

WAPA News

Wisconsin Chapter
American Planning Association

Winter 2002

Volume 2002, Number 1



Municipal Efforts at Affordable Housing Vary Widely Across State, see story on page 6

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www.wisconsinplanners.org

WAPA launched its new internet domain name in February. With this new web address, Wisconsin planners should be able to find our web page more easily. In addition to the new domain name, the web page is now maintained on a commercial server. Over the past five years, the web page has outgrown its original home on the UW—Milwaukee server. With the move to a commercial web hosting service, WAPA will be able to introduce additional features to improve the quality of information exchange between WAPA members.

WAPA Awards Program Announced

Carrie Johnson, Director at Large for WAPA, announces the new and improved WAPA state planning awards program to honor outstanding planning work and to recognize journalists and citizens who have contributed to planning. For more information on the 2002 awards program, see pages 4 and 5 of this issue.

New WAPA Board Members Take Office

New WAPA board members took office at the January meeting of the board. Linda Stoll serves WAPA as the Northeastern District Representative. She is the Executive Director of the Fox-Wolf Basin 2000 organization. Jason Gilman serves as the Southwestern District Representative. He is a planner for the city of Onalaska.

WAPANews is published four times each year by the Wisconsin Chapter of the American Planning Association to facilitate discussion among its members of planning issues in Wisconsin. Correspondence should be sent to:

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Opinions expressed in stories printed in WAPA News do not reflect the opinion of the editor or the Wisconsin Chapter of the American Planning Association.

Change of Address: WAPA News does not maintain the address lists for any APA publication. All lists are maintained at the national office and are updated and mailed to the chapters each month. If you have moved, please contact **Member Services Coordinator, APA National Headquarters, 122 S. Michigan Street, Suite 1600, Chicago, IL 60603-6107 or call (312) 431-9100 or FAX (312) 431-9985.**

Membership Information: To become a member of the Wisconsin Chapter of the American Planning Association, simply become a member of the APA. An application form is provided on the back of this publication.

Professional Services Directory: Put your business in the newsletter. Advertising rates are \$40.00 per issue or \$150.00 per year. Send business card or camera-ready copy (2 inches wide x 3.5 inches long) to the newsletter editor at the address below. Digital copy may be sent as an attachment by email to wapa@uwm.edu.

Submission of Articles: WAPA News welcomes articles, letters to the editor, articles from the WAPA districts, calendar listings, etc. Please send anything that may be of interest to other professional planners in Wisconsin. Articles may be submitted by mail, fax, or email. Articles may be edited for readability and space limitations prior to publication. Content of articles does not necessarily represent the position of APA, the WAPA Executive Committee, or the editor. Please submit articles longer than 1 page in electronic format.

Submission of articles in electronic formats: Please submit articles by email to wapa@uwm.edu and include the file as an attachment in word processing format or as text (.txt).

Graphics: Graphics can be accepted for inclusion with the article in paper or electronic format. Graphics will be returned on request. Please be sure that graphics submitted in paper format are crisp and clear.

Calendar listings: Although WAPA News is published only 4 times annually, the web page at <http://www.uwm.edu/~frankn/wapa.html> provides instant access to information about events or jobs of interest to planners. If you are aware of an event, please contact the editor as soon as possible, preferably at least 1 week before the event. If submitting calendar events by mail, email, or voicemail, please be sure to include the sponsor of the event, the date, time, and place, and the title of the event, along with a description including any admission fees or limitations in availability.

Deadlines:

November issue: submit by September 15
January issue: submit by December 15.
April issue: submit by March 15
August issue: submit by July 15

Published and postage paid at the University of Wisconsin—Milwaukee, Milwaukee, WI 53201.

WAPA News is printed on recycled paper.

Upcoming UIUC Continuing Education Programs

Detailed information about programs can be obtained at <http://www.urban.uiuc.edu/ce> or contact Patsi Petrie, p-petrie@uiuc.edu all programs held at University of Illinois at Urbana-Champaign

5-7 June 2002 Visualizing Spatial Information: GIS for Planners I

This workshop introduces geographic information systems Arc GIS 8.1 as a tool for storing, managing, retrieving, and manipulating spatially referenced data.

