

##. Supplemental Regulations and Building Form Standards.

Introduction

This subchapter includes the specific standards that apply to both permitted and conditional uses, where specified in each zoning district (a “Y” in the “Standards” column). Definitions of these land uses will be cross-referenced and hyper-linked in the final text.

Please note that:

- *Material in italics (like this introduction) is not part of the Code text; these are annotations.*
- *Sidebars are also used for longer comments.*
- *Highlights in the text or sidebars indicate changes or questions.*
- *Please also note that the format of this chapter is not the final format of the Code. All sections will be numbered and titled in a consistent manner, with input from the City Attorney.*

Intent

Supplemental regulations are established to address the unique characteristics of certain land uses. The standards and conditions listed for land uses in this chapter are applicable to both permitted uses and uses permitted by conditional use permit, as specified for each zoning district, unless otherwise noted.

Residential Uses – Family Living

A. Accessory dwelling unit. Accessory dwelling units within the TR-P District shall meet the following standards:

1. No more than one (1) secondary dwelling unit may be located on a lot.
2. The lot must be a corner lot or abut an alley.
3. The lot must have a minimum area of five thousand (5,000) square feet.
4. The lot must have a minimum width of fifty (50) feet for corner lots and sixty(60) feet for interior lots.
5. An attached secondary dwelling unit shall be part of the single family dwelling on the same lot for the purpose of the bulk requirements of the district. Any secondary dwelling unit connected to the single-family dwelling is considered attached.
6. A detached secondary dwelling unit shall be located only above a detached garage of the single-family dwelling on the same lot.
7. A detached secondary dwelling unit shall be located a minimum of five (5) feet from a side or rear lot line, unless the lot is adjacent to an alley, in which case it shall be located a minimum of two (2) feet from the rear lot line.
8. The height, lot area per dwelling unit, and usable open space

requirements for detached secondary dwelling units shall be as specified for the district.

9. The usable open space requirements for a detached secondary dwelling unit shall be fifty percent (50%) of the usable open space requirement in the district.
10. The single-family dwelling on the lot shall be owner-occupied.
11. The entryway to the secondary dwelling unit shall be connected to a street frontage with a paved walkway.
12. The secondary dwelling unit shall have a separate entrance from the single-family dwelling.

Accessory dwelling units in other residential districts may be allowed through creation of an ADU Overlay District, with specific standards.

- B. Mobile home, manufactured home. *TBA – need to revisit the “Planned community mobile home park district”*

Residential Uses – Group Living

- A. Adult family home. An adult family home may contain a second kitchen for privacy of staff, but such kitchen facilities shall be dismantled and removed when the arrangement is discontinued.
- B. Cohousing community. Standards and Conditions: *TBA – still under discussion*
- C. Community Living Arrangement: Community living arrangements (CLAs) serving up to eight (8) people shall meet the following standards:
 1. The loss of any state license or permit by a CLA shall result in an automatic revocation of that facility’s use permit.
 2. The applicant must disclose in writing the capacity of the community living arrangement.
 3. No new community living arrangement shall be located within two thousand five hundred (2,500) feet of an existing community living arrangement, except as provided under (5) below.
 4. The total capacity of all CLAs within an aldermanic district shall not exceed twenty-five (25) persons or one percent (1%) of the population, whichever is greater, of such district, except as provided under (5) below.
 5. No separation distance is required and the district percentage specified above does not apply if the persons served are disabled or handicapped under the Fair Housing Amendment Act (FHAA) or the Americans with Disabilities Act (ADA) and are living within the CLA because of their disability or handicap.

D. Co-operative housing. *TBA – still under discussion*

E. Dormitory, fraternity or sorority.

1. The use must be within one-quarter ($\frac{1}{4}$) mile of the campus of the institution it serves, unless another location is established in a campus master plan or conditional use permit.
2. The yard requirements for multiple-family use in the district apply when the use is not located on a campus.
3. On-site services shall be for residents of the facility only.
4. Where the use is conditional, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, to the extent practical. An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
6. The owner shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.

F. Lodging house.

1. The yard requirements for multi-family use in the district apply.
2. Where the use is conditional, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, to the extent practical.
3. The owner shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.

G. Assisted living, congregate care, senior housing complex.

1. The yard requirements for multi-family use in the district apply.
2. A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.
3. The site shall contain a minimum of one hundred fifty (150) square feet of usable open space per resident, consisting of outdoor seating areas, gardens and/or recreational facilities. Public parks or plazas within three hundred (300) feet of the site may be used to meet this requirement.
4. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
5. The owner shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and

bathrooms.

