

MINUTES

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

PLANNING AND RESEARCH COMMITTEE

Tuesday, February 5, 2013

1:30 p.m.

SEWRPC Office Building
Commissioner's Conference Room
W239 N1812 Rockwood Drive
Waukesha, WI 53188

Present:

Excused:

Committee Members:

Daniel S. Schmidt, Chairman
Daniel W. Stoffel, Vice-Chairman
Charles L. Colman
José M. Delgado
John Rogers
Nancy Russell
Peggy L. Shumway
David L. Stroik

Gilbert B. Bakke
William R. Drew
David L. Eberle
Robert W. Pitts
Linda J. Seemeyer

Staff:

Kenneth R. Yunker
Nancy M. Anderson
Elizabeth A. Larsen
Debra A. D'Amico

Executive Director
Chief Community Assistance Planner
Business Manager
Executive Secretary

ROLL CALL

Chairman Schmidt called the meeting to order at 1:30 p.m. Roll call was taken and a quorum was declared present. Mr. Yunker noted for the record that Commissioners Bakke, Drew, Eberle, Pitts, and Seemeyer had asked to be excused.

APPROVAL OF MINUTES OF MEETING OF NOVEMBER 6, 2012

Chairman Schmidt asked if there were any changes or additions to the November 6, 2012, meeting minutes.

On a motion by Mr. Rogers, seconded by Mr. Delgado, and carried unanimously, the minutes of the meeting of November 6, 2012, were approved as published.

CONSIDERATION OF AMENDMENT TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN:

Sewer Service Area Plan for the City of Muskego (copy attached to Official Minutes)

Chairman Schmidt asked Mr. Yunker to review with the Committee the proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the City of Muskego. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated March 2013 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Yunker indicated that by letter dated December 19, 2012, the City of Muskego requested that the Commission amend the City of Muskego sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District as that area is currently documented in SEWRPC Community Assistance Planning Report No. 64 (3rd Edition), *Sanitary Sewer Service Area for the City of Muskego, Waukesha County, Wisconsin*, dated December 1997, as amended. The basic purpose of the amendment would be to include within the planned sewer service area certain land located immediately adjacent to, but outside, the currently adopted sewer service area.

Mr. Yunker directed the attention of the Committee members to Map 1 of the memorandum document, indicating that the proposed amendment involves the addition to the sewer service area of a site encompassing 2.8 acres, including about 0.7 acre of secondary environmental corridor and 2.1 acres of other open land. He noted it is anticipated that the subject parcel would be developed as a single-family residential homesite, consistent with the City of Muskego comprehensive plan, which designates the area for residential development at a density of at least two acres per dwelling unit. He indicated that the proposed addition of 2.8 acres to the Muskego sanitary sewer service area represents an increase in the planned sewer service area of less than 0.1 percent—essentially adding one lot. He further stated that this sanitary sewer area addition is consistent with the regional land use plan and the regional water quality management plan, and the amendment complies with Chapter NR 121 of the *Wisconsin Administrative Code*, which requires that sewer service areas promote cost-effective and environmentally sound wastewater collection and treatment and be consistent with 20-year population projections.

Mr. Yunker noted that a scheduled public hearing on the proposed sewer service area amendment, sponsored jointly by the City of Muskego and the Regional Planning Commission, was held on January 22, 2013. He said that this proposed amendment was approved for adoption by the City of Muskego Common Council, following the hearing.

In response to an inquiry from Ms. Russell, Mr. Yunker indicated that sewer service area amendments involving the addition of a single lot are rare, that this lot has been under single ownership, and that there has been no interest in providing sewer service to this lot until now.

In response to an inquiry from Mr. Delgado, Mr. Yunker said that the reason for the request is due to the proposed development of a private home. Under the regional land use and water quality management plans, new development in such areas should be provided with public sanitary sewer service.

There being no further questions or discussion, on a motion by Mr. Colman, seconded by Ms. Russell, and carried unanimously, the SEWRPC Staff Memorandum dated March 2013, was approved and recommended for Commission adoption.

REVIEW AND CONSIDERATION OF THE REMAINING SECTIONS OF SEWRPC PLANNING REPORT NO. 54, A REGIONAL HOUSING PLAN FOR SOUTHEASTERN WISCONSIN: 2035

Chairman Schmidt asked Mr. Yunker to lead the Committee through a review of the remaining chapters and parts of the Regional Housing Plan.

