Comments:

Signature of Applicant (s)

VALIDO HOMES, INC.



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Dated this 12<sup>th</sup> day of July 2021

Susan Leahy  
Zoning Administrator  
City of Waupun

(PUBLISH July 21, 2021)

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Fee: \$150.00 Paid: Date: 6/24/21



**CITY OF WAUPUN**  
201 E. Main Street  
WAUPUN, WISCONSIN 53963

## **Conditional Use Permit Application**

Applicant Name: Tom Kulczewski; Real Sportscards Phone # 920-691-6214

Address: 324 E. Main St E-mail: takulcz@gmail.com

City, State, Zip Waupun, WI 53963

Property Description and address:

Real Sportscards, 324 E. Main St. Waupun, WI 53963

Conditional Use Requested:

Seeking a Conditional Use Permit for a sign to project over the sidewalk on Main Street. Bottom of sign will be greater than 10 feet off sidewalk.

Thank you for your consideration!

Zoning Ordinance Section Involved:

16.11 (2a) Conditional use. Projecting signs shall be permitted only as conditional uses in all Business Districts and Institutional Districts.

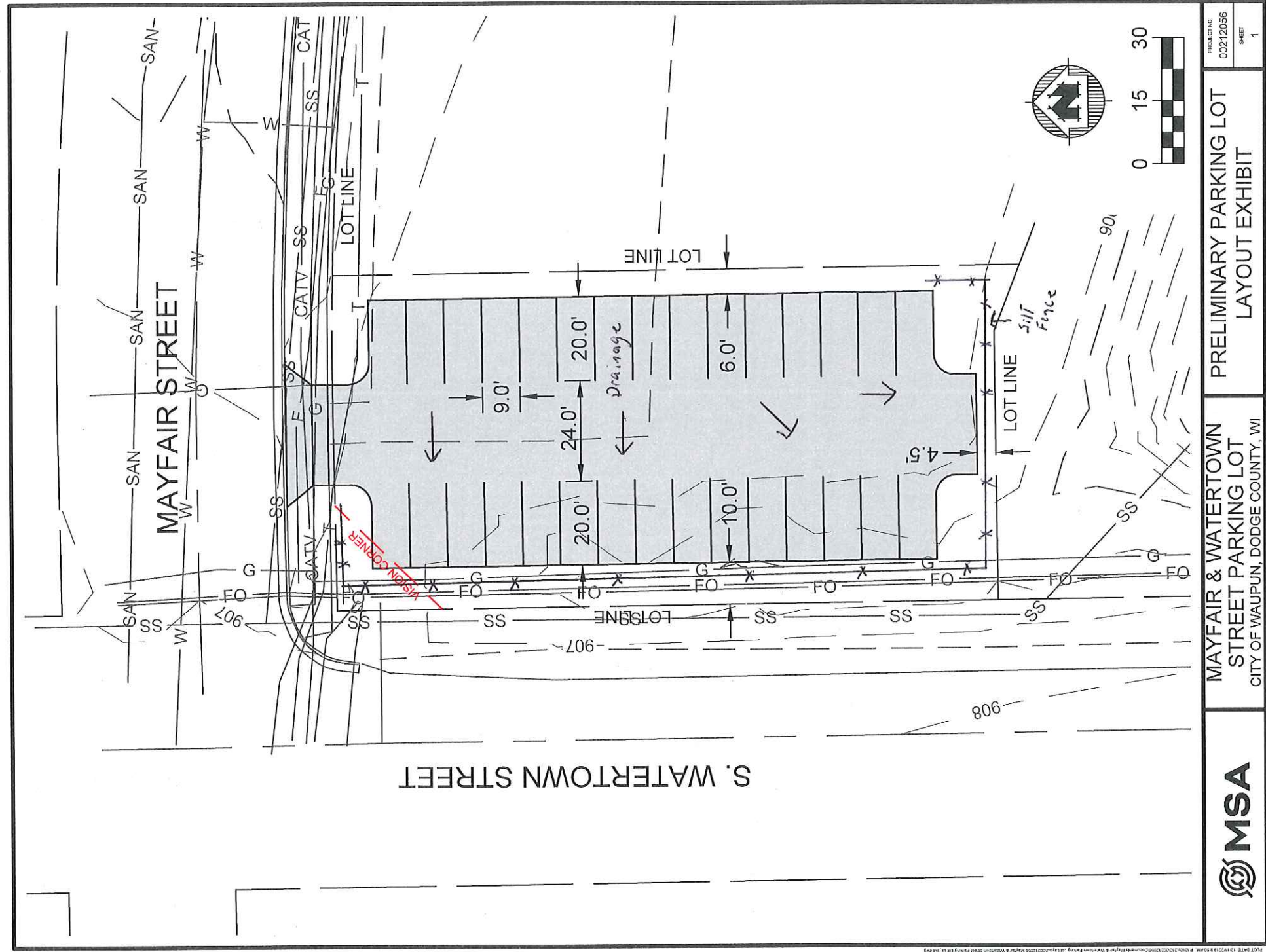
Date Presented to Plan Commission:

CONDITIONAL USE: ☐ Granted ☐ Denied

Comments:

Signature of Applicant (s)





MAYFAIR & WATERTOWN  
STREET PARKING LOT  
CITY OF WAUPUN, DODGE COUNTY, WI

PRELIMINARY PARKING LOT  
LAYOUT EXHIBIT

PROJECT NO.  
00212056  
SHEET  
1

MIDDLE SCHOOL ADDITION

2,544 SQ. FT.