H. Convent, monastery, similar religious group.

1. The use must be accessory to a place of worship that is an allowed use under this ordinance. The use may be located on a separate zoning lot where separated by a public right-of-way from the primary use.
2. The yard requirements for multi-family use in the district apply.
3. A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.
4. The site shall contain a minimum of one hundred fifty (150) square feet of usable open space per resident, consisting of outdoor seating areas, gardens and/or recreational facilities. Public parks or plazas within three hundred (300) feet of the site may be used to meet this requirement.
5. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

Civic and Institutional Uses

A. Day care home, family or group.

1. The facility must pass the inspections of the Director of the Neighborhood Preservation and Inspection Division and the Fire Prevention Bureau prior to issuance of a use permit.
2. The loss of any state license or permit by a family or group day care home shall result in automatic revocation of that facility's use permit.

B. Day care center, nursery school.

1. The loss of any state license or permit by a day care center shall result in automatic revocation of that facility's use permit.
2. A designated area for the short-term parking of vehicles engaged in loading and unloading children shall be provided. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.
3. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

C. Library, museum.

A library or museum established after the effective date of this ordinance within a predominantly residential area shall have

vehicular access to a collector or higher classification street.

D. Mission house in conjunction with religious institution.

1. The yard requirements for multi-family use in the district apply.
2. A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.
3. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
4. The owner shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.

E. Place of worship.

1. A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.
2. Any facility with seating capacity of greater than 600 persons in the sanctuary or main activity area shall be a conditional use. Such facility shall be located with vehicular access to a collector or higher classification street.
3. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

F. Public safety facility: A government facility for public safety, service, and emergency services, including a facility that provides police or fire protection and public-related services.

G. Schools, public and private, colleges and universities.

1. A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.
2. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

H. Schools, arts, technical or trade.

1. A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.
2. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent

with the character of the neighborhood.

3. With the exception of facilities located in industrial districts, all activities shall occur within enclosed buildings.

Mixed Commercial/Residential Uses

A. Home occupation.

1. A home occupation may include small offices, service establishments or homecrafts which are typically considered accessory to a dwelling unit.
2. A home occupation shall not involve the conduct of a general retail or wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.
3. The occupation must be conducted within a dwelling and not in an accessory building, unless authorized by the plan commission as a conditional use.
4. The occupation must be clearly incidental and secondary to the principal use of the dwelling for dwelling purposes.
5. Only members of the immediate family residing on the premises may be employed, unless authorized by the Plan Commission as a conditional use.
6. No mechanical equipment shall be used except that which is used for purely domestic or household purposes, unless authorized by the plan commission as a conditional use;
7. No products shall be kept or commodities sold, other than those made on the premises, unless authorized by the plan commission as a conditional use;
8. Samples may be kept but not sold on the premises;
9. No more than twenty-five percent (25%) of the floor area of one story of the dwelling may devoted to such home occupation;
10. The entrance to the space devoted to the home occupation must be from within the building.
11. No structural alterations or enlargements shall be made to the dwelling for the primary purpose of conducting the home occupation.
12. The only exterior indication of the home occupation shall be a non-illuminated nameplate a maximum of two (2) square feet in area.
13. Exception: A home occupation of an individual with a disability who is incapable of employment outside the home by reason of significant physical or mental disability, as verified by a signed physician statement verifying the disability, is exempt from the requirements of subparagraphs 7 through 11.

B. Live/work unit.

1. The work space component must be located on the first floor or basement of the building, with an entrance facing the primary abutting public street.
2. The dwelling unit component must be located above or behind the work space, and maintain a separate entrance located on the front or side facade and accessible from the primary abutting public street.
3. The office or business component of the unit shall not exceed thirty percent (30%) of the total gross floor area of the unit.
4. The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. An increase in size or intensity beyond the specified limit would require the building to be classified as a mixed-use building.
5. The business component of the building may include offices, small service establishments, homecrafts which are typically considered accessory to a dwelling unit, or limited retailing associated with fine arts, crafts, or personal services. The business component shall be limited to those uses otherwise permitted in the district which do not require a separation from residentially zoned or occupied property, or other protected use. It may not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.