Workshop instructor: Zorica Nedovic-Budic

19-21 June 2002 Evaluating Urban Form: GIS for Planners II

In this workshop, you will learn to use ArcGIS 8.1 and ArcView 3.2 with Spatial Analyst and Network Analyst extensions. The focus of the workshop will be using ArcView to examine sprawl and affect planning policy.

Workshop instructor: Emily Talen

24-25 July 2002 GIS for Managers

This workshop will show managers some of the problems and rewards of implementing GIS at their agency, provide an opportunity for learning about the world-wide Clearinghouse System and metadata, and have hands on training with ArcGIS.

Workshop instructors: Paul Braun, Max Dieber, and Nina Savar

25-26 July 2002 "What If"

"What If" is the first commercially available off-the-shelf software package that allows professional, public officials, interest groups, and private citizens to prepare their own scenarios for dealing with issues of smart growth, urban sprawl, and farmland/open space preservation.

Workshop instructor: Richard E. Klosterman

5-8 August 2002 GIS Standards

The most important reason for learning and using GIS standards is to insure that geospatial data are efficiently collected, used, and shared. GIS standards are there to ease interpretation of a map, to agree upon a description of content and format of data, and to transfer data from a producer to the user while allowing both to interpret the information in the same way. This workshop will cover existing GIS standards in the U.S., emerging ISO GIS standards, and ongoing work of the Open GIS Consortium.

Workshop instructors: T. John Kim, Norman Andersen, Kurt Buehler, David Danko, Cliff Kottman, Olaf Ostensen, and Charles Roswell.

New AICP Planners

Seventeen Wisconsin planners passed the AICP exam in 2001. Joining the ranks of AICP planners in Wisconsin are: Nancy Anderson, Mary Edwards, Charles Erickson, Sue Ballbach, William Elman, Amy Emery Graunke, Lance Gurney, Roger Humphrey, Karen Mierow, Jeffrey Herrmann, Michael Maki, Brian O'Rourke, Gaurie Rodman, Lori Skotterud, Jac Zader, Tim Schwecke, and Mark Taylor. Congratulations to all!

SmithGroup JJR Selected to Receive Awards

SmithGroup JJR, a planning, design, and engineering firm with offices nationwide, will receive two merit awards from the Wisconsin Chapter of the American Society of Landscape Architects for outstanding projects in Madison and Milwaukee. The Madison project involved restoration of a lagoon for the Madison sewerage district, restoring over 140 acres of shorebird habitat near Lake Farm County Park and Capital Springs State Park. The Milwaukee project receiving the WASLA award was a \$2 million campus and athletic facilities improvement project for Wisconsin Lutheran High School.

Networking at APA with . . .

University of Wisconsin-Madison will be hosting a reception for alumni and friends at the APA Conference in Chicago Monday evening, April 15 (see the Conference program for location details).

University of Wisconsin-Milwaukee alumni and friends will gather on Sunday, April 14, at 5 pm, two hours prior to the opening reception, at Governor's Pub, 207 N. State Street.

WAPA members are welcome to attend.

See you there!

Municipalities React to the Traditional Neighborhood Development Ordinance

BY JASON VALERIUS

UNIVERSITY OF WISCONSIN—MILWAUKEE

In July of 2001, the Wisconsin Legislature approved a Traditional Neighborhood Development Ordinance, requiring all municipalities of 12,500 or more people to enact an ordinance similar to the state's model ordinance by January 1st 2002. On January 11th, 2002, representatives from about a dozen cities met with Brian Ohm, faculty member in the Department of Urban and Regional Planning at the UW-Madison and author of the state's two model ordinances. Attendees had many questions, some concerns, and also a few complaints about the TND Ordinance requirement.

Traditional Neighborhood Developments (TND) are designed to buck the suburban trends of the past 50 years and spark a return to pre-World War II patterns of land use: "compact, mixed-use neighborhoods where residential, commercial and civic buildings are within close proximity to each other." (Wisconsin Legislative Council Information Memorandum) The goal is dense, walkable communities that reduce reliance on the automobile and reduce consumption of open land.

