

**ORDINANCE 09-2023
AMENDING CHAPTER 325
VILLAGE OF COTTAGE GROVE MUNICIPAL CODE**

The Village Board for the Village of Cottage Grove, Dane County Wisconsin, does hereby ordain as follows:

SECTION I. – BACKGROUND RATIONALE

The Village of Cottage Grove’s Ad Hoc Housing Task Force released its ‘Findings and Recommendations’ document in February of 2023 following over a year of public meetings and work. The study included several recommended action items based on the committee’s research. Some of these action items included proposed amendments to Chapter 325, the Village Zoning Ordinance. The first set of proposed amendments are included in this ordinance revision.

The Housing Task Force recognized the role land costs play in the overall cost of housing. Zoning ordinances tend to include regulations that require certain amounts of land per unit, through the use of setbacks, lot or building coverage limitations, landscape surface ratios, etc. Adjusting these regulations could reduce the amount of land needed per unit, reducing the degree to which the land price affects the overall housing cost.

Lot Coverage

Currently, the Village’s zoning ordinance restricts building coverage to 30% in residential districts. Therefore, the larger the building footprint, the more land that is needed to accommodate the home. Since this considers the building footprint and not the overall square footage, one-story ranch houses would require more land than a two-story home with the same square footage. Because they have fewer stairs and level changes, ranch homes tend to be more accessible for seniors or the disabled and are therefore a popular choice for those residents.

However, under the current ordinance they may need to pay a premium to have more land relative to a less accessible two-story home. Not only is the extra land more expensive, it also adds to the maintenance burden on the property which is often a concern for a senior or disabled household. It should be noted that research in the housing study revealed the Village has the second lowest percentage of residents aged 65 or over, and the second lowest percentage of residents with a disability among the comparable communities.

When the Plan Commission reviewed ordinances in comparable Dane County communities, they recognized that many local communities no longer impose a building coverage limitation. The Plan Commission recommended eliminating the restriction from the Village ordinance. The minimum landscape surface ratio (the ratio of pervious to impervious surface on a lot) will remain unchanged, so no increase in stormwater runoff is anticipated due to the removal of the building coverage restriction.

Paved Surface Setback

Currently, the minimum paved surface setback is five feet. The ordinance does not differentiate between driveways and pedestrian amenities such as patios or sidewalks.

Removing the building coverage limitation while maintaining the minimum landscape surface ratio means the 'extra' building coverage may come at the expense of other impervious surfaces. Adjusting the minimum setback would provide a bit more flexibility for residents to decide how to allocate the impervious surface.

In the interest of safety, the Plan Commission recommended maintaining the five-foot setback for driveways or parking areas while reducing the setback for patios and sidewalks to three feet (matching the current three-foot setback for accessory structures).

Again, because the minimum landscape surface ratio is not changing there should be no increase in stormwater runoff due to the proposed setback change.

Parking Requirements

Parking can be another substantial cost affecting the price of housing. Higher parking requirements need additional land to accommodate the extra spaces. Furthermore, there is significant cost to constructing the parking spaces, with indoor or underground parking spaces costing tens of thousands of dollars each. A seemingly small increase in parking requirements per unit could cost hundreds of thousands of dollars when costs are multiplied across a larger project, the cost of which is passed on to the buyer or renter.

There is a general nationwide trend toward reducing parking requirements. Some municipalities, including the Cities of Madison and Verona, have implemented maximum parking allowances in addition to minimum requirements. In many cases, comparable communities had lower residential parking requirements than the Village. The Plan Commission recommended slightly lowering the Village's requirements. The changes apply only to multi-family residential uses. Single-family and duplex parking requirements remain the same.

The following text amendments address those concerns.

SECTION II. – CURRENT AND AMENDED LANGUAGE

The following sections shall be amended as follows:

- 325-38(A); SR-4, Single Family Residential; (6)(a)

Current text:

[4] Maximum building coverage: 30%.

[5] Maximum accessory building coverage: 10%.

Amended text:

[4] and [5] to be deleted.

- 325-38(A); SR-4, Single Family Residential; (6)(b)

Current text:

[6] Minimum paved surface setback: five feet from side or rear; 10 feet from street.

