

ORDINANCE NO. 2023-15

ORDINANCE TO AMEND SECTION 40.400.1.(1) OF THE VILLAGE CODE PERTAINING TO THE MAXIMUM PERCENTAGE OF UNITS WITHIN A SENIOR HOUSING DEVELOPMENT (DEVELOPED UNDER THE HEO - HOUSING FOR THE ELDERLY OVERLAY ZONING DISTRICT) WHICH MAY BE ALLOCATED TOWARD INDEPENDENT LIVING.

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

SECTION I

WHEREAS: The Village of Pewaukee currently limits the maximum percentage of units that can be allocated to independent living-type occupancies to 50%; and

WHEREAS: The Village Planning Commission did hear a request from a prospective developer of senior housing to modify that percentage upward to 75%; and

WHEREAS: The Village of Pewaukee staff and Planning Commission did review and consider the representations and supporting market data as presented by the prospective developer in support of this request; and

WHEREAS: The Planning Commission did, on July 13, 2023, taking into consideration the market data and developer representations that senior assisted living demand is waning while demand for senior independent living remains high, unanimously recommend to the Village Board in favor of modifying related Section 40.400.1(1) of the Code; and

NOW, THEREFORE, Be it ordained by the Village Board of the Village of Pewaukee, Wisconsin that it is appropriate to modify/increase the maximum percentage of units that can be allocated to independent living-type occupancies in projects developed under the Housing for the Elderly Overlay zoning district: and

SECTION 1. That the following Section of the Village of Pewaukee Municipal Code is hereby amended to read as follows:

- 40.400.1.(1)** Development projects which include housing for the elderly:
 - a.** Independent living units shall be permitted within a development project that also includes assisted living and/or nursing home units and in that case, the number of independent living units shall not exceed 75 percent of the combined total number of units in the development.

SECTION II

The Village President and Village Clerk are authorized to execute this ordinance on behalf of the Village of Pewaukee.

This ordinance shall take effect upon passage and publication as required by law.

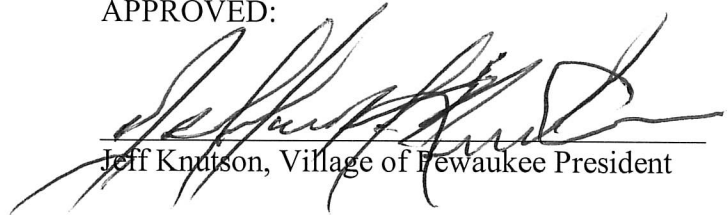
SECTION III

The several sections of this ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

PASSED AND ADOPTED by the Village Board this 15 day of August, 2023.

APPROVED:



Jeff Knutson, Village of Pewaukee President

Countersigned:



Casandra Smith, Village of Pewaukee Clerk