Summary of the Public Meetings and Review of the Record of Public Comments

Mr. Yunker introduced Ms. Nancy M. Anderson, Chief Community Assistance Planner of the Commission staff, who proceeded to briefly summarize the public meetings that were recently held and noted that public comments had been received and were documented in the *RECORD OF PUBLIC COMMENTS: A REGIONAL HOUSING PLAN FOR SOUTHEASTERN WISCONSIN: 2035 (November 13, 2012 through December 21, 2012)*. Public comments and staff responses will be described during Committee review of Chapter XII.

Following are questions and comments that were made during the summary of the public meetings and review of the record of public comments for the regional housing plan.

In response to a comment and an inquiry from Mr. Colman, Mr. Yunker stated that Commission staff follows this same format when preparing a regional plan. He noted that every effort is made to document every step taken during the public review process, for instance, every newspaper announcement, the content of display boards at public meetings, and all oral and written comments submitted by the public (and the proposed response to those comments) are included in a published Record of Public Comments.

There being no further questions or discussion, on a motion by Mr. Stroik, seconded by Mr. Rogers, and carried unanimously, the *RECORD OF PUBLIC COMMENTS: A REGIONAL HOUSING PLAN FOR SOUTHEASTERN WISCONSIN: 2035 (November 13, 2012 through December 21, 2012)* was approved and recommended for publication.

Revised Draft of Chapter XII, Recommended Housing Plan for the Region

Chairman Schmidt asked Ms. Anderson to briefly summarize the revised draft of Chapter XII, *Recommended Housing Plan for the Region*. She noted that underlined text throughout this chapter indicated changes and edits.

Following are questions and comments that were made during the summary of the revised draft of Chapter XII of the regional housing plan.

In response to an inquiry from Mr. Colman, Mr. Yunker indicated that after all public comments were made, the staff edited Chapter XII to incorporate responses to the public comments. The Environmental Justice Task Force (EJTF) met on January 17, 2013, and suggested minor changes to the chapter. The Regional Housing Plan Advisory Committee met on January 23, 2013, and made some additional changes. He noted that as the Committee goes through the final plan recommendations, he will mention what entity suggested each change.

With regard to Affordable Housing Recommendation No. 2, Ms. Russell noted a comma should be added after the phrase “to reduce the heavy reliance on property taxes to fund schools and local government services,” at the bottom of page XII-50. Ms. Russell then suggested that the word “waive” in the second sentence of Affordable Housing Recommendation No. 3 be changed to “provide exemptions or reduce” to be consistent with the terminology used in the first sentence of the recommendation.

[Secretary's Note: Affordable Housing Recommendation No. 3 has been revised as follows:

“Local governments should reduce or waive impact fees for new single- and multi-family development that meets the affordability threshold for lot and home size, in accordance with Section 66.0617(7) of the *Wisconsin Statutes*, which allows local governments to provide an exemption or to reduce impact fees for land development that provides low-cost housing. The Governor and State Legislature could consider providing exceptions to limits on property tax levies to those local governments that provide exemptions or reduce impact fees for new affordable housing.”]

With regard to Affordable Housing Recommendation No. 11, Mr. Stoffel suggested that the recommendation be broadened to include funding for maintenance of older multi-family housing in addition to single-family homes.

[Secretary's Note: Affordable Housing Recommendation No. 11 has been revised as follows:

“County and local governments should consider establishing programs and ordinances to stabilize and improve established neighborhoods with the intent of maintaining the quality and quantity of existing lower- and moderate-cost housing stock. Examples of programs and ordinances include property maintenance ordinances, weatherization and lead paint abatement programs, and use of Community Development Block Grant (CDBG) and other funding to assist low- and moderate-income households in making needed home repairs. Funds should also be provided to assist landlords in making needed repairs to apartments that would be affordable to low- and moderate-income tenants. Ordinances that limit teardowns and lot consolidations that would remove low- and moderate-cost housing units from a community, without providing replacement housing affordable to low- and moderate-income households, should be considered by local governments.”]

Mr. Yunker noted that a new recommendation, Affordable Housing Recommendation No. 12 (copy attached to Official Minutes), had been approved by the Advisory Committee at their meeting on January 23 and had been distributed at the beginning of the Planning and Research Committee meeting. The recommendation calls on the Wisconsin Legislature and Governor to consider funding the Smart Growth Dividend Program that was put in place as part of the comprehensive planning law enacted in 1999, but has not been funded. The recommendation was approved by a split vote of the Advisory Committee with two members opposed, due to its budget implications.