Ohm explained that the model ordinance provided by the state is not a one-size-fits-all document. While some municipalities have adopted the model ordinance nearly word for word, the expectation is that many will adapt it to suit the needs of their own particular communities. Ohm used street width as an example. While the model ordinance calls for narrow streets, not all cities have a tradition of narrow streets. A city's TND ordinance should be written based not on a generic pattern of pre-WWII development, but on the pattern in that city. So, in the case of Two Rivers, where streets have always been 40 feet wide, those dimensions should also be used in the TND ordinance.

Given the expectation that the ordinance will be adapted to the cities' needs, many of the attendees then wanted to know: how much can be changed without violating the intent of the law, and what is the intent of the law? Ohm found this question more difficult to answer. In terms of neighborhood characteristics, the law is intended to result in communities that meet the basic criteria mentioned above: compact, mixed-use, pedestrian-friendly. In terms of legislative intent, however, the law is meant to break down resistance to developers that want to build TND's.

The commonly-cited example of a TND neighborhood in Wisconsin is the Middleton Hills subdivision near Madison. Developer Marshall Erdman struggled for two years to get approval for the development, fighting existing zoning laws that required larger lots, deeper setbacks, wider streets and greater separation of land use types. A coalition of real-



CATEGORIES

1. Planning Document
 - Large Jurisdiction (20,000 or larger population)
 - Medium Jurisdiction (5,000-19,999 population)
 - Small Jurisdiction (4,999 or smaller population)
2. Plan Implementation
 - Large Jurisdiction (20,000 or larger population)
 - Medium Jurisdiction (5,000-19,999 population)
 - Small Jurisdiction (4,999 or smaller population)
3. Legislator of the Year
4. Citizen Planner of the Year
5. Journalism

ENTRY REQUIREMENTS

Entries must be postmarked no later than Friday, April 19, 2002, and mailed to:

WAPA Awards
 c/o City of Brookfield
 Carrie Johnson, AICP
 2000 N. Calhoun Road
 Brookfield, Wisconsin 53005

All materials must be in – or folded into – an 8-1/2 x 11 format. The Planning Document and Plan Implementation submissions must have approval from the creators and owners of the project.

QUESTIONS

For more information on the 2002 WAPA Awards program, please visit the WAPA web site at:

www.wisconsinplanners.org

Or contact:
 Carrie Johnson, AICP
 At-Large Representative
 2000 North Calhoun Road
 Brookfield, Wisconsin 53005
 Phone: 262-782-9650 ext. 283
 Email: johnsonc@ci.brookfield.wi.us
 (Subject Line: “2002 WAPA Awards”)

PURPOSE

To give recognition to outstanding achievements in planning and to publicize persons and organizations whose activities advance planning in Wisconsin.

ELIGIBILITY

A WAPA or an APA member must submit the application. Planning Document and Plan Implementation applications must be for projects located in Wisconsin and must have included a WAPA or an APA member throughout the planning process. Legislator of the Year and Citizen Planner of the Year nominees must live and work in Wisconsin. Journalism applications must have a reporter from – and a story about – a Wisconsin community. No project may be considered if a member of the Jury – or his/her firm or organization – had a role in planning or implementing that project.



AWARDS
CALL FOR ENTRIES

2002

ENTRY FORM

Step 1: WAPA/APA Member Nominator Information

Name _____ APA Membership Number _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email Address _____

How Associated with Nomination _____

Step 2: Nomination Information

Project

Project Name _____

Project Address _____

Individual

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email Address _____

Step 3: Category (check one)

- Planning Document – Large Jurisdiction *(20,000 or larger population)*
- Planning Document – Medium Jurisdiction *(5,000-19,999 population)*
- Planning Document – Small Jurisdiction *(4,999 or smaller population)*
- Plan Implementation – Large Jurisdiction *(20,000 or larger population)*
- Plan Implementation – Medium Jurisdiction *(5,000-19,999 population)*
- Plan Implementation – Small Jurisdiction *(4,999 or smaller population)*
- Legislator of the Year
- Citizen Planner of the Year
- Journalism

Entries must be postmarked by **Friday, April 19, 2002** and submitted to:
2002 WAPA Awards, c/o City of Brookfield, Carrie Johnson, AICP, 2000 North Calhoun Road, Brookfield, Wisconsin 53005

*** Keep a copy for your records. ***

www.wisconsinplanners.org

tors, municipalities and smart growth advocates convinced the legislature that TND's are good for Wisconsin's communities, and developers that are willing to build them should be allowed to do so without such resistance. While it is hoped that municipalities will push for TND's themselves, the law's main goal is to ensure that they don't prevent such developments.

