



**Department of Planning and Community & Economic Development
Planning Division**

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TO: Economic Development Committee
FROM: Bradley J. Murphy, Director, Planning Division
DATE: April 5, 2011
SUBJECT: New Zoning Code

The Economic Development Committee has asked how the new zoning code will improve the development process. This memorandum provides a brief history of the project and a summary of the anticipated effects of the new code on the development review process.

At its March 29, 2011 meeting, the Madison Common Council adopted the new zoning code text. The corresponding zoning map and downtown zoning districts are currently in progress, and work on these items is expected to continue through 2011. It is important to understand that the new zoning code does **not** take effect until the new zoning map and downtown zoning districts are adopted. In the interim, the existing zoning code and map are in effect. The new code text can be found at the following link:

<http://legistar.cityofmadison.com/attachments/a7261a03-67a8-413b-a97a-a07f72552155.pdf>

Project Background

In December 2007, the City retained the services of Cuningham Group Architecture, P.A. to draft a new zoning code and map for the City of Madison. Since late 2007, City staff and the consultants met with over 100 boards, committees, commissions, neighborhoods, groups and individuals to review the proposed zoning code.

The Zoning Code Rewrite Advisory Committee was appointed by the Mayor in 2008 and met 14 times between April 2008 and July 2009 to review and comment on the draft zoning code. Based on this review, a proposed zoning code was introduced by ordinance at the Common Council meeting on September 8, 2009 and was then referred by the Common Council to the following committees and commissions: Sustainable Design and Energy Committee, Madison Arts Commission, Long-Range Transportation Planning Committee, Urban Design Commission, and Housing Committee. Each of these bodies reviewed the proposed zoning code and offered their recommendations to the Plan Commission.

Staff compiled all committee/commission recommendations in a memorandum which was distributed to the Plan Commission for review and consideration. During the Plan Commission review process, staff prepared a series of memorandums to summarize issues and recommend refinements to the proposed zoning code. After holding nearly 30 meetings related to the zoning code since February 2008, the Plan Commission completed its review of the document on November 15, 2010 and forwarded it to the Common Council for adoption.

Effect of the New Zoning Code on the Development Review Process

The new Zoning Code includes numerous provisions that result in a document that is easier to use and understand. The code provides a broader range of zoning districts that will help the community better implement the Comprehensive Plan, neighborhood plans, and other adopted plans, resulting in high quality development while

improving the development review and approval process. Some of the new districts that will better reflect the existing as built condition in the City and others that will allow the City to more easily implement adopted plans include:

- 8 New Traditional Residential Districts
- Traditional Residential Planned District
- Neighborhood Mixed-Use District
- Traditional Shopping Street District
- Mixed-Use Center District
- Commercial Corridor Center District
- Traditional Employment District
- Employment Campus District
- Urban Agricultural District
- Campus Institutional District
- Transit-Oriented Development District

Many aspects of the new Zoning Code will simplify or shorten the development review process as follows:

- Planned Unit Developments: The new Zoning Code is designed to reduce the need for projects to use the Planned Unit Development process, which requires review by the Urban Design Commission, Plan Commission, and Common Council. For example, a number of new districts, such as the mixed use districts, will enable mixed use development to occur as a permitted or conditional use, without the need to rezone property to the Planned Unit Development district. This is an important goal of the new Zoning Code.
- Conditional Use Permits: The new Zoning Code eliminates the need for conditional use permits for some uses. For example, small multi-family buildings do not require a conditional use permit in many of the new residential districts. Similarly, mixed-use buildings are permitted in many of the new mixed-use and commercial districts.
- Parking: The reduction or elimination of minimum parking standards will reduce the need for conditional use approval for parking reductions.
- Shared Parking: Shared parking no longer requires a conditional use permit under the provisions of the new Zoning Code.
- Variances: New bulk standards and similar requirements will help reduce the need for variances, especially on smaller residential properties.
- Temporary Uses: The new Zoning Code provides increased flexibility for temporary seasonal outdoor uses.
- Site Compliance: The new Zoning Code allows certain changes on sites to not require the site to be brought into compliance with the code. These changes include but are not limited to parking lot maintenance and layout, the addition of bicycle parking, and the replacement of landscaping with new or different trees or shrubs.
- Master Planned Districts: The new Zoning Code includes four new master planned districts: Campus Institutional (CI), Mixed-Use Center (MXC), Employment Campus (EC), and Traditional Residential-Planned (TRP). These districts involve up front planning, but then allow development consistent with adopted master plans to occur as a permitted use with an administrative review process.

A brief PowerPoint summary of highlights from the new code can be found at:

<http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/CCpresentation.pdf>