C. Mixed use buildings in residential districts. Mixed use buildings that include residential, commercial and office or studio uses may be allowed as conditional uses at corner locations within certain residential districts, where specified, meeting the following standards:

1. Buildings must be located at least one-quarter ($\frac{1}{4}$) mile from other mixed-use buildings in residential districts.
2. Minimum building height: two (2) stories
3. Maximum height: two (2) stories, may be increased to three (3) stories for underground parking, outstanding design features, or green features.
4. Buildings must meet NMX district frontage requirements for corner locations and building form standards for commercial block buildings.
5. Building footprint shall not exceed five thousand (5,000) square feet; any retail or office establishment shall not exceed two thousand five hundred (2,500) square feet in floor area.

Medical Facilities

A. Hospital.

1. The facility shall have vehicular access to a collector or higher

classification street.

2. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
 3. The boundaries of the institution shall be as defined in the conditional use permit or institutional master plan, and may not be expanded without the prior approval of the plan commission, as evidenced by an amended conditional use permit, or an approved master plan revision. The campus that is defined by the boundaries shall be a minimum of three (3) acres, and all property within the campus boundaries must be contiguous.
- B. Veterinary clinic, animal hospital. All activity shall take place within completely enclosed buildings with soundproofing and odor control; outdoor kennels are prohibited except in zoning districts where specifically permitted.

Retail Sales and Service

- A. Animal boarding facility, kennel, animal shelter.
1. Outdoor dog runs or exercise pens shall be located at least two hundred (200) feet from a residential use or district
 2. Any portion of an outdoor kennel facing an adjacent property shall be screened from view by a solid fence, hedge or similar plant material not to exceed six (6) feet in height.
- B. Drive-through facility.
1. Drive-through lanes and service windows shall be located to the side or rear of buildings, shall not be located between the principal structure and a public street, and shall be at least sixty (60) feet from the closest point of any residentially zoned property or property occupied with a one-, two-, or multiple-family dwelling.
 2. Points of vehicular ingress and egress shall be located at least sixty (60) feet from the intersection of two streets and at least sixty (60) feet from abutting residentially zoned property.
 3. Plans for onsite circulation and driveway locations shall be reviewed as part of the conditional use review process. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided without interfering with onsite parking/circulation.
 4. Speaker box sounds from the drive-through lane shall not be plainly audible so as to unreasonably disturb the peace and quiet of abutting residential property.
 5. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary

building and with a similar level of architectural quality and detailing.

6. A six-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.

C. Farmers market.

1. A facility established after the effective date of this ordinance shall have vehicular access to a collector or higher classification street.

D. Garden center, greenhouse.

1. In the NMX, TSS and MXC districts there shall be no exterior storage of bulk materials such as dirt, sand, gravel and building materials.
2. In all other districts bulk materials shall not be stored within the front yard setback and shall meet standards for outdoor storage and display.

E. Payday Loan Business: Any payday loan or auto title loan business must be located a minimum of five thousand (5,000) feet from any other payday loan or auto title loan business.

F. Pet day care. Applicants must submit at the time of permit application written operating procedures, such as those recommended by the American Boarding and Kennel Association (ABKA) or the American Kennel Club (AKC). Such procedures, which are to be followed for the life of the business, must address the identification and correction of animal behavior that impacts surrounding uses, including excessive barking.

G. Service business. Within the Employment Campus and Industrial districts (IL and IG), service businesses may only be located within a mixed-use building that includes office or other employment uses.

Food and Beverages

A. All food and beverage uses. Within the Employment Campus and Industrial districts (IL and IG), these uses shall only be located within a mixed-use building that includes office or other employment uses.

B. Brewpub. Wholesaling of beverages shall be permitted only where “wholesale establishment” is listed as an allowed use within a zoning district.

C. Outdoor eating areas accessory to food and beverage uses.

1. Primary access to the area shall be from within the establishment.
2. Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use permit.
3. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent

with the character of the neighborhood.

Commercial Recreation, Entertainment and Lodging

A. Bed and breakfast establishment.

1. The establishment must have a valid permit from the City Health Department.
2. The only meal that may be served is breakfast to registered guests.
3. No establishment shall be located within five hundred (500) feet of any other such establishment, measured lot line to lot line.
4. Fire protection shall be approved by the Fire Department, and may be more restrictive than State requirements.
5. Length of stay shall not exceed twenty-one (21) consecutive days for each registered guest.

[Note: Separation requirement is currently 1,000 feet in the R-1 district and 500 feet in all other residential districts where the use is allowed.]

B. Indoor recreation. In the NMX and TSS districts, the facility shall be located at least fifty (50) feet from the boundary of any residential use or district.

C. Lodge or club, private. It is permissible to serve food and meals on such premises provided adequate dining room space and kitchen facilities are available. Where properly licensed under existing City ordinances, the consumption of intoxicating beverages by members of such club or lodge, or their guests, is permitted.