BAND / STAGE ADDITION

6,904 SQ. FT.

ELEMENTARY ADDITION

12,960 SQ. FT.

HIGH SCHOOL ADDITION

16,515 SQ. FT.

Central Wisconsin School

W Lincoln St

Lincoln St

Nighbors Nails -  
Color Street Nails  
Cosmetics store

PLAYGROUND  
EQUIPMENT

HARDSURFACE  
PLAYGROUND

GRASS  
PLAYGROUND

NEW PARKING LOT

NEW BUS GARAGE

ATHLETIC  
FIELD ENTRANCE

NEW BASEBALL FIELD

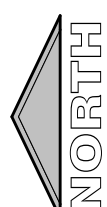
NEW STORM WATER  
POND

LINE OF DELINEATED  
WETLAND

LINE OF DELINEATED  
WETLAND

LINE OF DELINEATED  
WETLAND

LINE OF DELINEATED  
WETLAND



CONCEPT SITE PLAN

SCALE: 1" = 60'-0"

COLLABORATION



PROJECT INFORMATION

PROPOSED MASTER PLAN FOR:  
**CENTRAL WISCONSIN CHRISTIAN SCHOOL**  
301 FOX LAKE ROAD • WAUPUN, WI 53963

PROFESSIONAL SEAL

PRELIMINARY DATES

MAY 12, 2021  
MAY 20, 2021  
JUNE 25, 2021  
JULY 15, 2021  
JULY 20, 2021

JOB NUMBER

2132120

SHEET NUMBER

**CS1.0**

NOT FOR CONSTRUCTION

SITE PLAN

## LABORATION



## PROJECT INFORMATION

**CENTRAL WISCONSIN CHRISTIAN SCHOOL**  
301 FOX LAKE ROAD • WAUPUN, WI 53963

# PROPOSED MASTER PLAN FOR: ECONOMIC CHRISTIANITY

301 FOX LAKE ROAD • WAUPUN, WI 53963

PROFESSIONAL SEAL

### ELIMINARY DATES

JULY 20, 2021

B NUMBER

132120

EET NUMBER

# CS2.0

© EXCEL ENGINEERING, INC.



## OVERALL COMPREHENSIVE PLAN

SCALE: 1" = 160'-0"

## OVERALL COMPREHENSIVE PLAN

**DATE:** July 20, 2021  
**TO:** Sarah Van Buren and City of Waupun Plan Commission  
**FROM:** Patrick Beilfuss, Seth Hudson  
**REGARDING:** Residential Zoning District Amendments

In June, we discussed amending and creating residential zoning districts to implement recommendations in the City's Comprehensive Plan and Housing Study and Needs Analysis and update the municipal code to be inline with housing trends and reduce development costs.

Specifically, in the City's Comprehensive Plan:

2.6.17 Investigate and consider emerging trends in housing, i.e. tiny houses, granny flats, cohousing, Airbnb, etc. (2.2.2)

2.6.19 Encourage the design and siting of new affordable housing that fits into existing neighborhoods. (2.2.2)

2.6.20 Develop a housing plan that includes a housing market analysis. The plan should: (2.2.2)

- Determine gaps in the housing market;
- Identify demand for additional housing units by type, price, or amenities;
- Include an analysis of gaps in the senior housing market (independent- or assisted living facilities);
- Set priorities for housing development by type, price or other feature;
- Identify preferred building sites for redevelopment;
- Consolidate available financing tools;
- Determine the long-term need for mixed-use (commercial/residential); housing in commercial areas;
- Identify housing areas to focus resources;
- Determine where the housing market contains gaps based upon residential absorption rates and anticipated demand for housing;

Specifically, in the City's Housing Study and Needs Analysis:

Chapter 7 contains recommendations for creating an ADU ordinance:

- Housing Need #6 (Need for more Senior Housing), proposed step #4 - Create an ordinance allowing Accessory Dwelling Units (ADUs). ADUs generally allow a single-family zoned lot to have an additional dwelling on the property or inside the existing single-family home. These ADUs are regulated by size and location on a property. Typically smaller in size (400 to 600 sq. ft.), they provide additional housing options for residents without needing more land for development.
- Housing Need #7 (Housing for sensitive populations), proposed step #3 - Create an ordinance allowing Accessory Dwelling Units (ADUs). ADUs generally allow a single-family zoned lot to have an additional dwelling on the property or inside the existing single-family home. These ADUs are regulated by size and location on a property. Typically

smaller in size (400 to 600 sq. ft.), they provide additional housing options for residents without needing more land for development.

Last month, we only had time to only discuss ideas in the **R-1 Single Family Residential District** and **R-2 Two Family Residential District**. The recommendations that came out of those discussions is shown below and in the attached Residential District Requirements handout.

