



Mineral Point, Wisconsin

CITY OF MINERAL POINT

137 HIGH STREET, SUITE 1
MINERAL POINT, WI 53565
608-987-2361

AGENDA

CITY OF MINERAL POINT PLAN COMMISSION MEETING

Thursday, November 7, 2024, 6:30 PM

City Hall Community Room

1. Call to Order, Roll Call, and Confirmation of Compliance with the Open Meetings Law.
2. Approval of September 19, 2024 Minutes.
3. Discussion and consideration of Brewery Creek Land Development Concept Plans.
4. Discussion of future changes to the zoning code.
5. Preliminary discussion of issues and opportunities to address in the Comprehensive Plan Update.
6. Adjourn.

Agenda Posted and Distributed: Friday, November 1, 2024.

Reasonable accommodations for participation in this meeting by persons with disabilities, as defined by the Americans with Disabilities Act, will be made upon request and if feasible. Please contact the City Clerk's office (608-987-2361) at least 24 hours prior to the scheduled meeting so that necessary accommodations can be provided

OFFICE OF THE CITY CLERK-TREASURER

Mayor – Danny Clark

City Administrator | Matthew Honer | administrator@cityofmineralpointwi.gov

City Clerk-Treasurer | Christy Skelding | cityclerk@cityofmineralpointwi.gov



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MINUTES

CITY OF MINERAL POINT PLAN COMMISSION MEETING Thursday, September 19, 2024, 7:15 PM City Hall Community Room

CALL TO ORDER/ROLL CALL

Mayor Clark called the meeting to order at 7:22 pm.

Danny Clark, Mayor	Present	Tim Freeman	Present
Keith Burrows	Excused	Mo May-Grimm	Absent
Gary Galle	Present		
Tom Johnston	Present		
Others Present: Administrator Honer, Clerk-Treasurer Skelding			

APPROVAL OF MINUTES – September 5, 2024 MEETING

Motion (Galle/Freeman) to approve September 5, 2024 minutes. Motion carried, all voting aye (5-0).

DISCUSSION AND CONSIDERATION OF A MINOR MODIFICATION TO THE PLANNED UNIT DEVELOPMENT AT 190 ANTOINE STREET TO ALLOW ACCESSORY STRUCTURES PER 154.04(N)(4)(c) OF THE ZONING CODE, REQUESTED BY WEDIG QUALITY HOMES.

This parcel was originally two separate R-2 parcels. The owner had them rezoned as one parcel in order to become a planned unit development (PUD). When they were separate parcels, an accessory building would've been allowed, but since they are now one parcel, accessory buildings are not allowed.

Dan Wedig, owner of the parcel, is here to accommodate a potential buyer.

Planned Unit Developments are blank slates when it comes to zoning, so it's a matter of establishing what those rules are. Essentially, the Plan Commission and the owner of the PUD are writing the code. Mr. Wedig submitted a draft of rules, and Administrator Honer added a bit more, such as not using for poultry or livestock, no plumbing or electricity, and the structure needs to be in good repair so it can be removed or moved. He also stated that the structure can't be closer to the side yard property line than the principle structure.

Administratively, Honer will change the PUD to add these regulations.

Alder Galle questioned points A-J on the submitted rules regarding no electricity to the sheds. Alder Galle stated he has no problem with electricity to the shed.

Mayor Clark believes electricity could be an asset.

The Plan Commission would like to see electricity allowed to this PUD code. Administrator Honer will make that modification.

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Motion (Galle/Freeman) to approve the modification to the Planned Unit Development at 190 Antoine Street to allow accessory structures per 154.04(N)(4)(c) of the zoning code as requested by Wedig Quality Homes, including electricity. Motion carried, all voting aye (4-0).

DISCUSSION OF FUTURE CHANGES TO THE ZONING CODE.

Administrator Honer has spent some time going through all of the ordinances from the past 20+ years as the City is getting ready to make ordinance changes.

This body should consider whether or not they are in favor of accessory dwelling units.

Mayor Clark stated that we lost Plan Commissioner Mike Bartnik suddenly, and expressed his thoughts and prayers to the family. He was a great asset to Mineral Point and Mayor Clark enjoyed having him on the Plan Commission and ETZ Plan Commission.

ADJOURN

Motion (Galle/Johnston) to adjourn at 8:03 pm. Motion carried, all voting aye (4-0).

