



Legislation Details (With Text)

File #: 240999 **Version:** 4
Type: Ordinance **Status:** Passed
File created: 10/15/2024 **In control:** COMMON COUNCIL
On agenda: **Final action:** 7/15/2025
Effective date:

Title: A substitute ordinance relating to zoning regulations for accessory dwelling units.

Sponsors: ALD. PEREZ, ALD. BAUMAN, ALD. ZAMARRIPA

Indexes: HOUSING, ZONING

Attachments: 1. Substitute 4 File Text (Proposed Substitute C), 2. Ald. Zamarripa Motion for Substitute 4, 3. Substitute 6 File Text, 4. Substitute 5 File Text, 5. Substitute 3 File Text, 6. Ald. Spiker Motion for Proposed Substitute F, 7. Proposed Substitute F, 8. Proposed Substitute B, 9. Motion by Ald. Bauman, 10. Substitute 2 File Text, 11. Substitute 1 File Text, 12. ZND Presentation, 13. President Perez Comments, 14. State ADU Proposed Legislation LRB-0105 Preliminary Draft by Sen. Kelda Roys and Rep. Francesca Hong, 15. City Plan Commission Letter, 16. CPC Staff Report, 17. ZCTC Letter, 18. AARP ADU Model State Act and Local Ordinance-0212021-08.pdf, 19. AARP WI Press Release, 20. 5 Points Neighborhood Association Oppose 1, 21. 5 Points Neighborhood Association Oppose 2, 22. Aaron Muehlbauer Oppose 1, 23. Aaron Muehlbauer Oppose 2, 24. Barbara Cooley Oppose, 25. Betty Smith Oppose, 26. Brittney Taylor Oppose, 27. Cade Gerlach Support 1, 28. Cade Gerlach Support 2, 29. Darnisha Jenkins Oppose, 30. Dynasty Ceasar Oppose, 31. Dynasty Ceasar Petition, 32. Elizabeth Ramirez Oppose, 33. Everett Lancaster Support, 34. Fatima Laster Oppose, 35. Jane L Buttars Oppose, 36. Jeff and Sue Grzeca Oppose, 37. Kevin Germino Support Proposed Substitute C, 38. Jeffrey Harwell Oppose, 39. Joyce Tang Boyland Support Substitute 4 7.7.25, 40. Melody McCurtis Oppose, 41. Metcalfe Park Community Bridges Oppose, 42. Midtown Neighborhood Alliance Letter of Concern, 43. Miriam Ramirez Oppose 1, 44. Miriam Ramirez Oppose 2, 45. Patrice Gransberry Oppose, 46. Pernell Evans Oppose, 47. Presious Shields Oppose, 48. Robin Palm Support, 49. S. Winston Oppose, 50. Samuel Sims Oppose, 51. Sy Smith Oppose 1, 52. Sy Smith Oppose 2, 53. Together for Homes Coalition Support Proposed Substitute C, 54. LRB_180635-1_Memo_ADU_In_Other_Cities_final.pdf, 55. LRB_180635-2_Memo_AARP_Aging_In_Place_final.pdf, 56. Petition in Opposition, 57. Legal and Enforceable 6.23.25, 58. Legal and Enforceable 4.22.25, 59. Notice published 3/21 and 3/28/2025, 60. Hearing Notice List 6.17.pdf, 61. Hearing Notice List 4.15.pdf, 62. Email - FW_BOZA application fees, 63. Attachment to Email-FW_BOZA application fees, 64. Criteria for the granting of a special use, 65. Criteria for the granting of a use variance, 66. Notice published 8-1-2025

Date	Ver.	Action By	Action	Result	Tally
10/15/2024	0	COMMON COUNCIL	ASSIGNED TO		
1/13/2025	1	CITY CLERK	DRAFT SUBMITTED		
1/13/2025	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/13/2025	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/31/2025	1	CITY CLERK	PUBLISHED		
3/21/2025	1	CITY CLERK	PUBLISHED		
4/7/2025	1	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	5:0
4/15/2025	1	ZONING, NEIGHBORHOODS &	SUBSTITUTED	Pass	5:0

4/15/2025	2	DEVELOPMENT COMMITTEE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	AMENDED	Pass	5:0
4/15/2025	3	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
4/22/2025	3	COMMON COUNCIL	ASSIGNED TO	Pass	10:5
6/17/2025	3	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
6/17/2025	4	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	4:1
6/17/2025	5	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Fail	2:3
6/17/2025	5	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
6/17/2025	4	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	3:2
6/17/2025	6	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:1
6/24/2025	6	COMMON COUNCIL	HELD IN COUNCIL	Pass	13:0
7/15/2025	6	COMMON COUNCIL	SUBSTITUTED	Pass	8:7
7/15/2025	4	COMMON COUNCIL	SUBSTITUTED	Fail	7:8
7/15/2025	4	COMMON COUNCIL	PASSED	Pass	8:7
7/18/2025	4	MAYOR	SIGNED		
8/1/2025	4	CITY CLERK	PUBLISHED		

240999
SUBSTITUTE 4

ALD. PEREZ, BAUMAN AND ZAMARRIPA

A substitute ordinance relating to zoning regulations for accessory dwelling units.