And so the next question was: what if we don't do it? What will happen to a municipality that does not adopt a TND ordinance, or that does, but with so many changes that it violates the spirit of the statute? In Mr. Ohm's words, this is a "no-penalty mandate". The state has no intention to review the TND ordinances nor to penalize municipalities for inadequate or nonexistent ordinances.

There is one avenue for enforcement, however, and all in attendance were well aware of it: litigation. A municipality that does not comply with the law risks a lawsuit from a developer that is unable to build a TND development. Just what constitutes compliance with the law may be decided by the courts in the years ahead.

In the meantime, some municipalities feel that they should have been exempted from the new law. Greendale officials, for example, pointed to their lack of developable land and to the frequent mention of their city as an example of a TND. While it is true that the older portions of Greendale are a textbook example of a TND, what matters is what current zoning allows. They may not have the land for new subdivisions, but there is always the potential for redevelopment of an existing neighborhood in the future. Mr. Ohm pointed out that a TND ordinance can be used as an overlay on an existing district to guide redevelopment.

But what about municipalities that have, in fact, incorporated many of the TND principles in existing code? Where this is the case, as it is in Milwaukee, attendees were told they can probably satisfy the statute by pointing out the relevant portions of their current code. The ambiguities and lack of enforcement clearly frustrated some in attendance. Others objected to the TND concept and questioned its viability in their community. In the words of Kaukauna's city attorney, "This is Disneyland. It's not realistic." While not a unanimous sentiment, there were others in the room who sympathized with this view. The January meeting was actually the second of two informational meetings on the TND ordinance - a similar meeting was held in Madison on December 7, 2001. Interestingly, that meeting had a very different tone. Whereas the Milwaukee-area and Fox Valley municipalities discussed objections, exemptions and litigation, the Madison-area group focused on the opportunities presented by TNDs and methods for actively promoting them. Mr. Ohm believes this warm reception in Madison was due to two factors: greater exposure to TND proposals, including four or five in Sun Prairie alone; and Dane County's BUILD Program (Better Urban Infill Land Development) which promotes Smart Growth projects like TNDs. Another factor that may have affected the tone of the meetings was the type of attendees. While the Milwaukee meeting included

representatives of 14 municipalities and three planning firms, the Madison meeting involved eight municipalities and eight planning firms. As with all of the Smart Growth legislation, the new TND ordinance requirement is a business opportunity for planning firms and a sometimes onerous obligation for municipalities. The Madison meeting's heavy attendance by private planners may have influenced the track of the conversation.

Whatever the explanation, the different attitudes regarding TND ordinances serve to highlight the strengths and weaknesses of the legislation. It is a victory in the ongoing struggle to control sprawl, and it will hopefully lead to some TND developments in communities that might not have considered them. The flexibility of the law should guard against a series of carbon-copy developments across the state, but with that flexibility comes the risk of weak ordinances that don't really change the current patterns of development. Ultimately, the spread of the TND philosophy depends upon two elements: developers willing to take a chance and municipalities willing to allow TND's as they were conceived - dense, mixed-use, and walkable.

Municipal Efforts at Affordable Housing Vary Widely Across State

BY JASON VALERIUS
UNIVERSITY OF WISCONSIN—MILWAUKEE

Housing affordability is a common issue of concern across Wisconsin. Rising property values are viewed favorably by many property owners and tax collectors, but they are an increasing cause for frustration among home buyers. As prices rise and lower-income people get priced out of neighborhoods and communities, segregation is a common result, separating Wisconsin's residents along lines of race, age and class.