1. **Dimensional requirements for the R-1 Single Family Residential District.** The minimum lot size and minimum lot width were recommended to be amended as highlighted in the handout. There were no other references to these specifications in other residential zoning districts.
2. **R-2 Two Family Residential District – Permitted and Conditional Uses.** The split two-family dwelling was listed as a Conditional Use in the R-2 Two Family Residential District. It is now shown as a permitted use in the R-2 Two Family Residential with the existing spatial requirements not changing.

Split two-family dwellings are also listed as a conditional use in the R-3 Multiple-Family Residential District. The R-3 District is for appropriate areas in the City for only multi-family land use. The definition of multiple-dwellings is a building designed to be occupied by more than two families. **My question for discussion is:**

- a. If a split two-family dwelling is a conditional use, should a two-family dwellings be listed too?
- b. Should this be removed from the R-3 District?
- c. Should a split two-family dwelling and a two-family dwelling be permitted uses in the R-3 District?

Two-family dwellings are also listed as a conditional use in the R-4 Central Area Single-Family Residential District. The R-4 District is for single family dwellings in older subdivisions with smaller lot sizes. **It would make sense to leave this as a conditional use because split two-family homes are considered single family dwellings, but they may not be appropriate in portions of the R-4 District because of their aesthetics.**

Two-family dwellings are also listed as a conditional use in the R-5 Mixed Residential District. The R-5 District is for single family and two- family dwellings in older subdivisions with smaller lots. **My question for discussion is:**

- d. Should a split two-family dwelling and a two-family dwelling be permitted uses in the R-5 District?
3. **Accessory Dwelling Units:** We did not have time to get into any detail regarding an Accessory Dwelling Unit (ADU) ordinance but received some comments from Plan Commission members on the “Regulating Accessory Dwelling Units” presentation we provided that outlined different options for an ADU ordinance. We will spend some time walking through those next week. We are also providing two ADU ordinance examples so that you can see how communities address them differently. The goal is to draft an ordinance that best fits and protects the City of Waupun.

We look forward to our discussion on the 28<sup>th</sup>.

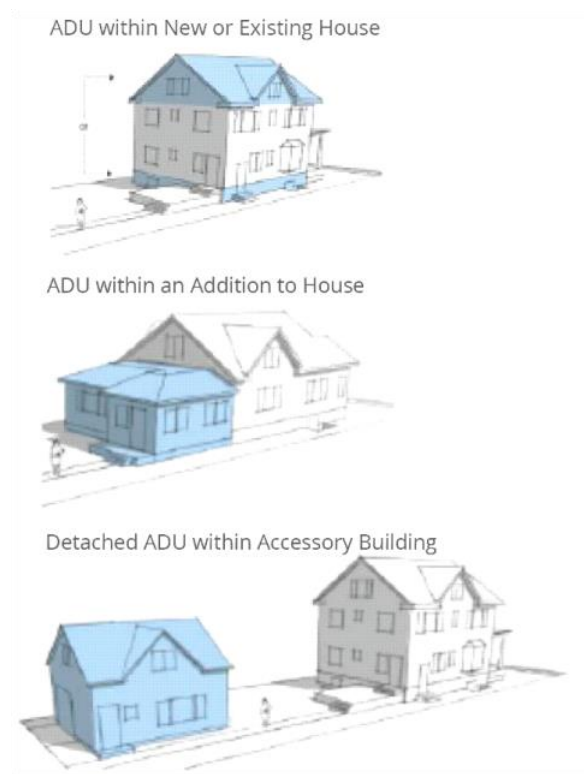
#### **24.10.075 Accessory Dwelling Units (ADUs).**

A. Purpose.

1. The accessory dwelling unit regulations of this section are intended to help promote the benefits of accessory dwelling units, while also preserving neighborhood character and promoting predictability and certainty for established neighborhoods.
2. Accessory dwelling units ("ADU") help advance the city's housing and land use goals and policies by:
  - a. Accommodating additional housing units while preserving the character of existing neighborhoods;
  - b. Allowing efficient use of the city's existing housing stock and infrastructure;
  - c. Providing housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs;
  - d. Providing a means for residents to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance; and
  - e. Promoting a broader range of accessible and more affordable housing.

B. General Regulations for all ADUs. All accessory dwelling units must comply with the regulations of this subsection.

1. Zoning District Regulations. Accessory dwelling units are subject to all applicable regulations of the zoning district in which they are located, unless otherwise expressly stated in this section.
2. Where Allowed. Accessory dwelling units are allowed only on lots occupied by a detached house, semi-detached house or attached house.
3. Number. No more than one accessory dwelling unit is allowed per lot.
4. Methods of Creation. An accessory dwelling unit may be created through any of the following methods:
  - a. Converting existing area within the interior of a principal dwelling unit (e.g., attic or basement) to an ADU;
  - b. Adding floor area to an existing dwelling unit to accommodate an ADU;
  - c. Constructing a detached accessory dwelling unit on a parcel with an existing principal dwelling unit;
  - d. Converting space within a detached accessory building; or
  - e. Constructing a new principal dwelling unit with an internal or detached accessory dwelling unit.