D. Outdoor recreation, commercial.

1. A minimum twenty-five (25) foot setback area maintained as open space shall be provided along the perimeter of the site wherever it abuts a residential property.
2. If the use will be available to the general public, an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate shall serve the site. Ease of access to the site by automobiles, transit, bicycles, and pedestrians shall be considered as a factor in the review of any development proposal.
3. The site shall be designed in such a way as to minimize the effects of lighting and noise on surrounding properties. Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use permit.
4. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

Adult Entertainment Uses

- A. Adult entertainment establishment. (An adult entertainment establishment is an adult book or video store or an adult motion picture theater.)
1. Such establishments shall be licensed as provided in Section 9.05 of these ordinances.
 2. Exterior windows shall not be covered or made opaque in any way.
 3. No adult entertainment establishment shall be located within one thousand (1,000) feet of any church, synagogue, temple, mosque or any other place of worship, any lot in a residence district, either in the City of Madison or in a municipality adjacent to the City of Madison, any planned developments which allow residential dwelling units; any public park, any private or public elementary, secondary, or vocational school, any public or private playground, any day care center, any public library, any youth recreation area including little league baseball fields, soccer fields, and YMCAs/YWCAs, or any other adult entertainment establishment.
 4. The distance requirement under subdivision 3. above shall be measured along a straight line from the nearest property line of any church, synagogue, temple, mosque or any other place of worship, any lot in a residence district, either in the City of Madison or in a municipality adjacent to the City of Madison, any planned developments which allow residential dwelling units; any public park, any private or public elementary, secondary, or vocational school, any public or private playground, any day care center, any public library, any youth recreation area including little league baseball fields, soccer fields, and YMCAs/YWCAs, or any other adult entertainment establishment or adult entertainment tavern to the closest property line of the adult entertainment establishment.
 5. No material referenced under the definition of Adult Book or Video Store shall be placed in any exterior window, provided that material which is not so referenced may be placed in a window.
 6. An adult entertainment establishment may have only one (1) nonflashing business sign, which sign may only indicate the name of the business and identify it as an adult entertainment establishment.
- B. Adult entertainment tavern.
1. No such tavern shall be located within five hundred (500) lineal feet of a church, synagogue, temple, mosque or any other place of worship, any lot in a residence district, either in the City of Madison or in a municipality adjacent to the City of Madison, any planned developments which allow residential dwelling units; any public park, any private or public elementary, secondary, or vocational school, any public or private playground, any day care center, any public library,

any youth recreation area including little league baseball fields, soccer fields, and YMCAs/YWCAs, or any tavern, or any other adult entertainment tavern or adult entertainment establishment.

2. The distance requirement under subdivision 1. above shall be measured along a straight line from the nearest property line of any church, private or public day care center, preschool center, or public or private school, or public park, or any library, or any residential district, or any planned developments, or any tavern, or any other adult entertainment tavern or adult entertainment establishment to the closest property line of the adult entertainment tavern.
3. Said tavern shall acquire and maintain an adult entertainment tavern permit pursuant to Section 38.11 of these ordinances prior to issuance of an occupancy permit.

Automobile Services

- A. Auto body shop, automobile sales, automobile service station, convenience store. *[note separation requirement of 3/8 mile in current code]*
 1. All automobile servicing and repair activities must either:
 - a. be carried on within an enclosed building; or
 - b. be screened with one of the following along any property line that abuts a residential zoning district:
 - (1) a minimum of six-foot high masonry or decorative wood fence; or
 - (2) a planted area with a minimum width of eight feet and planted with a minimum of one shade tree per fifty (50) linear feet and one shrub per four (4) linear feet.
 2. Automobile repair bays shall not face a local, collector or arterial street, but may face an alley or rear lot line.
 3. The following activities and equipment are permitted only in the rear yard and at least fifty feet from a residential zoning district:
 - a. Storage of vehicle parts and refuse;
 - b. Temporary storage of vehicles while during repair and pending delivery to the customer;
 - c. Vacuuming and cleaning.
 4. The following activities and equipment are permitted only within an enclosed building:
 - a. Lubrication equipment;
 - b. Motor vehicle washing equipment;
 - c. Hydraulic hoists and pits;

- d. Body work and painting;
 - e. Storage of motor vehicles not in safe operating condition.
5. Outside storage or parking of any disabled, wrecked, or partially dismantled vehicle is not permitted for a period exceeding ten (10) days during any thirty (30) day period.
 6. No building, structure, canopy, gasoline pump, or storage tank shall be located within twenty-five (25) feet of a residential zoning district.
 7. Additional standards and conditions in NMX and TSS Districts: The principal building shall comply with the dimensional standards and design guidelines applicable to traditional neighborhood districts, except that the maximum setback requirement may be modified by the planning commission so that pump islands may be placed in front of the building if this arrangement is considered preferable for circulation, aesthetics or buffering of neighboring uses.