Wisconsin's Smart Growth legislation recognizes this threat to diversity and vitality in our communities. By 2010, every city, village, town and county in the state will be required to have a comprehensive plan that addresses nine topics, including housing. Specifically, in terms of affordable housing, every comprehensive plan must "Identify policies and programs that : 1) promote the development of housing for residents of the local governmental unit and provide a range of housing choices that meet the needs of persons of all income levels and of all age groups and persons with special needs; and 2) promote the availability of land for the development or redevelopment of low-income and moderate-income housing."

So what are local governments doing to provide affordable housing, and what do they plan to do? One way to

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Law Update

BY RICHARD LEHMANN
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Freestanding Planning and Land Use Bills, Part I Wisconsin Legislature as of January 23, 2002

More legislative updates can be found on the WAPA web page and will be summarized in upcoming issues of WAPA News.

AB 395: Relaxing the Area Variance Standard

Under current law, a city, village, town that is authorized to exercise village powers (municipality), or county is authorized to enact zoning ordinances that regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards and other open spaces, the density of population, and the location and use of buildings, structures, and land for various purposes.

A municipality's board of appeals or a county's board of adjustment is authorized under current law to hear and decide appeals that allege that there is an error in the enforcement of a zoning ordinance, to hear and decide special exceptions to the terms of a zoning ordinance, and to authorize a variance from the terms of a zoning ordinance. A "use" variance grants permission for a use that is not permitted by the zoning ordinance and an "area" variance relaxes restrictions on dimensions, such as setback, frontage, height, bulk, density, and area. To grant a variance, a board of appeals or board of adjustment must find four things:

1. The variance will not be contrary to the public interest.
2. Substantial justice will be done by granting the variance.
3. The variance is needed so that the spirit of the ordinance is observed.
4. Due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship.

Although the term "unnecessary hardship" is not defined in the statutes, *State v. Kenosha County* held that the legal standard of unnecessary hardship requires that the

property owner demonstrate that without the variance, he or she has no reasonable use of the property.

Under this bill a local board of adjustment or appeal may grant an area variance, which will not be contrary to the public interest, solely on the grounds that strict compliance with the area provisions of a zoning ordinance either would unreasonably prevent the property owner from using the property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome.

The exception: a variance may not be granted under this provision, however, for an area to which an ordinance that relates to zoning in wetlands, shorelands, or floodplains applies.

STATUS: 5/14/01: Referred to Committee on Urban and Local Affairs

5/22/01: Fiscal estimate received.

6/14/01: Fiscal estimate received.

9/12/01: Public hearing held.

AB 687: Town Zoning

Under the bill, beginning in 2011, a town board may adopt zoning ordinances under the city and village statutes without being granted the authority to exercise village powers by the town meeting and without receiving approval for such zoning ordinances by the town meeting or by referendum.

Under current law, a county zoning ordinance may not take effect in a town unless it has been approved by the town board. Once a town board has approved a county zoning ordinance, the town may not withdraw its approval.

Under this bill, a town board may enact an ordinance withdrawing from coverage of a county zoning ordinance and a county development plan. A town board may enact the ordinance during 2011, or during the one-year period every five years after January 1, 2011. Such an ordinance may not take effect unless the town clerk notifies the county clerk of the proposed ordinance and the town enacts, and sends copies to the county clerk, a town zoning ordinance, a comprehensive plan, and an official map. County board approval of a town zoning ordinance is not required if the town has withdrawn from county zoning. The town zoning ordinance and comprehensive plan must be consistent with each other and the zoning ordinance must be at least as restrictive as the county zoning ordinance that applies to the town on January 1 of the year before the year in which the town board enacts the ordinance withdrawing from county zoning.

If a town is located in a county that does not have in effect on January 1, 2009, a comprehensive plan and a county zoning ordinance, the town is required under the bill to enact a zoning ordinance, comprehensive plan, and official map not later than November 1, 2009. Such a zoning ordinance must be at least as restrictive as a model town zoning ordinance which the bill requires the University of Wisconsin

System–Extension (UW) to develop by January 1, 2009. The model ordinance, and a model county zoning ordinance, is to be presented by the UW to the chief clerk of each house of the legislature and referred to the appropriate standing committees. The ordinances are considered to have been approved by each such committee if, within 14 working days of their referral, the committee does not schedule a meeting to review the model ordinances.

