

America's Affordable Communities Initiative	U.S. Department of Housing and Urban Development	OMB approval no. 2510-0013 (exp. 03/31/2007)
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Public reporting burden for this collection of information is estimated to average 3 hours. This includes the time for collecting, reviewing, and reporting the data. The information will be used to encourage applicants to pursue and promote efforts to remove regulatory barriers to affordable housing. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

CITY OF MADISON, WISCONSIN
Responses to Questionnaire for HUD's Initiative on
Removal of Regulatory Barriers:
May 11, 2007 Status

Part A. Local Jurisdictions.

Counties Exercising Land Use and Building Regulatory Authority and Other Applicants Applying for Projects Located in such Jurisdictions or Counties [Collectively, Jurisdiction]

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<p>1. Does your jurisdiction's comprehensive plan (or in the case of a tribe or TDHE, a local Indian Housing Plan) include a "housing element? A local comprehensive plan means the adopted official statement of a legislative body of a local government that sets forth (in words, maps, illustrations, and/or tables) goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within its planning jurisdiction and that includes a unified physical plan for the public development of land and water. If your jurisdiction does not have a local comprehensive plan with a "housing element," please enter no. If no, skip to question # 4.</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p><i>Explanation or Source:</i> <i>The City has a current adopted Master plan that includes housing recommendations and objectives.</i></p>		
<p>2. If your jurisdiction has a comprehensive plan with a housing element, does the plan provide estimates of current and anticipated housing needs, taking into account the anticipated growth of the region, for existing and future residents, including low, moderate and middle income families, for at least the next five years?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p><i>Explanation or Source:</i> <i>The City has adopted a Comprehensive Plan and a Consolidated Community and Neighborhood Development Plan that includes five-year estimates of housing needs and appropriate strategies to meet those needs.</i></p>		

<p>3. Does your zoning ordinance and map, development and subdivision regulations or other land use controls conform to the jurisdiction's comprehensive plan regarding housing needs by providing: a) sufficient land use and density categories (multifamily housing, duplexes, small lot homes and other similar elements); and, b) sufficient land zoned or mapped "as of right" in these categories, that can permit the building of affordable housing addressing the needs identified in the plan? (For purposes of this notice, "as-of-right," as applied to zoning, means uses and development standards that are determined in advance and specifically authorized by the zoning ordinance. The ordinance is largely self-enforcing because little or no discretion occurs in its administration.). If the jurisdiction has chosen not to have either zoning, or other development controls that have varying standards based upon districts or zones, the applicant may also enter yes.</p>	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
<p>Explanation or Source: City ordinances require that the Plan Commission review and approve each multi-family housing proposal.</p>		
<p>4. Does your jurisdiction's zoning ordinance set minimum building size requirements that exceed the local housing or health code or is otherwise not based upon explicit health standards?</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>Explanation or Source: Chapter 28 is the City's zoning code.</p>		
<p>5. If your jurisdiction has development impact fees, are the fees specified and calculated under local or state statutory criteria? If no, skip to question #7. Alternatively, if your jurisdiction does not have impact fees, you may enter yes.</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p>Explanation or Source: The City's "impact fees" are calculated under State standards.</p>		
<p>6. If yes to question #5, does the statute provide criteria that sets standards for the allowable type of capital investments that have a direct relationship between the fee and the development (nexus), and a method for fee calculation?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p>Explanation or Source: The Council approved its fees with an adopting report that examined the relationship between the fee and the development. The report analyzed the relationship between impact costs and fees to City in the form of a Needs Assessment and the analysis of the City's Infrastructure Cost Recovery.</p>		
<p>7. If your jurisdiction has impact or other significant fees, does the jurisdiction provide waivers of these fees for affordable housing?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p>Explanation or Source: The City's Inclusionary Zoning ordinance includes specific incentives related to the reduction or waiver of park development fees.</p>		