With regard to Accessible Housing Recommendation No. 3, Ms. Russell stated that the accessibility features to be inventoried should be identified, and also that the cost to local governments to update property assessment records to include accessibility improvements for each housing unit may be prohibitive. Ms. Shumway suggested that information on accessibility features could be included on the Wisconsin transfer tax form, which must be completed in an electronic format and provided to the local assessor whenever a property is sold. Mr. Schmidt suggested that information on accessibility improvements also could be collected by the local building inspector in those local governments that conduct an inspection when a property is sold.

[Secretary's Note: Accessible Housing Recommendation No. 3 has been revised as follows:

“It is recommended that the Governor and State Legislature continue to support funding for publically-funded Long Term Care programs such as Family Care; Include, Respect, I Self-Direct (IRIS); and Family Care Partnership as these programs provide the major funding for home modifications which allow persons with disabilities and the elderly to maintain their independence in their homes and communities. It is also recommended that State funding be provided to the Department of Health Services (DHS) or other State agency to develop a database to track housing units that have received grants or loans for accessibility improvements and other housing units known to include accessibility features. As an alternative, DHS could work with the Department of Revenue to require that accessibility features, including zero-step entrances, accessible bathrooms, hallways at least 36 inches wide, and doorways at least 32 inches wide, be documented in residential property assessments. Information on accessibility features would be collected through the Wisconsin transfer tax form at the time a housing unit is sold, and by local building inspectors in communities that require a building inspection at the time a housing unit is sold, and noted on assessment forms by the local assessor.”]

Mr. Stoffel asked if the phrase “1,100 to 1,200 square feet of floor area” in the last paragraph on page XII-65 should be changed to “less than 1,200 square feet of floor area” to be consistent with the changes made to Affordable Housing Recommendations No. 1 and No. 5a in response to public comments. Mr. Yunker responded that the change will be made.

[Secretary’s Note: A similar change will be made to Job/Housing Balance Recommendation No. 1b on page XII-55.]

Ms. Russell asked how the public comment regarding the possibility that an individual community in a sub-area with a job/housing imbalance could be in balance, but other communities in the sub-area are not.

[Secretary’s Note: The section titled “Job/Housing Balance Plan Determinant” on page XII-28 of Chapter XII has been revised as follows:

“Several communities in outlying portions of the Region are located in sub-areas that have an affordable housing need because they currently support, or are planning to support, a higher percentage of jobs in industries with relatively low and/or moderate wages than lower- and moderate cost housing, based on a general analysis conducted as part of this plan. General recommendations regarding the type of housing and transportation options that will help correct projected job/housing imbalances are set forth in the following job/housing balance recommendations. The prior affordable housing recommendations, which include housing type and density recommendations, also apply. These recommendations are intended for all sewered communities in sub-areas with a current or projected job/housing imbalance. A job/housing imbalance in a sub-area may not reflect conditions in individual communities within the sub-area in sub-areas that include two or more sewered communities. One or more of the communities in sub-areas comprised of multiple communities may have a balance between jobs and housing. As shown on Map XII-7, there are several sewered communities in sub-areas with a job/housing imbalance where the community zoning

regulations do not restrict the development of affordable housing. A job/housing imbalance is less likely to occur in these communities, or to be less severe, than in communities where the zoning ordinance restricts the development of affordable housing.”

In addition, the “Job/Housing Balance” section on pages XII-63 and XII-64 in the Monitoring section (Part 3) of the chapter has been revised as follows:

“Technical assistance and available data for conducting community-level job/housing balance analyses will be provided by SEWRPC to local governments on request. The implementation of recommendations to conduct a community-level job/housing balance analysis or consider the job/housing balance when updating comprehensive plans will be monitored through SEWRPC review of local comprehensive plans every 10 years and of local comprehensive plan amendments as they are submitted to SEWRPC. Implementation of the public transit element of the regional transportation system plan is monitored by SEWRPC on an annual basis through financial and statistical statements provided by public transit operators in the Region. SEWRPC will work with the Wisconsin Economic Development Corporation (WEDC) and WHEDA on an annual basis to monitor the development of a Statewide job/housing balance analysis and use of economic incentives in the Region, such as tax credit programs and CDBG economic development funding. The recommendation to restrict the use of TIF based on a Statewide job/housing balance analysis will require State legislation. SEWRPC will provide communities that request a sewer service area extension with regional job/housing balance data, which will be reported on an annual basis. SEWRPC will also report, on an annual basis, the results of any community-level job/housing balance analysis conducted by SEWRPC or a community in the Region.”]

