

Date: July 3, 2023

To: City of Bayfield Plan Commission

From: Tim Schwecke and Charlie Handy

Subject: City of Bayfield Zoning Code Rewrite
Memo #12 (Alternative Development Options)



Please find attached the first draft of Article 9 that describes three alternative development options. We previously talked about cottage housing as an option. At that time, there was general agreement that this would be a potential tool to help develop more affordable housing.

All of the development options are reviewed as a planned development district, which is similar to a rezoning except the new district is tailored for a specific project.

Looking ahead Things we're working on.

- Dimensional standards (Appendix C).
- Standards for fencing (12.14 - 12.17)
- Co-housing as an alternative occupancy type
- Soils overlay district with related development standards
- Steep slopes overlay with related development standards
- Differentiate between Street Side and Avenue Side – when, where, in what instances do the references make sense
- When the code is near adoption, create application forms and templates for each of the various review procedures.

Attachments:

1. Article 9 – Alternative Development Options, dated July 3, 2023

ARTICLE 9 ALTERNATIVE DEVELOPMENT OPTIONS

Divisions

1. Conventional planned development district
2. Cottage housing project
3. Adaptive reuse project

DIVISION 1 CONVENTIONAL PLANNED DEVELOPMENT DISTRICT

510.1500 Generally

A conventional planned development is a special type of zoning district that deviates from one or more of the standards of the underlying zoning district. This option, therefore, allows greater freedom, imagination, and flexibility in the development of land while ensuring substantial compliance with the basic intent the City's zoning regulations and comprehensive plan.

In exchange for this flexibility, conventional planned developments must provide a much higher level of site design, landscaping, architectural control, and other aspects of aesthetic and functional excellence than normally required for other developments, which must be conceived and implemented as a comprehensive and cohesive unified project.

510.1501 Application and review procedure

A conventional planned development is reviewed as a planned development district consistent with the procedures and requirements in Article 5, except as may be specifically modified in this division.

510.1502 Specific review criteria

In addition to the general review parameters for a planned development district enumerated in Article 5, The Plan Commission in making its recommendation and the Common Council in making its decision must determine that the proposed development is better than what is currently permitted based on the design and development standards of the underlying zoning district. For example, a planned development district is better than what is otherwise allowed, when it includes desirable features or amenities that are not otherwise required, such as additional landscaping/buffering, open space, or enhanced design elements.

510.1503 Where allowed

A conventional planned development is allowed in any zoning district.

510.1504 Minimum development parcel

At the time of establishment, the conventional planned development must include 5 acres or more of contiguous lands, except for redevelopment projects which have no minimum requirements.

510.1505 Ownership

At the time of establishment, all land within a conventional planned development must be under single ownership or control.

510.1506 Permitted uses

- A. **Generally.** When the underlying zoning district is a residential or commercial district, a combination of residential, institutional, recreational, and/or commercial uses may be allowed. When the underlying zoning is an industrial district, a combination of institutional, commercial, and industrial uses may be allowed. A planned development district with a mix of residential and industrial uses is prohibited.
- B. **Listing in Appendix A.** All land uses allowed in an approved conventional planned development must be listed in Appendix A.

510.1507 Permissible modifications

To create a unified development that is economically successful to both the developer/owner and the City, and to require high quality standards for site design, architectural design, landscaping, proper infrastructure, environmental protections, and protection of persons and property, the development standards specifically listed below may be modified.

