



PREPARED FOR THE PLAN COMMISSION

Proposal: Zoning Text Amendments

Legistar File ID #: [58009](#) and [58010](#)

Prepared By: Planning and Zoning Staff

The following is a summary of the proposed zoning text amendments for Plan Commission consideration.

58009– Creating Section 28.071(2)(d), amending Sections 28.074(3), 28.075(3), 28.076(3), 28.078(2), and 28.079(2) of the Madison General Ordinances to map specific setbacks in the Downtown and Urban Districts

This ordinance creates a section of mapping specific setbacks in the downtown and urban districts. This ordinance also creates a Downtown Setback Map, which designates specific setbacks on certain portions of Langdon Street. Staff anticipates adding additional setback maps over time for other streets in the downtown area.

Prior to the current zoning ordinance's enactment in 2013, most properties on Langdon Street had setbacks defined by Downtown Design Zones 3 and 4, which called for a minimums of 12 and 25 feet respectively. With the new code development, properties that were not a Planned Development were assigned DR-2 zoning, requiring a significantly shallower 10 ft. front setback.

The [2012 Downtown Plan](#) included objectives and recommendations specific to Langdon Street:

Objective 4.9: The Langdon neighborhood should build on its history as a traditional student neighborhood, including a concentration of fraternities and sororities. It should continue to accommodate a limited amount of higher-density residential redevelopment on selected sites while maintaining the area's historic and architectural integrity. Preserving and enhancing Langdon Street as the spine of the district will be key. The pedestrian walkway between the lake and Langdon Street should be formalized to enhance its aesthetics and safety and to make stronger connections to the lakefront path.

Recommendation 96: Update the Downtown Design Zone standards for the Langdon Street area and incorporate them into the Zoning Ordinance.

The [2018 Langdon Character Study](#) listed setbacks as one of its findings and recommended evaluation zoning tools to preserve them:

Building setbacks within most of the Langdon neighborhood are consistent along the major streets of Langdon, North Henry, Carroll, and North Frances Streets. Street-facing facades, regardless of building type or style, share a commonality of setback from the street. This setback results in a defined building edge, sidewalk width, and an overall look of continuity. (p. 19)

Consider existing planning tools to preserve the character of the neighborhood. Tools include the designation of either a Neighborhood Conservation Overlay District or a local Historic District... Both NCOD's and local historic districts can regulate issues such as lot size, setbacks, building scale,

massing, and height. (pp. 31-32)

On February 20, 2019, staff held a public meeting to discuss the concept of mapped setbacks and present potential mapped setbacks. Following that meeting, the conceptual setbacks were revised based on comments received and to better align with existing setbacks on a block-by block basis. Since both alders involved in this project at the beginning chose not to seek re-election, the project was put on hold to ensure the concept of mapped setbacks would be supported by the newly elected alders.

Staff supports this amendment.

58010 – Creating Section 28.183(6)(a)17 of the Madison General Ordinances to create a conditional use standard for projections into the capitol view height area

Sec. 28.134(3) of the Madison General Ordinances, entitled “Capitol View Preservation,” allows the Plan Commission to allow certain projections into the capitol view height area as a conditional use. Until now, the zoning code has not had a separate conditional use standard for this conditional use. This ordinance therefore creates a new conditional use standard for allowing projections into the capitol view height area.

The Capitol View height limit has been in place for decades, to preserve the long-views toward the state Capitol building from its surroundings. There is a limited list of exceptions allowed per state law and Madison’s Zoning Ordinance, approvable only by Conditional Use. The list includes church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys.

The City has been reviewing and approving Conditional Use requests on this subject for decades, both on new buildings and existing buildings. Note: As part of the City’s most recent Revisor’s Ordinance (Legislative Item [57563](#)), an inconsistency between the ordinance and the statute was corrected to clarify that these projections are indeed allowable as a conditional use on both existing and proposed buildings.

Recent projects have brought higher scrutiny to these approvals, and Plan Commission members have advised staff that having a standard would help with their review. Staff agrees. This amendment will help the Plan Commission (and staff) thoroughly review a Conditional Use requests to exceed Capitol View Height limit with an acceptable encroachment, and put the onus on the applicant to submit detailed information relative to any requested projection.

Staff supports this amendment.