B. Car wash.

1. The carwash shall be completely enclosed when not in operation.
2. Any access drive shall be located at least thirty feet from any public street intersection, measured from the interior curb line commencing at the intersection of the street.
3. Any carwash line exit shall be at least thirty feet from any street line.
4. Sound from any speakers used on the premises shall not be audible at the boundary of any surrounding residential district or on any residential property.
5. Water from the carwash shall not drain across any sidewalk or into a public right-of-way.

[note separation requirement of 3/8 mile in current code]

C. Motor vehicle salvage yard, scrap yard.

1. Vehicle salvage uses shall be located on sites which are suitable from a topographic standpoint, so that views at the ground elevation up to a point four hundred (400) horizontal feet away will be adequately screened with fences and buffer areas surrounding the use.
2. All material not stored in a completely enclosed building shall be enclosed with a solid fence which is six (6) to ten (10) feet high and located on or inward from the established setback lines.
3. No materials shall be placed on the property that would exceed a height equal to the vertical plane extending from the top of the approved fence.

4. Hours of outside activity shall be limited to 7:00 a.m. until 8:00 p.m. and shall follow the City's noise regulations

Parking, Storage and Display Facilities

- A. Parking. See standards and requirements in Subchapter __, General Development Standards.
- B. Outdoor display: Where permitted, outdoor sales and display areas shall be separated from any adjacent street, sidewalk, or public walkway by a low landscaped screen, in compliance with Section __.
- C. Outdoor storage. Where permitted, outdoor storage shall be located outside of the front yard setback and shall not be placed between the principal building and the abutting street. Outdoor storage completely screened from any adjacent street, sidewalk, public walkway, public park, or residential property.

Limited Production, Processing and Storage Uses

- A. Contractor's yard. In the TW district, outdoor storage shall be located to the rear of the principal building. In all districts, outdoor storage shall be screened as provided in Section __.
- B. Laboratories - research, development and testing. No manufacturing shall be conducted on the premises except for experimental or testing purposes.
- C. Limited production and processing. In mixed-use, commercial and employment districts, all such uses are intended to be compatible with adjacent nonindustrial uses. Odors, noise, vibration, glare and other potential side effects of manufacturing processes shall not be discernable beyond the property line.
- D. Storage facility, personal indoor storage.
 1. No commercial transactions shall be permitted other than the rental of storage units.
 2. Plans for onsite circulation and driveway locations shall be reviewed as part of the conditional use review process. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern.

Agricultural and Resource Management Uses

- A. Intensive agriculture. To calculate number of animal units, use the most current Animal Units Calculation Worksheet of the Department of Natural Resources. This worksheet is used to determine whether an operation will reach or exceed 1,000 animal units, in which case a WPDES permit is required under NR 243, Wis. Admin. Code.
- B. Community garden or market garden. The following activities as part of a community or market garden operation require submittal of a management plan to the zoning administrator. The plan shall be reviewed as part of the site plan review process.

1. Animal husbandry, (includes keeping of more than four (4) chickens, beekeeping and fish farming);
 2. Off-street parking of more than ten (10) vehicles;
 3. Processing of food produced on site;
 4. Spreading of manure;
 5. Application of agricultural chemicals, including fertilizers and pesticides;
 6. Use of heavy equipment such as tractors.
- C. Roadside stand, farm stand.
1. The stand may not be permanently affixed to the ground and must be readily removable in its entirety.
 2. Maximum area of a roadside stand is three hundred (300) square feet in ground area.
 3. No more than one (1) roadside stand is allowed on any one premise.
- D. Selective cutting. On parcels approved for development, selective cutting is limited to areas designated for clearance on recorded plats or certified survey maps. Destruction of trees in excess of this amount is considered clear-cutting.
- E. Clear cutting. The applicant must demonstrate that clear cutting will improve the level of environmental protection on the subject property or is unavoidable due to grading or other development requirements. Areas clearcut beyond thirty percent (30%) of vegetation shall be replanted; replanting may occur in other portions of the property. *[note that a separate Tree Preservation Ordinance could address many more issues involving protection of native vegetation during construction.]*

Public Utility and Public Service Uses

- A. Sewage system lift station, water pumping stations, towers and reservoirs. The location of the facility must be reviewed and a landscape plan for the facility must be approved by the Director of Planning and Community and Economic Development.
- B. Telecommunication facilities. See Section __, General Regulations.