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Zoning Reform 101

JUNE 2024



SOUTHWESTERN WISCONSIN
REGIONAL PLANNING
COMMISSION

Zoning Reform 101

Historically, the initial intent of zoning was to provide orderly development and improve the health, safety, and welfare of the public. Zoning serves to allow sunlight and airflow between city buildings, provides sightlines at street corners, prevents the spread of fire, and keeps industrial uses separate from residential districts. As zoning evolved, it was used more and more as a tool to exclude certain populations from neighborhoods based on race, ethnicity, income, and other factors. For instance, multi-family districts were often used as barriers to shelter single-family housing from more intense commercial or industrial uses. Zoning ordinances were also used to prohibit minority households from living in majority white neighborhoods. While this outright racial segregation in zoning was prohibited in 1917, discrimination also occurred in other institutional processes outside of zoning.ⁱ

Today, negative perceptions of multi-family residents have not gone away, and zoning continues to discriminate in covert ways – through socioeconomic class. Zoning ordinances contribute to larger home sizes and limit the availability and affordability of homes. Communities should flip the script by acknowledging that a household’s selected housing type is based on a number of lifestyle characteristics, not just income. While some households may follow a traditional path from renter to first-time buyer to repeat buyer, life changes such as retirement, children moving out, or divorce could cause other households to transition back to multi-family housing or to other housing alternatives. Communities should strive to provide housing options to support the various lifestyles of residents.

Affordability	Flexibility	Quantity/Density
	Number of residential zones	Number of residential zones
Allowable uses	Allowable uses	Allowable uses
Manufactured housing	Manufactured housing	
ADUs		ADUs
Short-term rentals		Short-term rentals
Zero-lot line		Zero-lot line
Setbacks	Setbacks	Setbacks
Lot size/floor area	Lot size/floor area	Lot size/floor area
Height		Height
	PUDs	
Landscaped surface		Landscaped surface
Parking		Parking
Administrative review	Administrative review	
Solar energy		

Number of residential zones

The number of residential zones impacts the flexibility of where each type of housing can be located. Having a large number of residential zones typically means that several zones will be very similar (with a slightly different setback or lot size standard). Many communities will also favor single family housing over multi-family housing with the majority of the community zoned single family residential. These exclusionary zoning practices have contributed to racial segregation across the country.¹ Overall, this lack of flexibility has limited the supply of housing and has made existing housing options more expensive.

You may hear terms like “upzoning” or “banning single-family zones”. These are similar concepts of allowing higher density housing in locations that were previously only open to single family homes. Single family housing is not actually being banned. Zones that *only* allow single-family housing are banned. Minneapolis is an example of a community that has made this change by allowing duplexes and triplexes anywhere there is single-family housing (although they have faced legal pushback from environmental organizations).

Allowable uses

Each zone in a zoning ordinance contains a list of “allowable uses.” These are uses that are allowed by right and do not need special permits or approval. Similar to upzoning, increasing the number of allowable uses in each zone would improve flexibility in siting each type of housing. This could increase the quantity and density of housing thus making housing more affordable.

Manufactured housing

Manufactured housing provides the largest supply of naturally occurring affordable housing in the nation.² However, strong negative sentiment still exists around manufactured housing. It is important for communities to understand that mobile homes and manufactured homes are in fact very different. Mobile homes, as the name implies, were meant to be mobile. These homes were built prior to June 15, 1976 and were not held to any specific building, safety, or energy efficiency standards. Manufactured homes, on the other hand, were built on or after June 15, 1976. At that time, the building code developed by the Department of Housing and Urban Development (HUD) went into effect. As such, manufactured homes are guided by safety, construction, and material standards.³ Contrary to popular belief, manufactured homes are difficult, if not impossible, to move. Moving a manufactured home after its initial placement can cause significant damage to the home.²

Zoning ordinances discriminate against manufactured housing in a number of ways. The first is a general lack of definitions for such housing. Some ordinances have outdated definitions of mobile homes and manufactured homes (i.e. not referencing 1976 or the HUD code). Others fail to differentiate between the two types at all. Overall, manufactured housing should be included in the definition of a single-family home rather than only being permitted in manufactured home parks. Zoning ordinances can also prevent manufactured housing by requiring specific length, width, or square footage for a unit or by requiring a roof pitch that is too steep for typical manufacturing. However, modern manufacturers are usually able to produce housing that fits within these dimensional constraints.

¹ Rouse, C., Bernstein, J., Knudsen, H., & Zhang, J. (2021). *Exclusionary zoning: its effect on racial discrimination in the housing market*. The White House. Retrieved from <https://www.whitehouse.gov/cea/written-materials/2021/06/17/exclusionary-zoning-its-effect-on-racial-discrimination-in-the-housing-market/>.