<p>8. Has your jurisdiction adopted specific building code language regarding housing rehabilitation that encourages such rehabilitation through graded regulatory requirements applicable as different levels of work are performed in existing buildings? Such code language increases regulatory requirements (the additional improvements required as a matter of regulatory policy) in proportion to the extent of rehabilitation that an owner/developer chooses to do on a voluntary basis. For further information see HUD publication: “<i>Smart Codes in Your Community: A Guide to Building Rehabilitation Codes</i>” (www.huduser.org/publications/destech/smartcodes.html).</p>	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
<p><i>Explanation or Source:</i></p>		
<p>9. Does your jurisdiction use a recent version (i.e. published within the last 5 years or, if no recent version has been published, the last version published) of one of the nationally recognized model building codes (i.e. the International Code Council (ICC), the Building Officials and Code Administrators International (BOCA), the Southern Building Code Congress International (SBCI), the International Conference of Building Officials (ICBO), the National Fire Protection Association (NFPA)) without significant technical amendment or modification. In the case of a tribe or TDHE, has a recent version of one of the model building codes as described above been adopted or, alternatively, has the tribe or TDHE adopted a building code that is substantially equivalent to one or more of the recognized model building codes?</p> <p>Alternatively, if a significant technical amendment has been made to the above model codes, can the jurisdiction supply supporting data that the amendments do not negatively impact affordability.</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p><i>Explanation or Source:</i> <i>The City has adopted the International Building Code that is a product of a new organizational merger of several of the above organizations into the International Code Council. The City Fire Department uses the International Fire Code for its review of building proposals.</i></p>		
<p>10. Does your jurisdiction’s zoning ordinance or land use regulations permit manufactured (HUD-Code) housing “as of right” in all residential districts and zoning classifications in which similar site-built housing is permitted, subject to design, density, building size, foundation requirements, and other similar requirements applicable to other housing that will be deemed realty, irrespective of the method of production?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p><i>Explanation or Source:</i> <i>Chapter 28 is the City’s zoning ordinance.</i></p>		
<p>11. Within the past five years, has a jurisdiction official (i.e., chief executive, mayor, county chairman, city manager, administrator, or a tribally recognized official, etc.), the local legislative body, or planning commission, directly, or in partnership with major private or public stakeholders, convened or funded comprehensive studies, commissions, or hearings, or has the jurisdiction established a formal ongoing process, to review the rules, regulations, development standards, and processes of the jurisdiction to assess their impact on the supply of affordable housing?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p><i>Explanation or Source:</i> <i>The Planning Unit is engaged in a continuous review and improvement of its development review process.</i></p>		

<p>12. Within the past five years, has the jurisdiction initiated major regulatory reforms either as a result of the above study or as a result of information identified in the barrier component of the jurisdiction’s “HUD Consolidated Plan?” If yes, attach a brief list of these major regulatory reforms.</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p>Explanation or Source: <i>Over the last three years, the City has been active in the development of a new Comprehensive Plan; the examination of its parking lot review process, and the development of a best practices handbook for developers. The Council has adopted new zoning district classifications such as R2T to encourage the development of compact neighborhoods and affordable housing.</i></p>		
<p>13. Within the past five years has your jurisdiction modified infrastructure standards and/or authorized the use of new infrastructure technologies (e.g. water, sewer, street width) to significantly reduce the cost of housing?</p>	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
<p>Explanation or Source: <i>In 2006, the City approved the revision of its street width standards due to their impact on housing costs and quality of neighborhood life.</i></p>		
<p>14. Does your jurisdiction give “as-of-right” density bonuses sufficient to offset the cost of building below market units as an incentive for any market rate residential development that includes a portion of affordable housing? (As applied to density bonuses, "as of right" means a density bonus granted for a fixed percentage or number of additional market rate dwelling units in exchange for the provision of a fixed number or percentage of affordable dwelling units and without the use of discretion in determining the number of additional market rate units.)</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p>Explanation or Source: <i>See MGO 28.04 for the inclusionary dwelling unit provisions.</i></p>		
<p>15. Has your jurisdiction established a single, consolidated permit application process for housing development that includes building, zoning, engineering, environmental, and related permits? Alternatively, does your jurisdiction conduct concurrent, not sequential, reviews for all required permits and approvals?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p>Explanation or Source: <i>The City has created a single consolidated permit application process where the Planning Unit is lead agency and coordinates proposal review their an inter-department staff team</i></p>		
<p>16. Does your jurisdiction provide for expedited or “fast track” permitting and approvals for all affordable housing projects in your community?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p>Explanation or Source: <i>The City’s IZ ordinance offers an expedited review as a potential incentive for developments providing affordable housing. See www.cityofmadison.com/cdbg/toolbox/index.htm.</i></p>		
<p>17. Has your jurisdiction established time limits for government review and approval or disapproval of development permits in which failure to act, after the application is deemed complete, by the government within the designated time period, results in automatic approval?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p>Explanation or Source: <i>The City has established time limits for preliminary and final subdivision plats review and City response.</i></p>		

<p>18. Does your jurisdiction allow “accessory apartments” either as: a) a special exception or conditional use in all single-family residential zones or, b) “as of right” in a majority of residential districts otherwise zoned for single-family housing?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p><i>Explanation or Source:</i> <i>The City permits accessory units in cases involving dependency living arrangements.</i></p>		
<p>19. Does your jurisdiction have an explicit policy that adjusts or waives existing parking requirements for all affordable housing developments?</p>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<p><i>Explanation or Source:</i> <i>The City’s Inclusionary Zoning ordinance includes specific incentives related to the reduction or waiver of parking requirement.</i></p>		
<p>20. Does your jurisdiction require affordable housing projects to undergo public review or special hearings when the project is otherwise in full compliance with the zoning ordinance and other development regulations?</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p><i>Explanation or Source:</i> <i>The City does not require additional steps of affordable housing proposals where the proposal is in full compliance with other development regulations.</i></p>		
<p>Total Points:</p>		

This status report was compiled by
Brad Murphy, Plan Unit Director,
George Hank, Building Inspection Unit Director, and
Hickory R. Hurie, CD Supervisor,
and is based on information current as of May 11, 2007.