- 295-201-5 cr
- 295-201-607 am
- 295-203-1-a am
- 295-203-1-L cr
- 295-403-2-a (table) am
- 295-404-1 (table) am
- 295-503-1 (table) am
- 295-503-2-f rn
- 295-503-2-f cr
- 295-503-2-g rn
- 295-503-2-h rn
- 295-503-2-i rn
- 295-503-2-j rn
- 295-503-2-k rn
- 295-503-2-L rn
- 295-503-2-m rn
- 295-503-2-n rn
- 295-503-2-o rn
- 295-503-2-p rn

295-503-2-q rn
295-503-2-r rn
295-503-2-s rn
295-503-2-t rn
295-503-2-u rn
295-503-2-v rn
295-503-2-w rn
295-503-2-x rn
295-503-2-y rn
295-503-2-z rn
295-503-2-aa rn
295-505-2 (table) am
295-505-2-j-5 rc
295-505-2-L-5 cr
295-505-2.5 cr
295-505-2.5 (table) cr
295-603-1 (table) am
295-603-2-c rn
295-603-2-c cr
295-603-2-d rn
295-603-2-e rn
295-603-2-f rn
295-603-2-g rn
295-603-2-h rn
295-603-2-i rn
295-603-2-j rn
295-603-2-k rn
295-603-2-L rn
295-603-2-m rn
295-603-2-n rn
295-603-2-o rn
295-603-2-p rn
295-603-2-q rn
295-603-2-r rn
295-603-2-s rn
295-603-2-t rn
295-603-2-u rn
295-603-2-v rn
295-603-2-w rn
295-603-2-x rn
295-603-2-y rn
295-603-2-z rn
295-603-2-aa rn
295-603-2-bb rn
295-603-2-cc rn
295-603-2-dd rn
295-603-2-ee rn
295-603-2-ff rn
295-603-2-gg rn

295-605-2.5	cr	
295-703-1 (table)	am	
295-803-1 (table)	am	
295-803-2-b	rn	
295-803-2-b	cr	
295-803-2-c	rn	
295-803-2-d	rn	
295-803-2-e	rn	
295-803-2-f	rn	
295-803-2-g	rn	
295-803-2-h	rn	
295-803-2-i	rn	
295-803-2-j	rn	
295-803-2-k	rn	
295-803-2-L	rn	
295-803-2-m	rn	
295-803-2-n	rn	
295-803-2-o	rn	
295-803-2-p	rn	
295-803-2-q	rn	
295-803-2-r	rn	
295-803-2-s	rn	
295-803-2-t	rn	
295-803-2-u	rn	
295-803-2-v	rn	
295-803-2-w	rn	
295-803-2-x	rn	
295-803-2-y	rn	
295-803-2-z	rn	
295-803-2-aa	rn	
295-803-2-bb	rn	
295-803-2-cc	rn	
295-803-2-dd	rn	
295-803-2-ee	rn	
295-803-2-ff	rn	
295-803-2-gg	rn	
295-803-2-hh		rn
295-803-2-ii	rn	
295-803-2-jj	rn	
295-803-2-kk	rn	
295-803-2-LL	rn	
295-803-2-mm	rn	
295-803-2-nn		rn
295-803-2-oo	rn	
295-803-2-pp	rn	
295-803-2-qq	rn	
295-803-2-rr	rn	
295-903-2-a (table)	am	
295-905-2-a (table)	am	

This ordinance defines an “accessory dwelling unit” as “a room or set of rooms with its own cooking, sleeping and sanitary facilities which is located on the same lot as a single-family or 2-family dwelling and which is smaller in area than the main dwelling to which it is accessory.” The ordinance also classifies an accessory dwelling unit as a limited use in residential and commercial zoning districts, as well as the industrial-mixed zoning district, with the following limited use standards:

- a. Only one accessory dwelling unit shall be located on the parcel.
- b. For an internal or attached accessory dwelling unit, the parcel shall contain a single-family dwelling. For a detached accessory dwelling unit, the parcel shall contain a single-family or 2-family dwelling.
- c. At the time a building permit application is submitted for an accessory dwelling unit accessory to an existing principal dwelling unit, at least one owner of the existing principal dwelling unit shall occupy the existing principal dwelling unit as the owner’s principal residence.

If any of these limited use standards would not be met, the accessory dwelling unit is classified as a prohibited use.

In addition, an accessory dwelling unit shall meet the design standards set forth in the code. These design standards relate to floor area, building height, setbacks, pedestrian connections to the street, balconies and decks, and vary depending on whether the accessory dwelling unit is internal to the main dwelling unit, attached to it, or detached from it.

See the attachment within the file labeled "Substitute 4 File Text".

APPROVED AS TO FORM

K. Broadnax

Legislative Reference Bureau
Date: 06/16/2025

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____

LRB180262-10
Jeff Osterman
06/16/2025