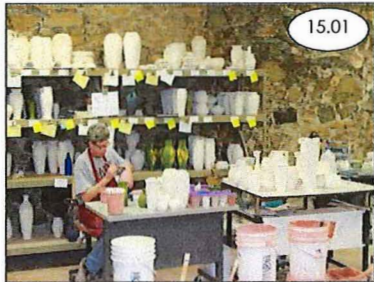
5. Location of Entrances. Only one entrance to a principal dwelling unit containing an accessory dwelling unit may be located on a façade that faces a street, unless the principal dwelling unit contained an additional street-facing entrance before the accessory dwelling unit was created. Detached ADUs are exempt from this regulation.
  6. Size. The floor area of an ADU may not exceed forty-nine percent of the gross floor area of the principal dwelling unit on the subject lot (excluding any attached garage), or six hundred fifty square feet, whichever is less. For purposes of this provision, the following are excluded from the definition of "gross floor area":
    - a. Garage areas;
    - b. Basement areas where the ceiling height measured from the floor is less than seven feet; and
    - c. Any other areas of the building where the floor-to-ceiling height is either less than five feet or not accessible by a stairway.
  7. Parking. No additional parking is required for an accessory dwelling unit. Existing required parking for the principal dwelling unit must be maintained or replaced on-site.
  8. Building Permit Approval. Before the issuance of a building permit for the construction of any new accessory dwelling unit, plans must be reviewed and approved by the chief building official to determine compliance with all applicable building and life safety codes.
- C. Regulations for New Detached ADUs and Building Additions. The regulations of this subsection apply to all detached buildings and building additions proposed to be occupied by ADUs. These provisions apply only to detached buildings and building additions constructed after June 19, 2019.
1. Exterior Finish Materials. The exterior finish material must be the same or visually match in type, size and placement, the exterior finish material of the principal dwelling unit.

- 
2. Roof Pitch. The roof pitch must be the same as the predominant roof pitch of the principal dwelling unit.
  3. Trim. Trim on edges of elements on the building addition to the principal dwelling unit or the accessory structure occupied by the ADU must be the same in type, size and location as the trim used on the principal dwelling.
  4. Entrances. Entrances to ADUs occupying detached accessory structures may not face the nearest side or rear property line unless there is an alley abutting that property line.
  5. Setbacks. A detached accessory dwelling unit must be located at least 10 feet behind the principal dwelling. This required ten-foot separation distance must be free of structures except that it may include walkways, patios, decks and similar structures that do not exceed thirty inches in height above finished grade.
  6. Height. The maximum allowed height of a detached accessory dwelling unit is twenty feet or the height of the principal dwelling building, whichever is less.

(Ord. No. O-19-11 , pt. II, 6-18-2019)

## Example ADU Ordinance: City of Washburn, WI

- 15.03 **Construction equipment repair** A place where construction equipment, such as dump trucks, excavators, graders, and scrapers are typically left overnight for maintenance, service, or repair.
- 15.04 **Construction equipment sales and service** A place where new and used construction equipment, such as dump trucks, excavators, graders, and scrapers are offered for rent, sale, lease, or exchange, or are taken on consignment. This use may include the repair of such equipment.



- 15.05 **Contractor yard** A place where a contractor or builder may establish a base of operation, which may include one or more of the following: office space; indoor and outdoor storage of construction materials, equipment, and machinery, such as trucks and heavy equipment; and shops for the repair of machinery and equipment owned by the operator.
- 15.06 **Manufacturing** A place where products or parts are manufactured, including processing, fabrication, assembly, treatment, packaging, incidental storage, and administrative offices. The term includes a tool and die maker, furniture production, metal fabrication, apparel manufacturing, printing, and publishing.

### 16.0 SOLID WASTE

- 16.01 **Composting facility** A place where vegetation (but not food wastes) may be collected and composted. The term includes the storage and manipulation of materials prior to, during, and following composting.
- 16.02 **Recycling center** A place where recoverable materials, which have been removed from the waste stream, may be stored prior to shipment to others who use those materials to manufacture new products. Typical recoverable materials include glass, paper, metal, and plastic. The term does not include salvage yard.
- 16.03 **Solid waste transfer station** A place where solid waste may be temporarily stored prior to transport to a processing plant or to final disposal.

### 17.0 ACCESSORY USES

- 17.01 **Accessory dwelling unit (ADU)** A second dwelling unit located on the upper floor of a detached garage that is located on the same lot as a principal dwelling unit and is subordinate to the principal dwelling unit.
- 17.02 **Adult family home** A private residence licensed by the state under s. 50.032 (1m), Wis. Stats.<sup>38</sup>
- 17.03 **Amateur radio and/or citizens band antenna** An antenna and related support structure used to send and receive telecommunications for noncommercial purposes.
- 17.04 **Bed and breakfast** A single-family residence that offers overnight accommodations for a daily charge and that also serves as a primary residence of the operator or owner.
- 17.05 **Boat dock** A pier or wharf.