- (1) **Setbacks.** Building, parking lot and drive aisle setbacks may be modified. With reduced setbacks, the City may require larger setbacks on another part of the property and may require additional landscaping or use of berms, for example, to offset a lesser setback. Through a planned unit development, drive aisle setbacks may be modified or eliminated to promote cross access between adjacent properties in separate ownerships. Approval of a planned unit development may set a minimum standard for distance between buildings within the same planned unit development.
- (2) **Greenspace.** Minimum greenspace setbacks may be modified. With reduced setbacks, the City may require larger setbacks on another part of the property and may require additional landscaping or use of berms, or additional or larger parking lot landscaped islands, for example, to offset a lesser setback.
- (3) **Landscaping.** The placement of landscaping may be modified, provided the overall amount of landscaping is provided to accomplish the intended purposes.
- (4) **On-site parking.** Modifications to on-site parking requirements may occur, especially in a unified development where various uses on the site have different parking demand times throughout the day or week and allows shared parking between uses, or when a use of uses on a property have an established lower parking demand than required by the parking standards. Parking modifications may apply to parking space and aisle minimum widths and sizes for uses that display vehicles or equipment. Through planned unit development modifications, the City may establish design standards for any requested parking structure.
- (5) **Architectural design.** Modifications to the minimum architectural standards of the underlying zoning district may occur to enhance and provide greater quality to a development than the minimum standards allow, or to enhance an architectural theme of a unified development.
- (6) **Architectural embellishments.** In non-residential developments, modifications to building height maximums may occur to provide architectural embellishments, such as a spire or clock tower that is part of an architectural theme.
- (7) **Multiple buildings on a site.** Modifications may occur to allow multiple principal buildings on a site and/or to allow buildings normally considered accessory structures, such as clubhouses, pavilions, gazebos, and the like.
- (8) **Outdoor display.** Modifications may occur to allow outdoor displays of goods for sale within the adjacent principal building. The City may establish standards for location, type, amount and duration of outdoor display.

Any development standard not listed above may not be modified.

510.1508 Effect of approved planned unit development overlay district on land division standards

Development in a planned unit development district is subject to the City's land division regulations to the extent applicable, except that the Common Council, upon recommendation of the Plan Commission, may waive a development standard in the land division regulations as provided therein.

510.1509 Review of actual development

If the Common Council approves a conventional planned development district, proposed development in the district is reviewed consistent with the requirements of this chapter as may apply (e.g., building, site, and plan of operation) and the approved general development plan.

510.1310 through 510.1349 reserved

**DIVISION 2
COTTAGE HOUSING PROJECT**

510.1350 Generally

A cottage housing project is a residential development characterized by housing units that front on a common area and the housing units are comparatively small when compared to typical single-family units. A cottage housing project must reflect a coherent and high-quality design concept. The illustrations below depict an example of a cottage housing project to show some of the major features.



Note: This image is illustrative, not a prescribed layout.



Note: This image is illustrative, not a prescribed housing style.



Note: This is image is illustrative, not a prescribed layout.

510.1351 Legislative findings

The Common Council makes the following legislative findings:

- (1) Cottage housing is a new type of housing in the City of Bayfield that can fill an unmet housing need.
- (2) Cottage housing can provide opportunities for homeownership that may not otherwise exist.
- (3) Cottage housing responds to demographic trends occurring locally, in the region, and nationally. These include a declining household size and more people living alone and longer.
- (4) It is not possible to define specific areas in the City where cottage housing should be developed. Rather, cottage housing is a development option that developers can explore.
- (5) Cottage housing will likely have the same, or fewer people than the single-family homes that could be built on the site.

- (6) Given the size restrictions on the housing unit, the bulk of a cottage housing project is similar to the single-family homes that could be built on the site.
- (7) Rather than codifying all parameters of cottage development, the standards in this division are intended to provide sufficient guidance without becoming overly prescriptive, with the understanding that the City and the developer will work together to craft a detailed development plan that meets community needs and works well with the site and the target market.

510.1352 Application and review procedure

A cottage housing project is reviewed as a planned development district consistent with the procedures and requirements in Article 5, except as may be specifically modified in this division.

510.1353 Type

A developer can propose a cottage housing project as a traditional subdivision plat or as a condominium project.

510.1354 Where allowed

A cottage housing project is only allowed in the R-1 zoning district.

