

**VILLAGE OF GERMANTOWN  
WASHINGTON COUNTY**

**RESOLUTION NO. 81-2019**

**REQUESTING A TEMPORARY EXEMPTION/WAIVER FROM THE STATE  
MANDATE UNDER WIS. STATS. 66.10013 REQUIRING A HOUSING  
AFFORDABILITY REPORT**

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**WHEREAS**, the State Legislature created Wis. Stats. Chapter 66.10013 requiring the Village of Germantown to prepare an annual report on Germantown's implementation of the housing element in the Village's comprehensive plan (a.k.a. a Housing Affordability Report) by January 1, 2020; and

**WHEREAS**, said the first annual Housing Affordability Report is required to be available to the public and posted on the Village's website not later than January 1, 2020 with subsequent annual report updates completed and available to the public by January 31 of each year thereafter; and

**WHEREAS**, on October 4, 2004, the Board of Trustees for the Village of Germantown adopted Ordinance No. 30-04 adopting a comprehensive plan pursuant to the state mandate under Wis. Stats. Chapter 66.1001 entitled "Village of Germantown 2020 Smart Growth Plan"; and

**WHEREAS**, on July 23, 2019, the Village of Germantown and its consultant, GRAEF, conducted an initial "kick-off" public information meeting as part of an 18-month process to update the Village's 2020 Smart Growth comprehensive plan, including the collection and analysis of pertinent housing data, the update and revision of the Village's goals, policies, objectives and implementation strategies to be included in the Housing Element of the 2050 Comprehensive Plan; and

**WHEREAS**, Wis. Stats. Chapter 66.10013 requires the Village to collect, compile, map, analyze and forecast a significant amount of data and information in order to prepare the required Housing Affordability Report, including but not limited to: (1) a list of all undeveloped parcels in the municipality that are suitable and zoned for residential development; (2) a list of all undeveloped parcels in the municipality that are suitable but not yet zoned for residential development and/or redevelopment; (3) the availability of public facilities and services for said parcels; (4) an analysis of the Village's development regulations, land use controls, site improvement requirements, fees and land dedication requirements and permit procedures, and an assessment of the financial impact said regulations have on the cost of new residential development; and (5) an analysis of how the Village can modify said development regulations, lot sizes, approval procedures and fees to allow new residential development that will meet forecasted housing demand, and, reduce the time and cost necessary to approve and develop new residential development in the Village by 20 percent; and

**WHEREAS**, the collection, compilation, mapping, forecasting and analysis of the data necessary to complete the Housing Affordability Report has not yet been nor will it be completed as part of the comprehensive plan update process until after January 1, 2020; and

**WHEREAS**, without the requisite data and analyses the Community Development Department of the Village of Germantown lacks the time, resources and capacity to complete the Housing Affordability Report required by this mandate by the January 1, 2020, deadline while also fulfilling its regular duties and responsibilities, including the administration and enforcement of the Village's Zoning, Subdivision and other development-related codes and regulations while maintaining an acceptable level of service provided to residents, property owners and other customers of the Village; and

**WHEREAS**, pursuant to Wis. Stats. Chapter 66.0143, a political subdivision including the Village of Germantown may file a request with the Department of Revenue for a waiver from a state mandate, except for mandates related to health or safety.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of the Village of Germantown hereby requests an exemption/waiver from the mandate imposed by Wis. Stats. Chapter 66.10013 regarding the preparation and submittal of a Housing Affordability Report as defined therein; and

**BE IT RESOLVED** that the Board of Trustees affirms that this waiver request is not related to the health or safety of the residents of the Village of Germantown.

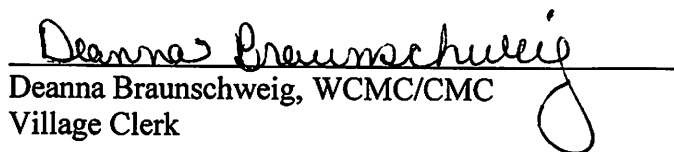
Introduced by: Trustee Zabel

Adopted: December 16, 2019

Vote: Ayes: 7 Nays: 0

  
Dean M. Wolter, Village President

ATTEST:

  
Deanna Braunschweig, WCMC/CMC  
Village Clerk