<sup>38</sup> Commentary: An adult family home can either be a principal use or an accessory use. If the operator lives in the residence with the adults, it is considered an accessory use.

Exhibit 8-1. Land-use matrix – continued

				Zoning District											
		Special Standards	Secondary Review	R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW	
15	Industrial and Manufacturing														
15.01	Artisan shop, Type I	8-471	AR,SP,PO,ZP	-	-	-	-	P	P	P	C	-	-	C	
15.02	Artisan shop, Type II	8-472	AR,SP,PO,ZP					C	C	C	C	-	-	C	
15.03	Construction equipment repair	8-473	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
15.04	Construction equipment sales and service	8-474	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
15.05	Contractor yard	8-475	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
15.06	Manufacturing	8-476	AR,SP,PO,ZP	-	-	-	-	-	-	C	P	-	-	-	
16	Solid Waste														
16.01	Composting facility	8-491	AR,SP,PO,ZP	C	-	-	-	-	-	-	C	-	-	-	
16.02	Recycling center	8-492	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
16.03	Solid waste transfer station	8-493	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
17	Accessory Uses														
17.01	Accessory dwelling unit [7]	8-521	SP,ZP	C	C	C	C	-	-	-	-	-	-	-	
17.02	Adult family home [7]	8-522	ZP	P	P	P	P	-	-	-	-	-	-	-	
17.03	Amateur radio and/or citizens band antenna [7]	8-523	ZP	P	P	P	P	P	P	P	P	P	P	P	
17.04	Bed and breakfast [7]	8-524	SP,PO,ZP	C	C	C	C	C	-	-	-	-	-	-	
17.05	Boat dock [7]	8-525	-	-	-	-	P	-	-	-	-	P	P	P	
17.06	Boathouse [7]	8-526	ZP	-	-	-	P	-	-	-	-	-	-	-	
17.07	Exterior communication device	8-527	-	P	P	P	P	P	P	P	P	P	P	P	
17.08	Family day care home [7]	8-528	ZP	P	P	P	P	P	-	-	-	-	-	-	
17.09	Farm building for non-farm storage	8-529	SP,PO,ZP	C	-	-	-	-	-	-	-	-	-	-	
17.10	Fence	8-530	-	P	P	P	P	P	P	P	P	P	P	P	
17.11	Firewood storage	8-531	-	P	P	P	P	P	P	P	P	P	P	P	
17.12	Foster home and treatment foster home [2,7]	8-532	ZP	P	P	P	P	P	P	C	-	-	-	-	
17.13	Garage, nonresidential	8-533	AR,ZP	C	C	C	-	P	P	P	P	P	P	P	
17.14	Garage, residential [7]	8-534	ZP	P	P	P	P	P	P	P	-	-	-	P	
17.15	Greenhouse [7]	8-535	ZP	P	P	P	P	P	P	P	-	-	-	-	
17.16	Home occupation, major [7]	8-536	SP,PO,ZP	C	C	C	C	P	P	P	-	-	-	-	
17.17	Home occupation, minor [7]	8-537	ZP	P	P	P	P	P	P	P	-	-	-	P	
17.18	Household livestock [7]	8-538	ZP	C	-	-	-	-	-	-	-	-	-	-	
17.19	Kennel, hobby [7]	8-539	SP,PO,ZP	C	C	-	C	-	-	-	-	-	-	-	
17.20	Light industrial use incidental to sales/service	8-540	SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
17.21	Outdoor food and beverage service	8-541	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	C	
17.22	Play structure [7]	8-542	-	P	P	P	P	P	-	-	-	-	-	-	
17.23	Pond	8-543	SP,ZP	P	P	P	P	C	-	-	-	P	-	-	
17.24	Rural accessory building	8-544	-	P	-	-	-	-	-	-	-	-	-	-	
17.25	Sales incidental to industrial use	8-545	SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
17.26	Service window, drive-up	8-546	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	C	
17.27	Service window, walk-up	8-547	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	C	

continued on next page

**8-494 to 8-520 Reserved**

**DIVISION 12**  
**SPECIFIC STANDARDS FOR ACCESSORY LAND USES**  
 (Series 17 in Land-Use Matrix)

**Sections**

<b>8-521</b> Accessory dwelling unit	8-538 Household livestock
8-522 Adult family home	8-539 Kennel, hobby
8-523 Amateur radio and/or citizens band antenna	8-540 Light industrial use incidental to sales/service
8-524 Bed and breakfast	8-541 Outdoor food and beverage service
8-525 Boat dock	8-542 Play structure
8-526 Boathouse	8-543 Pond
8-527 Exterior communication device	8-544 Rural accessory building
8-528 Family day care home	8-545 Sales incidental to light industrial use
8-529 Farm building for non-farm storage	8-546 Service window, drive-up
8-530 Fence	8-547 Service window, walk-up
8-531 Firewood storage	8-548 Solar energy system, building-mounted
8-532 Foster home and treatment foster home	8-549 Solar energy system, free-standing
8-533 Garage, nonresidential	8-550 Storage container
8-534 Garage, residential	8-551 Swimming pool
8-535 Greenhouse	8-552 Utility cabinet
8-536 Home occupation, major	8-553 Work/live dwelling unit
8-537 Home occupation, minor	8-554 Yard shed

**8-521 Accessory dwelling unit**

(a) **Legislative intent.** Accessory dwelling units represents a way to increase the housing stock in the City and promote housing choice and affordability. Accessory dwelling units must be compatible with the surrounding area and must be clearly subordinate to the principal dwelling unit.