510.1355 General design principles

In the design of a cottage housing project the following design principles must be satisfied:

- (1) A majority of the dwelling units should abut a common area.
- (2) Dwelling units must be oriented in a pattern that is compatible with the development pattern in the surrounding area.
- (3) The project must accommodate emergency vehicles to the satisfaction of the fire department fire chief.
- (4) The project must include an internal network of pedestrian paths and sidewalks for residents and their guests. Connections to the surrounding neighborhood should be made where appropriate or required.
- (5) Low-impact stormwater techniques should be incorporated into the project to the extent feasible.

510.1356 Project parameters

- A. **Clusters.** A cottage housing project may consist of one or two clusters.
- B. **Number of units.** A cluster of cottage housing must contain at least 4 dwelling units but no more than 12.
- C. **Separation between clusters.** A cluster of cottage housing must be at least 400 feet from any other existing or approved cottage housing cluster in the City unless otherwise part of an overall development plan.
- D. **Density.** The base density of dwelling units in a cottage housing project is based on the density and/or minimum lot size of the underlying zoning district and the size of the dwelling units to be constructed as set forth in Table 9-1. The Common Council, upon recommendation of the Plan Commission, may allow a greater density when the project exemplifies exceptional design characteristics and integration with the character of the area.

- E. **Minimum lot size.** Beyond the density restrictions listed in this section, there is no minimum lot size for lots created through the land division process.

510.1357 Open space

- A. **Intent.** Open space is an integral feature of a cottage housing project and is intended to be the focal point throughout the design process. In other words, adding open space here and there as an afterthought is not acceptable.
- B. **Requirements.** A minimum of 450 square feet of open space must be provided for each dwelling unit in the project, but not less than 2,800 square feet regardless of the number of dwelling units. Such open space must be useable for active or passive recreational activities and therefore may not include stormwater basins, wetlands, steep slopes, or other similar areas.
- C. **Placement.** Open space should be centrally located to the benefit of the units in the project. As a general rule, each dwelling unit must face the open space on one side, but preferably two sides.
- D. **Improvements.** Common open space must be improved for passive and/or active recreational use and may include patios, lawns, gardens, landscaping, outdoor gathering areas, pedestrian paths, common barbeque facilities, and similar features.

Table 9-1. Housing Density

Size of Dwelling Unit (square feet)	Housing Units Allowed in Place of Each Single-Family Home Allowed by Zoning District
450 to 699	2.5
700 to 999	2
1,000 to 1,300	1.5

Note: The total number of housing units allowed is calculated and rounded up to the next whole number if the calculated number is 0.5 or higher and rounded down if it is less than 0.5. For example, if the calculated number of housing units is 5.75, the maximum number of units is 6.

510.1358 Building standards

- A. **Floor area.** The floor area of dwelling units is controlled by the density calculations established in § 510-1356. The minimum floor area of a dwelling unit is 450 square feet and the maximum floor area is 1,300 square feet. As a requirement of project approval, the developer must record a deed restriction against each dwelling unit indicating that the size of the dwelling unit may not be increased after initial construction and that any vaulted space within a dwelling unit may not be converted into habitable space.
- B. **Entries and porches.** Each dwelling unit must include a covered porch fronting on the common area. The porch must have a minimum floor area of 80 square feet and not be less than 5 feet in width.
- C. **No-step entry.** To the extent possible, at least one entrance to a dwelling unit should be at grade (i.e., a no-step entry).
- D. **Exterior storage area.** Each dwelling unit must include a storage area, with a floor area of at least 10 square feet that is accessible from the exterior.
- E. **Maximum building height.** The maximum height of buildings is 18 feet if the roof pitch is less than 6:12 and 25 feet if the roof pitch is 6:12 or greater.
- F. **Minimum building separation.** Dwelling units must maintain a minimum separation of 10 feet.



510.1359 Architectural standards

- A. **Adoption of standards.** The developer must prepare a set of detailed architectural standards for all buildings within the project, including dwelling units, community buildings, and garages. Such standards must address exterior building materials, roof pitch, window style, articulation, and any other feature required by the Plan Commission. The standards must include a series of renderings depicting the architectural character of the buildings in the project.

- B. **Enforcement of standards.** The developer must establish a mechanism, as approved by the Plan Commission, to ensure all buildings in the cottage housing project comply with the approved architectural standards adopted by the developer.