Mr. Yunker stated that a note explaining that individual communities in a sub-area with a job/housing imbalance may have a balance between jobs and housing will be added to any maps that show sub-areas with a job/housing imbalance. He also stated that the analysis for sub-area 6, which includes the City of West Bend and Village of Newburg, is being checked based on comments made by the City of West Bend.

[Secretary’s Note: The job/housing balance analysis for sub-area 6 was re-done based on more detailed information on single-family zoning districts in the City of West Bend. Sub-area 6 was determined to have a projected (year 2035) balance between jobs and housing. Chapters VIII and XII of the plan report have been updated accordingly.]

There being no further questions, concerns, or discussion, on a motion by Mr. Rogers, seconded by Mr. Stroik, and carried unanimously, the Revised Draft of Chapter XII, *Recommended Housing Plan for the Region* was approved and recommended for Commission adoption.

Preliminary Draft of Chapter XIII, Summary

Chairman Schmidt asked Mr. Yunker to briefly summarize the revised draft of Chapter XIII, *Summary*.

There being no questions or discussion, on a motion by Mr. Rogers, seconded by Mr. Stroik, and carried unanimously, the Revised Draft of Chapter XIII, *Summary* was approved and recommended for Commission adoption.

Preliminary Draft of Appendix K, *Summary of the Socio-Economic Impact Analysis of the Regional Housing Plan*

Chairman Schmidt asked Mr. Yunker to briefly present the preliminary draft of Appendix K, *Summary of the Socio-Economic Impact Analysis of the Regional Housing Plan*.

In response to an inquiry by Mr. Stroik, Mr. Yunker stated that Commission staff passed along the Planning and Research Committee's comments relative to several improvements that were needed to the *Socio-Economic Impact Analysis of the Regional Housing Plan* (SEI) to the University of Wisconsin-Milwaukee (UWM) staff. Mr. Yunker stated that, in response, UWM had deleted references to the recommendations as "tools" and organized the findings based on the six major topic areas in Chapter XII. Mr. Yunker also noted that the UWM report will be a stand-alone report, and the summary of SEI findings prepared by Commission staff would be included as an appendix in the housing plan report.

Ms. Russell then stated that the description of the final recommendation for Accessible Housing Recommendation No. 3 should be revised to reflect the changes discussed by the Committee earlier in the meeting.

[Secretary's Note: The "Final Recommendation Revision" section under Accessible Housing Recommendation No. 3 on page K-7 of Appendix K has been revised as follows:

"Recommendation No. 3 was revised to include an alternative that accessibility features be documented in the residential property assessment prepared and maintained by local assessors. Information on accessibility features would be collected through the Wisconsin transfer tax form or the local building inspector at the time a housing unit is sold."

There being no further questions or discussion, on a motion by Mr. Colman, seconded by Ms. Russell, and carried unanimously, Appendix K, *Summary of the Socio-Economic Impact Analysis of the Regional Housing Plan* was approved and recommended for Commission adoption.

CORRESPONDENCE/ANNOUNCEMENTS

Chairman Schmidt asked Mr. Yunker if there was any correspondence or announcements. Mr. Yunker reported that there was no correspondence and then noted that the adoption of the regional housing plan will be the principal item at the March 13, 2013, Quarterly Commission meeting. He further noted that there will be a very short Planning and Research Committee meeting held prior to the March Quarterly Commission meeting to consider a recently completed and County-approved Racine County Park and Open Space Plan.

In response to an inquiry by Mr. Stoffel, Mr. Yunker stated that once the regional housing plan is approved by the full Commission, it will be sent to all Counties and communities in the Southeastern Wisconsin Region. He further stated that, if interested, Commission staff will make presentations to the County Boards in the Region. He added that these reports will be sent to the County Executives and/or County Board Chairs through their County Clerks along with letters requesting their County Board's adoption of the plan.

ADJOURNMENT

There being no further business to come before the Committee, on a motion by Mr. Stroik, seconded by Mr. Rogers, and carried unanimously, the meeting was adjourned at 3:04 p.m.

Respectfully submitted,

Kenneth R. Yunker
Deputy Secretary

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