(b) **Location.** An accessory dwelling unit shall only be located on the upper floor of a detached garage that is located in the rear yard and complies with all setback requirements for the zoning district in which the subject property is located. If a variance is granted allowing construction of the garage closer to a property boundary line than what is otherwise allowed in the zoning district, such garage is not eligible to also include an accessory dwelling unit.

(c) **Character of building.** Any exterior changes or additions for an accessory dwelling unit shall be constructed of similar materials and shall be architecturally compatible with the principal dwelling unit.

(d) **Size limitation.** The floor area of the accessory dwelling unit shall not be more than 65 percent of the total floor area of the principal dwelling unit up to a maximum of 700 square feet.

(e) **Number.** There shall be no more than one accessory dwelling unit on the subject property.

(f) **Lot area.** The lot containing an accessory dwelling unit shall be at least 2,500 square feet greater than the minimum lot area for the zoning district in which the lot is located.

(g) **Owner occupancy required.** The property owner shall occupy either the principal dwelling unit or the accessory dwelling unit.

(h) **Walkway.** There shall be an unobstructed walkway leading from the public street to the accessory dwelling unit.

(i) **Compliance with building codes.** Prior to establishment of an accessory dwelling unit, the building inspector shall certify that the garage meets all applicable building codes. In addition, an accessory dwelling unit shall comply with all applicable building codes.

(j) **Compliance with sanitation requirements.** If the subject property is not served by municipal sewer, the Bayfield County Health Environmental Resource Department shall certify that the existing on-site sewage disposal system can accommodate the proposed use in accordance with county sanitation requirements.

#### 8-522 Adult family home

(a) **License.** Prior to the establishment of an adult family home, the operator shall obtain a license from the state as required by state law and maintain such license for the life of the use or until the state no longer requires such license.

(b) **Signage.** Signage for an adult family home shall comply with all applicable standards set forth in Article 18.

#### 8-523 Amateur radio and/or citizens band antenna

(a) **Legislative findings.** The Common Council makes the following legislative findings regarding amateur radio and/or citizens band antennas:

- (1) The placement of amateur radio antennas and support structure of unregulated height and type could have a negative impact on surrounding properties and especially on the smallest of lots allowed in the city.
- (2) Pursuant to s. 59.69(4f), Wis. Stats., the regulations in this section constitute the least restrictive measures needed to promote community aesthetics, public health, and safety while allowing amateur radio communications.

(b) **Number.** Antennas shall be placed on no more than 2 support structures, such as a tower or on top of a building.

(c) **Type of tower.** An antenna may be placed on a monopole or lattice tower.

(d) **Anti-climbing measures required.** If a tower is used to support the antenna, the tower shall have anti-climbing measures to prevent unauthorized climbing.

(e) **Placement.** An antenna shall not be located in a front yard.

(f) **Setback requirements.** The center of the antenna shall be no closer than 110 percent of the total height of the antenna to a lot line and overhead electric lines.

#### 8-524 Bed and breakfast

(a) **State permit.** Prior to the establishment of a bed and breakfast, the operator shall obtain a permit from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain such license for the life of the use or until the department no longer requires such permit.<sup>34</sup>

(b) **Display of permit.** The operator shall display the current bed and breakfast permit in a conspicuous location inside the bed and breakfast.

(c) **Accommodations tax.** Prior to the establishment of a bed and breakfast, the operator shall obtain a permit issued pursuant to s. 3-4-2(c) of the municipal code for the purpose of collecting any accommodations tax as may be adopted by the City.

(d) **Registry.** The operator of the bed and breakfast shall keep an accurate register showing the names of all guests. This registry shall be kept on file for a period of one year and shall be available for inspection by city officials at any time upon request.

(e) **Compliance with applicable building codes.** Prior to the establishment of a bed and breakfast or the expansion of an existing bed and breakfast, the building inspector shall certify that the dwelling meets all applicable building code requirements.<sup>35</sup>

<sup>34</sup> Commentary: See subch. VII of ch. 254, Wis. Stats., and ch. DHS 197, Wis. Admin. Code

<sup>35</sup> Commentary: Bed and breakfasts must comply with the residential building code requirements; the commercial building code does not apply because the dwelling is the operator's residence and the operator is residing in the residence when guests are present.