Accessory Structures and Uses

- A. Emergency electrical generator.
1. The electric output shall not exceed three thousand (3,000) kilowatts and the generator may be operated a maximum of two hundred (200) hours per year.
 2. The generator shall be located a minimum of twenty (20) feet from any zoning lot which permits residential uses

3. The generator shall be located and screened so as to reduce its visual impact when viewed from neighboring property and to be compatible with neighboring structures and the character of the community. This may include screening with materials similar in appearance to those used for the principal structure on the zoning lot, landscaping or fencing as approved by the Plan Commission.

Temporary Structures and Uses

- A. Dependency living arrangement, temporary accessory apartment.
 1. The owner of the dwelling must continue to reside there. The use permit issued under this paragraph is not transferable to another owner or occupant.
 2. One of the owners must be at least sixty (60) years of age or the Madison Health Director must certify that the owner's health is such that the conversion is permitted.
 3. The exterior appearance of the building shall remain generally the same. Any new entrance shall be placed on the side or rear facade of the building. Additions shall not increase square footage by more than ten percent (10%).
 4. Upon termination of the specific occupancy, all second kitchen facilities installed for this use shall be dismantled and removed from the premises within six (6) months unless an extension is granted because of potential re-occupancy.
- B. Keeping of chickens. Keeping of chickens is allowed as an accessory use to a single-family dwelling. *[was this updated?]*
 1. Keeping of roosters is prohibited.
 2. Slaughter of chickens is prohibited.
 3. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
 4. The enclosure shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot.
 5. The owner or operator must obtain a license under Sec. 9.52, M.G.O.
- C. Outdoor sales events. A maximum of four (4) outdoor sales events may be held annually, for a total maximum of thirty (30) days per calendar year.
- D. Portable storage units.
 1. A maximum of two (2) Portable Storage Units, not exceeding a cumulative gross floor area of two hundred fifty (250) square feet shall be permitted on a lot for no more than thirty (30) days per calendar year.
 2. The Portable Storage Unit(s) may be placed on a driveway, but

may not be placed on that portion of the driveway located in the front yard or side yard setbacks.

3. A temporary use permit is required.
- E. Temporary buildings for storage of construction materials and equipment. Buildings must be located on the same zoning lot as the project under construction, and shall be removed within thirty (30) days following completion of construction.
- F. Yard sales. A yard sale shall not exceed four (4) days in duration, and no more than one sale shall be held in any three (3) month period.

Building Form Descriptions and Standards

Intent

A variety of building forms are defined here in order to identify and establish basic design parameters for those buildings that may be appropriate in one or more zoning districts. Purposes of design standards are:

- A. To ensure compatibility between different land uses and building forms;
- B. To encourage building forms that respect their context;
- C. To encourage pedestrian movement by encouraging building forms that present an active face to the street.

Note that some residential land uses are identical to, or closely related to, residential building types. Others can occur in a broad variety of buildings. A multi-family dwelling unit, for example, can occupy a courtyard building, a large or small apartment building, or a mixed-use building.

Applicability

The design standards in this Section shall apply to new buildings or building additions that exceed the building's gross floor area by more than fifty percent (50%), with the exceptions listed below. Building additions shall comply with the design standards to the extent feasible, given the placement of the existing building.

Some design standards are closely linked to a specific building form (for example, a parking building). Other design standards will vary by district, and will be listed in those district chapters.

Building types that are not listed in this Section may be allowed if they meet the intent and other design standards of the district where they would be located.

Exceptions and Waivers

The design standards in this Section shall not apply within those zoning districts where buildings are specifically exempted from these design standards. Where there is a conflict between the design standards in this Section and the standards within a particular district, the district standards shall take precedence.

A waiver or modification of any standard may be granted if the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable. [Waiver through site plan review? By Zoning Admin., Planning Director or UDC?]

Residential Building Forms

Single-Family Detached Building

A single-family dwelling with yards on all sides, oriented to the street, with an attached or detached garage.

Access and Entry

Each dwelling shall have direct access from a porch, stoop or courtyard to the street

Parking, loading and trash disposal may be accessed from an alley or driveway.

Parking

Surface parking may be located in the side or rear yard setbacks or within the building envelope, as specified in Section xx [Parking].