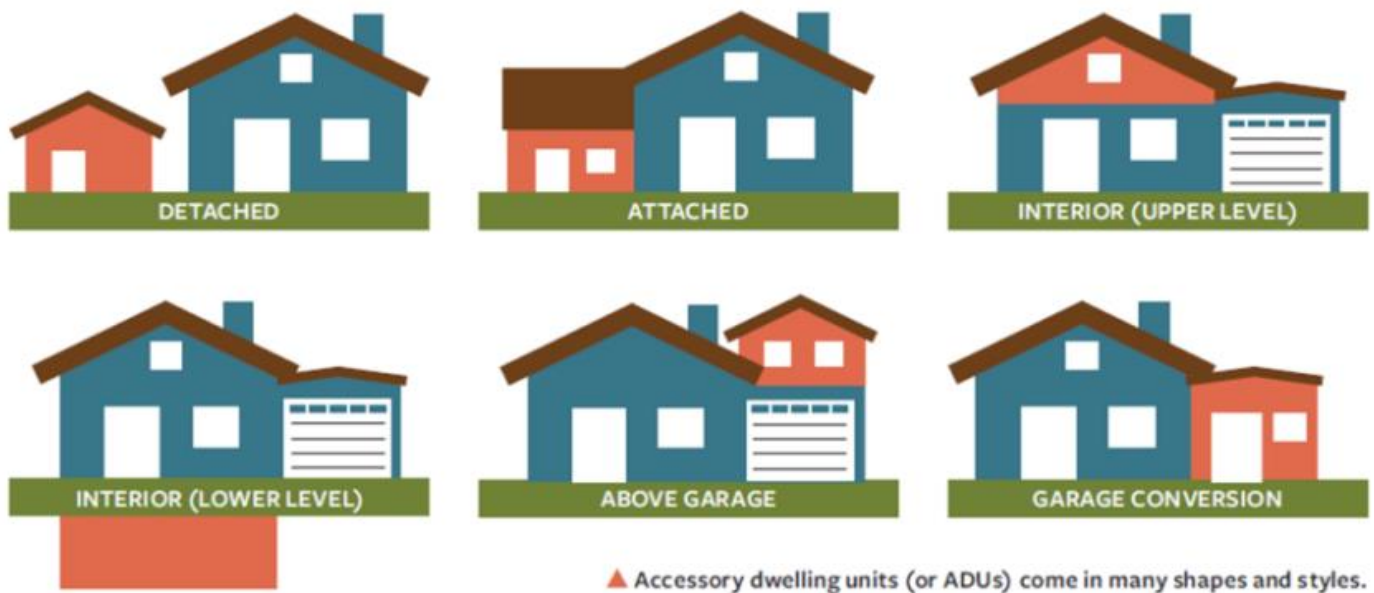
² Sullivan, E. (2018). *Manufactured insecurity: Mobile home parks and Americans' tenuous right to place*. University of California Press.

³ C., M. (2023). *What's the different? Mobile vs. manufactured vs. modular homes*. Clayton Homes. Retrieved from <https://www.claytonhomes.com/studio/defined-mobile-manufactured-and-modular-homes/>.

ADUs

Accessory dwelling units (ADUs), sometimes called mother-in-law suites or granny flats, are smaller residential units located on the same lot as a primary residence. There are several types of ADUs including attached, detached, interior (attic or basement), conversion (converting a garage into an apartment), or above garage. ADUs are a very common topic of conversation surrounding the housing crisis. They provide additional units, increase density, allow aging populations to live near their family, and provide homeowners passive income from students or other renters. While ADUs will not solve the housing crisis, they provide an option for increasing the number of units in a community.

Because ADUs are a relatively recent topic, many zoning ordinances fail to address ADUs at all. Other ordinances allow ADUs as a conditional use, meaning the owner will be subject to a review process with a planning commission. Successful ordinances allow ADUs by right. Many example ordinances exist.



Source: City of Redlands. (2022). Accessory dwelling units (ADU). Retrieved from <https://www.cityofredlands.org/post/accessory-dwelling-units-adu>.

Short-term rentals

Short-term rentals (STRs) have taken off in the last decade and a half with the rise of companies like Airbnb and VRBO. While these options can be helpful to increase tourism to an area, STRs can put an additional strain on an already struggling housing market. When entire homes are rented out to temporary tourists, there are less homes available for tax-paying residents looking to live in the area full time. This limits the number of available housing units, causing prices to increase. Communities can include some requirements for STRs such as permitting or forcing the owner to live within 30 minutes of the rental

Zero-lot line

Zero-lot line properties are those in which a structure comes up to or very near the property line. This often indicates a shared wall between two housing units. Duplexes, condos, and townhomes could all fall into this category. By sharing a wall and maximizing land use, zero-lot line properties offer affordable options for homeowners and increase density in a community.

