

## Housing Cooperative and Cohousing Summary

*This handout excerpts all the sections of the draft zoning code that deal with housing cooperatives and cohousing*

### Definitions

**Cohousing Community.** A living arrangement that combines private living quarters with common dining and activity areas in a community whose residents share in tasks such as childcare. Living quarters may range from detached units to townhouses or multifamily units, but do not include lodging rooms. This definition does not include commercial uses other than allowed home occupations.

#### Housing Cooperative.

1. A nonstock corporation which has been organized under Chapter 181 of the Wisconsin Statutes and which has qualified as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, or by a partnership in which such nonstock corporation is the sole general partner, and the unit is leased to or managed by a housing cooperative which has been organized under Chapter 185 of the Wisconsin Statutes to manage and control cooperative residential real estate provided that all residents of the dwelling unit are members of the corporation and of the cooperative; or
2. A housing cooperative which has been organized under Chapter 185 of the Wisconsin Statutes to manage and control cooperative residential real estate, and which has qualified as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, provided that all residents of the dwelling unit are members of the cooperative; or
3. A housing cooperative which has been organized under Chapter 185 of the Wisconsin Statutes to manage and control cooperative residential real estate provided that all members of the cooperative are residents of the dwelling unit.

#### Family.

- A. A family is an individual, or two (2) or more persons related by blood, marriage, domestic partnership, or legal adoption, living together as a single housekeeping unit in a dwelling unit, including foster children, and up to four (4) roomers, with the following exceptions:
  1. Within the SR-C1, SR-C2, SR-C3, TR-C1, TR-C2, TR-C3, TR-R and TR-P residential districts, dwellings that are not owner-occupied are limited to one (1) roomer.
  2. In any residence district, a family may consist of two (2) unrelated adults and the minor children of each. Such a family may not include any roomers except where the dwelling unit is owner-occupied. For the purpose of this section, “children” means natural children, grandchildren, legally adopted children, stepchildren, foster children, or a ward as determined in a legal guardianship proceeding.

- B. For the purpose of this definition, an owner-occupied dwelling unit shall mean any dwelling unit where an individual or two or more persons who reside in such unit constitute one hundred percent (100%) of the owners of either the entire fee simple interest or the entire land contract vendee's interest in said dwelling unit.

Provided, however, dwelling units occupied by owner-occupants holding less than one hundred percent (100%) interest in the fee simple shall nonetheless be considered owner-occupied for the purposes of this definition where the remainder of said interest is held by an investor pursuant to a shared equity purchase arrangement and the owner-occupant has continuously resided in said dwelling unit for at least four (4) years;

- C. Absence of any owner from the dwelling unit for health reasons or by virtue of a marital separation or divorce or any temporary absences of any owner from the dwelling unit shall not constitute a reduction in the number of owners who reside in such unit for the purpose of determining whether such unit continues to be owner-occupied.

## Use Tables

Residential Districts															
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Standards
<b>Residential - Group Living</b>															
Adult family home meeting separation requirements	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Adult family home not meeting separation requirements	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Cohousing community	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Community living arrangement (up to 8 residents)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Community living arrangement (9 - 15 residents)			P	P	P			P	P	P	P	P			Y
Housing cooperative				C	C			C	P/ C	P/ C	P/ C	P/ C		C	Y
Dormitory					C						C	C			Y
Lodging house, fraternity or sorority											C	C			Y

Mixed-Use and Commercial Districts						
	NMX	TSS	MXC	CC-T	CC	Standards
<b>Residential - Group Living</b>						
Adult family home meeting separation requirements	P	P		P		Y
Adult family home not meeting separation requirements	C	C		C		Y
Cohousing community	P/C	P/C	P/C	P/C	P/C	Y
Community living arrangement (up to 8 residents)	P	P		P		Y
Community living arrangement (9-15 residents)	C	C		C		Y
Dormitory				C		
Housing cooperative	P/C	P/C		P/C		Y
Lodging house, fraternity or sorority				C		Y

## Supplemental Regulations

- B. Cohousing community. Cohousing is a permitted use within any housing type that is permitted within the zoning district where the cohousing development is located. Any housing type that is conditional within said zoning district may be used for cohousing with conditional use approval.
  - 1. Lot area requirements for individual lots within the cohousing community may be reduced with conditional use approval provided that the overall density remains consistent with minimum lot area standards.
  - 2. Usable open space may be combined and shared among cohousing units.
- E. Housing cooperative.
  - 1. Within the SR-V1, SR-V2, TR-C3 and TR-P districts, upon conditional use approval, a housing cooperative may be established in a dwelling unit, with a maximum occupancy of five (5) persons.
  - 2. Within the TR-V1, TR-V2, TR-U1, TR-U2, NMX, TSS and CC-T districts, a housing cooperative may be established in a dwelling unit as a permitted use if the occupancy is five (5) or fewer persons. Occupancy by more than five (5) persons requires conditional use approval.
  - 3. When housing cooperatives are established within single-family dwellings, the single-family appearance and function of the building shall not be altered through the addition of entrances or kitchens.
  - 4. Two-family, three-family and multi-family buildings may be converted into cooperatives provided that the entire building is converted and must remain as a cooperative while so occupied.