Garages may be attached or detached.

Any street-facing wall that contains an attached garage door may occupy no more than fifty percent (50%) of the width of that building façade, measured at grade. That portion of the façade that contains the garage door must be recessed at least two (2) feet behind the remainder of the façade. This standard may be waived only in cases where topography or lot configuration makes it impractical to meet this standard.

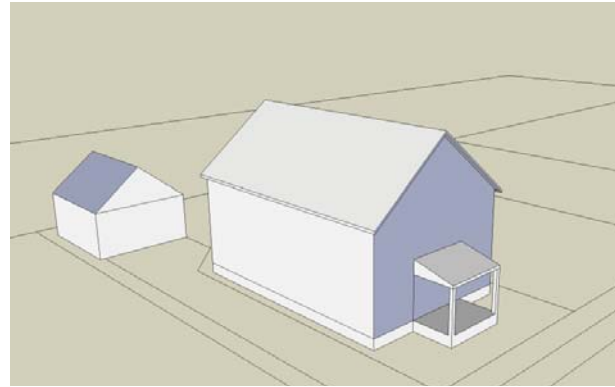
Detached garages must be located in the side or rear yard, meeting the standards for Accessory Buildings in Section ___.

Frontage

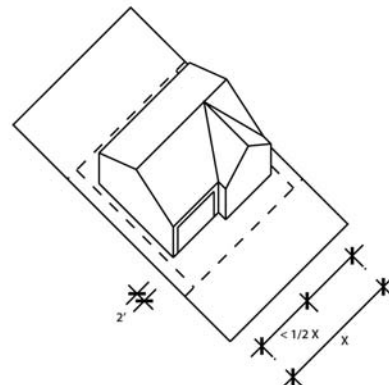
Each building must include a stoop, porch or terrace serving one or both dwelling units, oriented towards the primary abutting street.

Building Width

Buildings facing a public street may not be wider than fifty (50) feet along a single plane on the axis facing the street. Additional building wings facing the street shall be set back at least five (5) feet behind the front plane of the building.



Typical Single Family Detached Building



Attached Garage Recess

Two-Flat Building

A building containing two dwelling units that are vertically stacked one above the other, with a separate entrance to each unit and with yards on all sides.

Three-Flat Building

A building containing three dwelling units that are vertically stacked one above the other, with a separate entrance to each unit and with yards on all sides.

Access and Entry

At least one of the dwellings shall have direct access from a common porch or stoop facing the front lot line and street.

Parking, loading and trash disposal may be accessed from an alley or driveway.

Parking

Surface parking may be located in the side or rear yard setbacks or within the building envelope, as specified in Section xx [Parking].

Garages may be attached or detached, but are typically detached. Detached garages must be located in the side or rear yard, meeting the standards for Accessory Buildings in Section __.

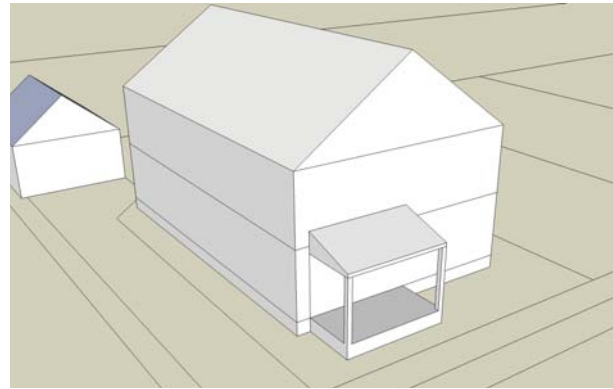
Any street-facing wall that contains an attached garage door may occupy no more than fifty percent (50%) of the width of that building façade, measured at grade. That portion of the façade that contains the garage door must be recessed at least two (2) feet behind the remainder of the façade. This standard may be waived only in cases where topography or lot configuration makes it impractical to meet this standard.

Frontage

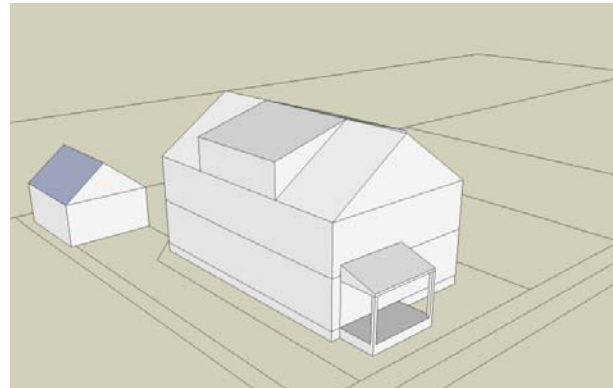
Each building must include a stoop, porch or terrace serving at least one of the dwelling units.