If a town is located in a county that does have in effect on January 1, 2009, a comprehensive plan and a county zoning ordinance, and if the town has not approved the county ordinance or enacted its own zoning ordinance, not later than November 1, 2009, the town is required under the bill either to approve the county zoning ordinance, to take effect no later than January 1, 2010, or to enact a zoning ordinance, comprehensive plan, and official map to take effect on January 1, 2010.

The bill authorizes a county board, anytime after December 31, 2009, to enact an ordinance to repeal all of its zoning ordinances, other than shoreland and floodplain zoning ordinances, if it notifies all of the towns that are subject to its zoning ordinances. Such a county ordinance must have a delayed effective date of one year. If a town is so notified, it must enact a zoning ordinance, comprehensive plan, and official map to take effect on the effective date of the county's repeal of its zoning ordinance. The town ordinance and comprehensive plan must be at least as restrictive as the county zoning ordinance that is in effect on the day before the repeal takes effect.

STATUS: 12/21/01: Read first time and referred to committee on Urban and Local Affairs

AB 501: Authority of Certain Towns to Become Urban Towns

Under current law, if a town meeting authorizes a town board to do so, the town board may exercise powers that are related to villages and conferred on village boards by statute, except those powers that conflict with statutes relating to towns and town boards. For example, unless it is approved by the county board a town board exercising village powers may not create a tax incremental financing district; annex territory; exercise extraterritorial zoning jurisdiction over another town; or, in counties that have adopted a county zoning ordinance, enact a town zoning ordinance. If a town board exercises village powers, the town is still subject to annexation by a city or village and may be subject to extraterritorial zoning powers exercised by a city or village.

Subject to several conditions, this bill authorizes a town board that is authorized to exercise village powers to adopt a resolution declaring that the town is an urban town. Under certain circumstances and subject to several limitations, the bill allows a town board that has adopted such a resolution to exercise any statutory power that a village may exercise,

including the power to create a housing authority for the elderly. Before the town board may adopt a resolution declaring that the town is an urban town, the town must do one of the following:

1. Attempt, and fail, to consolidate with a city or village and must have attempted to incorporate as a city or village between 1990 and 2000.
2. Attempt to consolidate with a city or village and attempt, and fail, to incorporate as a city or village within three years after commencing the procedures that are required to become an urban town.

The town board may adopt a resolution declaring that the town is an urban town only after its attempts to consolidate or incorporate fail. Once the town board adopts an urban town resolution, the resolution may take effect only after the resolution is approved by the electors of the town in a referendum.

The bill also allows the board of an urban town to exercise certain zoning powers and to remove the town from coverage of county zoning ordinances, other than a county shorelands zoning ordinance, and exempts the town from being subject to certain city and village annexation and extra-territorial powers. If the town is a party to a cooperative boundary plan or agreement on the date that it becomes an urban town, the terms of the plan or agreement remain in effect until the expiration of the plan or agreement. Also under the bill, town residents may attempt to enact direct legislation. This bill does not extend constitutional or statutory home rule powers to urban towns, nor does it allow such towns to create a tax incremental financing district, to adopt a village form of government, to annex territory, or to engage in extraterritorial zoning or plat approval. The powers granted to urban towns in this bill apply only if certain conditions are met on the date on which the town board adopts the resolution. Some of the conditions that must be satisfied include the following:

1. The population of the town must be at least 7,500.
2. The equalized value of the town must exceed \$360,000,000 and must be at least \$40,000 on a per person basis.
3. The town must provide law enforcement, fire protection, and emergency medical services 24 hours a day.
4. At least 30% of the town residents must receive water supply and sewage disposal services from one of several entities, such as a town sanitary district, a town utility district, a metropolitan sewerage district, or another city, village, or town.
5. The town must adopt a comprehensive land use plan as part of a master plan.
6. The town board must consist of five supervisors.