Amended text:

[6] Minimum paved surface setback, driveway or parking area: five feet from side or rear; sidewalk or patio: 3 feet from side or rear; 10 feet from street.

- 325-38(B); SR-6, Single Family Residential; (6)(a)

Current text:

[4] Maximum building coverage: 30%.

[5] Maximum accessory building coverage: 10%.

Amended text:

[4] and [5] to be deleted.

- 325-38(B); SR-6, Single Family Residential; (6)(b)

Current text:

[6] Minimum paved surface setback: five feet from side or rear; 10 feet from street.

Amended text:

[6] Minimum paved surface setback, driveway or parking area: five feet from side or rear; sidewalk or patio: 3 feet from side or rear; 10 feet from street.

- 325-38(C); TR-8, Two Family Residential; (6)(a)

Current text:

[4] Maximum building coverage: 30%.

[5] Maximum accessory building coverage: 10%.

Amended text:

[4] and [5] to be deleted.

- 325-38(C); TR-8, Two Family Residential; (6)(b)

Current text:

[6] Minimum paved surface setback: five feet from side or rear; 10 feet from street.

Amended text:

[6] Minimum paved surface setback, driveway or parking area: five feet from side or rear; sidewalk or patio: 3 feet from side or rear; 10 feet from street.

- 325-38(D); HR-9, Two Family Residential; (6)(a)

Current text:

[4] Maximum building coverage: 30%.

[5] Maximum accessory building coverage: 10%.

Amended text:

[4] and [5] to be deleted.

- 325-38(D); HR-9, Two Family Residential; (6)(b)

Current text:

[6] Minimum paved surface setback: five feet from side or rear; 10 feet from street.

Amended text:

[6] Minimum paved surface setback, driveway or parking area: five feet from side or rear; sidewalk or patio: 3 feet from side or rear; 10 feet from street.

- 325-49(A); Residential Land Uses; (e), (f), and (g)

Current text:

[1] Parking requirements: minimum number of off-street parking spaces required on the lot (includes garage, drives, and all designated parking surfaces): 2.5 per three-bedroom; two per two-bedroom or one-bedroom; or 1.5 per efficiency or studio.

Amended text:

[1] Parking requirements: minimum number of designated off-street parking spaces required on the lot: 2 per unit with two or more bedrooms; 1.5 per one-bedroom unit; and 1 per studio unit. Provide accessible spaces per ADA requirements.

- 325-49(A); Residential Land Uses; (i)

Current text:

[1] Parking requirements: minimum number of off-street parking spaces required on the lot (includes garage, drives, and all designated parking surfaces): two per dwelling unit with three or more bedrooms; one per two-bedroom, one-bedroom, or efficiency/studio. Detached senior dwelling units (single-family, duplex, twin home) require parking as defined by §325-49A(2)(a) to (c).

Amended text:

[1] Parking requirements: minimum number of designated off-street parking spaces required on the lot: 2 per unit with three or more bedrooms; 1 per two-bedroom, one-bedroom, or studio. Detached senior dwelling units (single-family, duplex, twin home) require parking as defined by §325-49A(2)(a) to (c). Provide accessible spaces per ADA requirements.

SECTION III. - CONFLICT AND SEVERABILITY

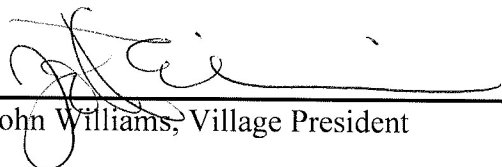
SECTIONS 1-10 and 1-11 of the MUNICIPAL CODE OF THE VILLAGE OF COTTAGE GROVE shall apply to this ordinance.

SECTION IV. - EFFECTIVE DATE

This ordinance shall take effect upon compliance with the publication/posting requirements of the Wisconsin Statutes.

Adopted this 20th day of November 2023.

BY ORDER OF THE VILLAGE BOARD
VILLAGE OF COTTAGE GROVE



John Williams, Village President

Attest:



Lisa Kalata, Village Clerk