Exhibit 171-3. Parking standards - continued

13.0	Transportation - continue	Minimum vehicle spaces
13.03	Mass transit terminal	1 space for each 100 square feet of gross floor area devoted to a passenger waiting area; plus 1 space for each 300 square feet of gross floor area devoted to offices
13.04	Off-site parking lot	On-site parking not required
13.05	Park-and-ride lot	On-site parking not required
13.06	Street	On-site parking not required
<b>14.0</b>	<b>General Storage</b>	
14.01	Boat yard	1 space for each employee on the largest work shift
14.02	Indoor boat storage	1 space for each employee on the largest work shift; plus 1 space for the first 30 rental spaces or 2 spaces for more than 30 rental spaces
14.03	Personal storage facility	1 space for each 50 rental units when an office is provided; plus 1 space for each employee on the largest work shift
14.04	Truck terminal	1 space for each employee on the largest work shift; plus 1 space for each fleet vehicle parked on site
14.05	Warehouse	1 space for each employee on the largest work shift; plus 1 space for each fleet vehicle parked on site
<b>15.0</b>	<b>Industrial</b>	
15.01	Artisan shop, Type I	1 space for each 300 square feet of display area; plus 1 space for each employee on the largest work shift
15.02	Artisan shop, Type II	1 space for each 300 square feet of display area; plus 1 space for each employee on the largest work shift
15.03	Construction equipment repair	1 space for each employee on the largest work shift; plus 1 space for each fleet vehicle parked on site
15.04	Construction equipment sales and rental	1 space for each employee on the largest work shift; plus 1 space for each fleet vehicle parked on site
15.05	Contractor yard	1 space for each employee working on site; plus 1 space for each fleet vehicle parked on site
15.06	Manufacturing	1 space for each employee on the largest work shift; plus 1 space for each fleet vehicle parked on site
<b>16.0</b>	<b>Solid Waste</b>	
16.01	Composting facility	1 space for each employee on the largest work shift
16.02	Recycling center	1 space for each employee on the largest work shift
16.03	Solid waste transfer station	1 space for each employee on the largest work shift
<b>17.0</b>	<b>Accessory Uses</b>	
<b>17.01</b>	<b>Accessory dwelling unit (ADU)</b>	<b>1 space</b>
17.02	Adult family home	On-site parking not required
17.03	Amateur radio and/or citizens band antenna	On-site parking not required
17.04	Bed and breakfast	1 space for each guest room
17.05	Boat dock	On-site parking not required
17.06	Boathouse	On-site parking not required
17.07	Exterior communication device	On-site parking not required
17.08	Family day care home	On-site parking not required
17.09	Farm building for non-farm storage	On-site parking not required
17.10	Fence	On-site parking not required
17.11	Firewood storage	On-site parking not required

continued on next page

# Regulating Accessory Dwelling Units (ADUs)



# What is an ADU?



An accessory dwelling unit (ADU) is a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home. ADUs go by many different names throughout the U.S., including →

- accessory apartment
- alley flat
- back house
- backyard bungalow
- basement apartment
- carriage house
- coach house
- garage apartment
- granny flat
- guest house or cottage
- in-law suite
- laneway house
- mother-daughter house
- multigenerational house
- ohana unit
- secondary dwelling unit
- sidekick



# Why ADUs?



## **PERSONAL (HOMEOWNER) REASONS**

Homeowners add, or may desire to add, Accessory Dwelling Units (ADUs) for many different reasons.

- For some homeowners it is an income-generating investment;
- Some enjoy the benefits of multi-generational living;
- Many realize both the health and economic benefits of caring for loved ones at home, and;
- Some invest in an ADU to secure those benefits for themselves in the future.

In any case, adding an ADU is an investment.



# Why ADUs?



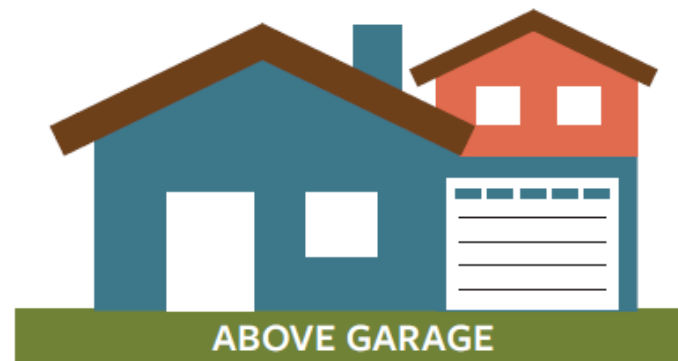
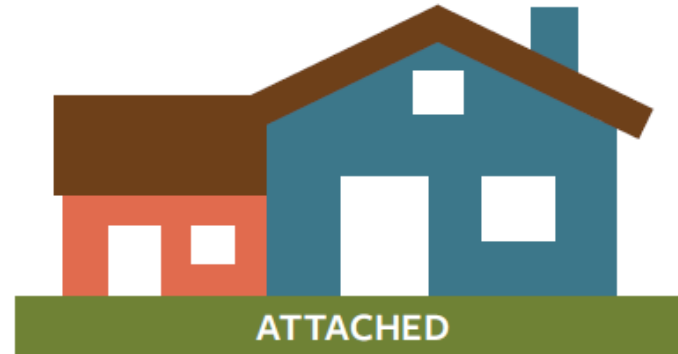
## MUNICIPAL / COMMUNITY REASONS

Local governments may have many purposes for ADUs:

- To provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, rental income, companionship, security, and services.
- Add affordable units to the existing housing.
- Make housing units available to moderate-income people who might otherwise have difficulty finding homes within the city.
- Develop housing units in that are appropriate for people at a variety of stages in the life cycle.
- Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of an ordinance.