The bill also contains a sunset provision so that the provisions allowing the creation of an urban town remain in

Continued on page 10

Affordable Housing: *Continued from page 6*

answer this question is to look at the comprehensive planning grant applications being submitted by communities to the state. The state requires applicants to describe the means by which they will achieve a list of 14 goals, including “providing an adequate supply of affordable housing for individuals of all income levels throughout each community.” 1,000 Friends of Wisconsin, a non-profit organization that helped create and promote the Smart Growth legislation, has been reviewing the grant applications for 2001 in terms of four basic issues of concern: natural resources, transportation, public participation, and housing. Their review of the housing component, conducted by Project Assistant Ezra Meyer, suggests that affordable housing is still only a small blip on the radar screen in many communities.

Of the 103 governmental entities that applied for comprehensive planning grants in 2001, 72 received money, including 18 cities, 18 villages, 29 towns, 4 counties, and 2 regional planning commissions. Every application addressed the issue of affordable housing, but the quality of the response varied greatly. Among the best were applications from the City of Reedsburg, the Town of Menasha, the City and Town of Fennimore, the City of Madison, and Portage County. Each of these applicants had obviously given serious thought to the issue of affordable housing. Their applications demonstrate an understanding of the importance of the issue and of the many factors that affect housing affordability, including density, housing stock age, land scarcity, local demographics, and local wages.

Unfortunately, the vast majority of the applications included only a cursory treatment of the affordable housing goal. Whereas the applicants mentioned above submitted several paragraphs of information and proposals, most of the applications lacked good, proactive proposals for managing affordability and many simply restated the original goal. Furthermore, as Ezra explains, “a large percentage of the applications do not go any further than simply listing the existing housing-related ‘policies and programs’ (private and public) that already operate in the communities.”

This dearth of attention to affordable housing may or may not signal a problem. These are, after all, requests for money to develop plans for future programs and policies. A good proposal does not ensure a good housing program any more than a weak proposal ensures a bad one. The early evidence, though, suggests that most Wisconsin communities are not yet prepared to make a proactive effort to manage their affordable housing needs.

While the comprehensive plans focus on intentions for future effort, they do not provide a reliable gauge of current efforts to provide affordable housing. One resource for judging the housing efforts of local governments is the non-profit organizations that are tackling the issue. Interviews with directors of Community Housing Development Organizations (CHDOs) around the state revealed a wide variety of opinions about the efforts currently being made by their

local governmental bodies. None spoke disparagingly of their local officials, but some clearly had low expectations of the public sector.

Domenick Martinelli, Director of Neighborhood Housing Services of Kenosha, describes a difficult environment for affordable housing efforts. In his experience, local municipalities have their hands full with administration of codes and laws, and tend to be focused on maintaining property values rather than providing for the needs of the disadvantaged. Affordable housing is an especially difficult mission in the Racine/Kenosha area due to the pressure that Chicago places on the local housing market. Most of the public effort there has focused on Section 8 vouchers that provide rent supplements to low-income residents. Though this is a common approach, Domenick finds it frustrating because it does nothing to hold down the actual costs of rent or real estate. Supplements allow lower-income residents to live in expensive, market-rate units, -but they are not a good long-term solution to the problem. Despite his concerns about the quality of the public effort, Domenick gives Kenosha high marks for its working relationship with his organization over the years.

In many cities, the local government relies on private, non-profit organizations to do much of the footwork in the battle to provide affordable housing. In LaCrosse, for example, the city subcontracts the Wisconsin Coulee Region Community Action Program to administer its HOME lending program, and it outsources its Community Development Block Grant funding to a variety of non-profit organizations. Likewise, the Dodgeville Housing Authority’s Section 8 program is operated by the Southwestern Community Action Program. In these cities and many others, the local government acts as a passive intermediary, collecting the state and federal funding for which they are eligible and passing it on to private organizations that provide affordable housing.

Another type of passive municipal involvement is tax breaks for private affordable housing developments. When the North Central Community Action Program (NCCAP) built an apartment building in Marshfield, the city agreed to charge no taxes on the building. Such assistance allows the organization to offer 2-bedroom units with utilities for just \$280 per month. NCCAP Director Ron Schnyder sees the tax breaks as crucial to their ability to provide truly affordable housing, and is hoping for a similar commitment for a development being planned in Wausau.

The dominant trend in municipal affordable housing efforts seems to be passive assistance to private, non-profit organizations. CHDOs and other non-profits lead the effort and the local government helps find land or forgive tax obligations or provide funding as they are able. But there are, of course, exceptions to this rule.