Lot dimensions

Setbacks, lot size, lot width, floor area, and height can all be used to promote sameness within neighborhoods. While setbacks are necessary for the health, safety, and welfare of residents (for example, to prevent the spread of fire), preventing overly large setbacks, floor area, lot size and lot width requirements can expand what developers are able to build and expand housing choice for residents. Allowing smaller lots cuts down on the cost of a lot and improves affordability, particularly for first-time and low-income homeowners. Smaller lots also improve the return on investment for infrastructure with additional homes being served by the same length of roads, sidewalks, and utilities. Allowing for increased height acts in similar ways, increasing density, improving affordability, and better utilizing infrastructure. Zoning ordinances should attempt to reduce setbacks where applicable, reduce lot sizes and widths, reduce or eliminate minimum unit sizes, and allow for additional height in residential areas.

Opponents of decreasing lot size requirements may argue that smaller lots will reduce their property value. However, research shows that neighborhoods with a range of housing types and price points were more resilient during the Great Recession than neighborhoods with only single-family homes.⁴

PUDs

Planned unit developments (PUDs) are a unique zoning tool to “avoid” typical zoning requirements. Instead, the developer goes through an approval process with the community’s planning and zoning commission and city council to discuss the design and types of uses allowed within the PUD. PUDs are known for being more flexible because they are less restrictive regarding housing types. PUDs are also often mixed use – containing both residential and commercial uses. PUDs can provide for better use of land but can be administratively taxing. The process of gaining approval for every design and specification could lead to cities asking for concessions in exchange for approving the developer’s design.⁵

Lot coverage

Simply put, more grass means decreased density. While Kentucky bluegrass fosters a thriving Canada geese population, it does not foster housing production. Landscaped surface ratios and percent lot coverage can be used to decrease the amount of impervious surface, slow the flow of rainwater runoff, and thus prevent flash flooding. While preventing runoff has become increasingly important, landscaped surface ratios and percent coverage should be assessed to balance environmental benefits and housing density.

⁴American Planning Association Michigan Chapter. (2022). *Zoning reform toolkit: 15 tools to expand housing choice + supply*. American Planning Association. Retrieved from https://www.planningmi.org/assets/images/ZoningReformToolkit/MAP_ZoningReformToolkit_2022%2008%2002_Gradient.pdf.

⁵Diekemper, N., Koenen, K., & Fladers, W. (2022). *Priced out of house and home: how laws and regulations add to housing prices in Wisconsin*. Wisconsin Institute for Law & Liberty. Retrieved from <https://will-law.org/wp-content/uploads/2022/12/Housing-FINAL-2.pdf>.

Parking

Many zoning ordinances include parking requirements based on land use. While commercial parking is related to the size of the facility, residential parking requirements are determined by the number of units or bedrooms. Research shows that the cost of surface parking, parking structures, and underground parking starts at \$20,000, \$45,000, and \$75,000 per space, respectively.³ This adds significant cost to development, which is transferred to renters or homeowners. In this way, reducing or eliminating parking requirements can increase density and improve affordability. However, parking requirements are typically more applicable in urban and suburban areas than in rural ones.

Administrative review

Administrative review means allowing a community's zoning administrator to approve certain uses and development applications without review and approval by the planning commission. Each state's zoning enabling act specifies which applications, plans, and permits can be approved administratively. For example, site plans could and should be reviewed and approved by the zoning administrator. Complicated site plans and special land uses can be reviewed and approved by the zoning commission, but only zoning ordinance amendments and development agreements would need to be approved by an elected body such as the city council. Another way to increase the number of administrative reviews is to use a qualified review. Under qualified review, the public is notified of a proposed change like usual. However, a public hearing is only scheduled if a request for such hearing is made. If a public hearing is not requested, the application can be reviewed by the zoning administrator.³

When surveying developers, the Wisconsin Institute for Law & Liberty (WILL) found that it takes an average of 14 months to get from the development application to starting site work. WILL also found that, "Government adds approximately \$88,500 to the average cost of each new-built home in the Midwest... this figure represents more than a quarter of the cost of the average new home."² Allowing for more administrative review would greatly reduce the time required for application approval, speed up housing production, and reduce the cost of housing.

Solar energy

Housing affordability includes not only the purchase price of a home but utility costs as well. Households are considered energy cost burdened if they spend more than six percent of their income on utility costs. Rising energy costs present a challenge to renters and homeowners already facing constraints due to rising housing costs and inflation. Communities can include solar regulations in their zoning ordinance to ensure that solar installations meet the needs of homeowners while maintaining the character of the community. Solar ordinances should be detailed enough that applications and permits can be approved by the zoning administrator, avoiding a lengthy and expensive review process and promoting future solar installation.

ⁱ Rigsby, E.A. (2016). *Understanding exclusionary zoning and its impact on concentrated poverty*. The Century Foundation. Retrieved from <https://tcf.org/content/facts/understanding-exclusionary-zoning-impact-concentrated-poverty/?agreed=1>.