# ADU Types



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

Source: AARP





Traditional or modern?





Endless styles



# Zoning Ordinance Options for ADUs



#1

Ordinance Section or Characteristic	Option 1	Option 2	Option 3	Comments
<b>Purpose or Intent</b>	n/a	n/a	n/a	
<b>Definitions</b>	n/a	n/a	n/a	
<b>General Allowances</b>	"By-right" use in existing zoning districts (primarily SFR as lots are typically larger)	"Accessory use" in existing zoning districts (more than just SFR typically)	"Conditional Use" in existing zoning districts (SFR or other)	Can also discern between attached and detached ADUs
<b>Review/Approval Process</b>	Administrative w/plan submission and permit	Administrative w/ plan submission and permit	Conditional Use Permit (CUP) process w/public hearing	Must also address permit form, fees, renewals, notification distances, and appeals
<b>Number of ADUs Allowed</b>	1 per lot	1+ per lot in certain districts	Bonus ADU provisions	Tie to lot size or coverage requirements
<b>ADU Type</b>	Attached only	Detached only (also allow manufactured homes?)	Both	Can specify one or the other for certain districts



# Zoning Ordinance Options for ADUs



#2

Ordinance Section or Characteristic	Option 1	Option 2	Option 3	Comments
<b>Excluded Uses</b>	Allowed on in one of the two structures, but not both	None allowed in ADU.	None allowed in either	Examples include day-care, home-based businesses, etc.
<b>Owner Occupancy</b>	Required in one of the two structures	Required in both structures	Not required	
<b>Number of Occupants</b>	1 family or 2 unrelated individuals	No more than 3 individuals (related or unrelated)	No more than 2 bedrooms	
<b>Lot Size</b>	2,500 sq. ft. more than minimum district requirement	20% larger than minimum district requirement	Other?	Could also address lot frontage minimums
<b>ADU Size / Lot Coverage</b>	Ratio between primary residence & ADU. Not >65% of total floor area of primary, up to max of ____ sq. ft.	No more than 700 to 800 sq. ft or less than 300 to 400 sq. ft.	No more than 10% of lot area	



# Zoning Ordinance Options for ADUs



#3

Ordinance Section or Characteristic	Option 1	Option 2	Option 3	Comments
Location on Lot	Side or rear of existing residence	Side only	Rear only	Attached ADU on front requires variance
Side-Yard Setback	Underlying zoning	n/a	n/a	
Front-Yard Setback	Underlying zoning	n/a	n/a	
Rear-Yard Setback	Underlying zoning	n/a	n/a	
ADU Entrance	Separate / independent outside entrance	Detached ADU may not face nearest side or rear property line unless abutting alley	If on alley, front should face alley	Could also require interior door between principal DU and ADU
ADU Height	13'-15' if detached one story	22'-25' if 1.5 or two story detached	Underlying zoning if attached	
Design Standards	Required	Suggested (guidelines)	None	Similar to primary residence, exterior finish, roof pitch, trim, windows



# Zoning Ordinance Options for ADUs



#4

Ordinance Section or Characteristic	Option 1	Option 2	Option 3	Comments
<b>Parking</b>	Underlying zoning dictates. No additional off-street parking space required	1 off-street parking space in addition to underlying zoning requirement	Option to waive if w/in ¼ mile of public transit	
<b>Walkways</b>	Unobstructed walkway from public street to ADU	No walkway required	n/a	
<b>Landscaping</b>	Required	Not required	n/a	
<b>Utility Connections</b>	Required	n/a	n/a	
<b>Building Codes</b>	Required	n/a	n/a	
<b>Fire Access</b>	Required	n/a	n/a	



# Zoning Ordinance Options for ADUs



#5

Ordinance Section or Characteristic	Option 1	Option 2	Option 3	Comments
<b>Short Term Rental</b>	Allowed in one of the two structures, but not both	Allowed in ADU only	Not allowed in either structure	Ensure consistency with 66.1014, Wis. Stats.
<b>Recording</b>	Deed Restriction required	Covenants required	n/a	To ensure continued compliance upon sale or transfer
<b>Sale of ADU</b>	No separate sale allowed	Separate sale allowed	n/a	
<b>Other Ideas....</b>	Provide incentives	Provide Technical Assistance and/or pre-approved ADU plans	Encouragement of Barrier-Free ADUs	



# Over-Regulation Test?



## Rules that discourage ADUs

- ADU-specific regulations that don't also apply to primary dwellings (e.g., owner-occupancy requirements)
- complex design compatibility criteria and approval steps
- off-street parking requirements beyond those required for the primary dwelling
- restrictions that limit ADUs to certain geographic areas, particular zoning categories or to large lots
- caps on square footage relative to the primary house that make it easy to add an ADU to a large home but hard or impossible to add one to a small home



# The End – Thank You!



**Cedar**  
CORPORATION