Terry Hendrick of Catholic Charities Bureau, Inc. in Superior describes a very active local government. The City of Superior sponsors a variety of programs such as home ownership classes for Hmong residents and a “Down Payment Plus” program for people earning 30%-60% of the

county median income. Most notably, the City Department of Planning and Development is proactive about providing affordable housing and is aggressive in its enforcement of residential codes, ensuring that rental properties are in good condition.

Of all the private affordable housing advocates contacted for this story, none were more enthusiastic about their local government than Noel Halvorson, Executive Director of Neighborhood Housing Services of Green Bay. In Noel's words, "the local scene is dreamy." The Green Bay Mayor's office has a "resource board" that does private fundraising and helps coordinate the efforts of city hall, local lenders and the business community. The board organizes an annual summit to identify issues and focus attention on specific neighborhoods. And remarkably, the Mayor's budget requests for neighborhood revitalization efforts have been significantly increased by the City Council in each of the past two budgets. Green Bay, it seems, is a shining example of proactive municipal effort to provide adequate affordable housing.

While neither exhaustive nor definitive, this poll of Wisconsin's private affordable housing organizations suggests the same trend as the one suggested by the planning grant applications – most cities are not yet ready to make a proactive effort toward housing affordability. With some notable exceptions, the public sector is more often deferring to the private sector, helping when asked but not actively pushing for progress. Perhaps most important, many communities are relying on Section 8 vouchers to help the disadvantaged instead of attempting to create housing that is affordable without rent supplements. Hopefully, the Smart Growth process will lead to a greater awareness of the potential to provide long-term affordable housing options through good planning.

Planning Bills: *Continued from page 8*
effect for only five years.

STATUS:	9/19/01:	Introduced
	9/19/01	Read first time and referred to committee on Urban and Local Affairs
	10/03/01:	Fiscal estimate received
	11/27/01:	Public hearing held.

AB 494: Limits the Authority of Cities and Villages to Annex Territory

Currently, town territory that is contiguous to any city or village may be annexed to that city or village under several methods. Three of the methods of annexation include the following: 1) direct annexation, under which a petition for annexation that was signed by the required number of electors and landowners is filed with the city or village clerk; 2) annexation by referendum, under which a petition for referendum that was signed by the required number of elec-

Additional Reading on Planning for Affordable Housing

The documents described below on planning for affordable housing were described by APA in their news briefs for newsletter editors.

Expanding Affordable Housing Through Inclusionary Zoning: Lessons From The Washington, DC Metropolitan Area

Many jurisdictions are looking for new ways to house not only low-income residents, but also working families who fill critical positions in the labor market. One of the ways in which jurisdictions are meeting this challenge is through inclusionary zoning, a program that principally requires developers to include affordable homes when they build a particular number of market-rate homes. This paper from the Brookings Institution Center on Urban and Metropolitan Policy examines the effectiveness of inclusionary zoning programs as tools for not only providing affordable housing, but also ensuring that such housing is built throughout a jurisdiction.

Focusing particularly on the Montgomery County, Maryland, ordinance and those found in three other Greater Washington area jurisdictions, this paper will: highlight the effectiveness of inclusionary zoning in several jurisdictions; examine the obstacles facing new and old ordinances alike; and identify where opportunities for change exist to ensure the program's longevity and productivity.

The full report is available in PDF format at <http://www.brookings.edu/es/urban/publications/inclusionary.htm>

Report on Smart Growth and Affordable Housing

Affordable Housing and Smart Growth: Making the Connection is a new report jointly produced by the Smart Growth Network and the National Neighborhood Coalition. APA National contributed to the report as a member of the Smart Growth Network's Affordable Housing Subgroup. The report identifies a range of policies and approaches that help achieve both smart growth and affordable housing objectives and provides case studies of towns, cities, and states that have benefited from linking these two interrelated goals.

The 19 approaches featured in the report represent a range of options for public, private, and nonprofit sector members to consider as they pursue smart growth and work toward affordable housing goals.

The report is available in pdf format at <http://www.neighborhoodcoalition.org/AH%20and%20SG.pdf>