510.1360 Parking and garages

- A. **Parking requirements.** Parking requirements are based on the size of the housing units in the project as set forth in Table 9-2.
- B. **Garages.** Attached garages should front on an alley or on a public street where possible; fronting a public street may be considered if alleys are deemed inappropriate. Each dwelling may have no more than one detached garage with a maximum floor area of 250 square feet. Garages may be combined into a shared garage structure, consisting of no more than 4 garages and no more than 1,000 square feet. Storage of items which preclude the parking of a vehicle in a garage is prohibited. Carports are not permitted in a cottage housing project.
- C. **Surface parking.** Surface parking must be provided for residents and guests in clusters of not more than 5 adjoining spaces. Clusters must be separated by at least 20 feet. Individual parking spaces may be located behind the principal structure when served by an alley. If the City allows overnight on-street parking on streets abutting the project, such parking may satisfy on-site parking requirements as determined by the Plan Commission.

Table 9-2. Parking Requirements

Size of Dwelling Unit (square feet)	Parking Spaces
1,000 or less	1.0
More than 1,000	1.5

Notes: When the calculated number of total required parking spaces results in a fraction, the number is rounded up to the next whole number.

510.1361 Community buildings

- A. **Generally.** A cottage housing project may contain one or more community buildings that are for the exclusive use of the residents and their guests. Such buildings may not be habitated in any manner and must be clearly incidental in use or size and related to the dwelling units in the project.
- B. **Maximum area.** The maximum area of any community buildings within a project may not exceed an aggregate total of 2,300 square feet.
- C. **Ownership.** Any community building in a cottage housing project must be commonly owned and maintained by the residents.
- D. **Design.** The roof pitch, architectural themes, exterior materials, and colors of any community building must be consistent with the architectural standards established by the developer.
- E. **Obligation to construct.** If the developer is proposing to construct one or more community buildings as part of the project, the developer must provide assurances to the satisfaction of the city attorney guaranteeing satisfactory completion of such buildings within the timeframe established in the approval.

510.1362 Lot coverage

Impervious surfaces within the project site may not exceed 60 percent. Patios, pedestrian walks, and other similar surfaces that are an integral part of the open space areas are not be counted in impervious surface calculations.

510.1363 Screening

Screening, such as landscaping, decorative fencing, or berms, must be provided around the perimeter of a cottage housing project to the extent deemed appropriate by the Plan Commission to ensure the project fits in with the character of the area.

510.1364 Amendment

Once a cottage housing project is approved as a planned development district, such district may be amended consistent with the procedures and requirements in Article 5.

510.1365 through 510.1399 reserved

**DIVISION 3
ADAPTIVE REUSE PROJECT****510.1400 Generally**

An adaptive reuse project allows the use of an existing building in an institutional zoning district that has been used for an institutional use (e.g., school, day care, nursing home, library, worship facility) that for practical purposes is no longer usable for the most recent use or any other institutional use allowed in the zoning district where it is located. Such institutional use must have been legally established and operated and the building must not be dilapidated or in a state of disrepair, or partly or wholly destroyed by fire, flood, wind, or other disaster.

510.1401 Application and review procedure

An adaptive reuse project is reviewed as a planned development district consistent with the procedures and requirements in Article 5, except as may be specifically modified in this division.

510.1402 Ownership

At the time of establishment, all land within an adaptive reuse project must be under single ownership or control.

510.1403 Permitted uses

The uses allowed in an adaptive reuse project must be designed and operated in such a way to be compatible with the land uses that are allowed on the surrounding parcels.

510.1404 Review of actual development

If the Common Council approves an adaptive reuse project as a planned development district, proposed development in the district is reviewed consistent with the requirements of this chapter as may apply (e.g., building, site, and plan of operation) and the approved general development plan.

510.1405 Amendment

Once an adaptive reuse project is approved as a planned development district, such district may be amended consistent with the procedures and requirements in Article 5.

510.1406 through 510.1599 reserved