Building Width

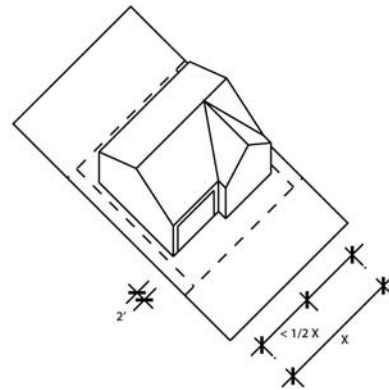
Buildings facing a public street may not be wider than forty (40) feet along a single plane on the axis facing the street. Additional building wings facing the street shall be set back at least five (5) feet behind the front plane of the building.



Typical Two-Flat Building



Typical Three-Flat Building



Attached Garage Recess

Two-Family Building, Twin

A building containing two attached dwelling units that share a common side wall and that are usually on separate lots, with the common wall at the lot line. If the dwellings are on separate lots, the common wall must be located on the side lot line. The dwellings can also be treated as condominiums, with a third ownership area consisting of the remainder of the lots.

Access and Entry

Each dwelling shall have direct access from a common or separate porch or stoop; at least one entrance shall face the front lot line.

Parking, loading and trash disposal may be accessed from an alley or driveway. Both units may, (and are encouraged to) share a common driveway.

Parking

Surface parking may be located in the side or rear yard setbacks or within the building envelope, as specified in Section xx [Parking].

Garages may be attached or detached. Detached garages must be located in the side or rear yard, meeting the standards for Accessory Buildings in Section __.

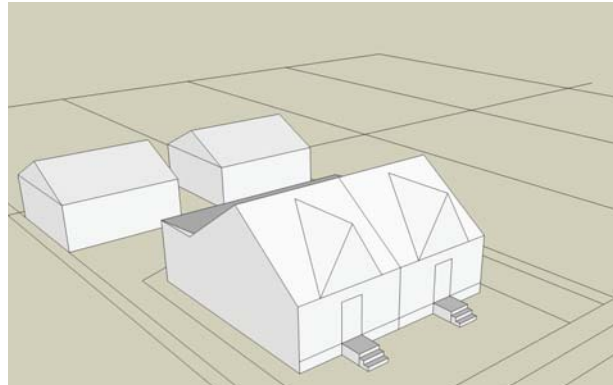
Any street-facing wall that contains an attached garage door may occupy no more than fifty percent (50%) of the width of that building façade, measured at grade. That portion of the façade that contains the garage door must be recessed at least two (2) feet behind the remainder of the façade. This standard may be waived only in cases where topography or lot configuration makes it impractical to meet this standard.

Frontage

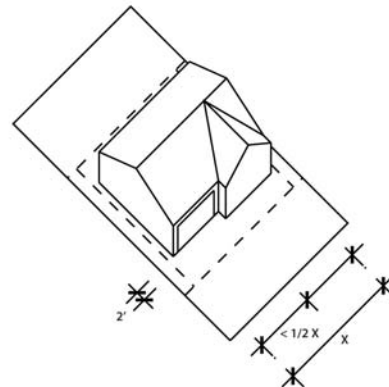
Each building must include a stoop, porch or terrace serving one or both dwelling units, oriented towards the primary abutting street.

Building Width

Buildings facing a public street may not be wider than fifty (50) feet along a single plane on the axis facing the street. Additional building wings facing the street shall be set back at least five (5) feet behind the front plane of the building.



Typical Two-Family Twin Building



Attached Garage Recess

Single-Family Attached Building, Townhouse, Rowhouse

A dwelling unit within a linear group of horizontally attached dwellings, each having a private entrance and totally exposed front and rear walls to be used for access, light and ventilation. Buildings may be oriented to the street or to a central green or courtyard.

Access and Entry

The principal entry to each dwelling shall have direct access to the street or to a courtyard.

Parking, loading and trash disposal may be accessed from an alley or common sideyard driveway serving one or more buildings.

Parking

Parking shall be located behind each building or in a common parking court in the interior of a block. Parking may be in a variety of configurations: surface, “tuck-under,” underground, or within an attached or detached garage to the rear of the principal building. Surface or structured parking may be located within the side yard provided that it occupies no more than 25% of the frontage along the primary abutting street.

Frontage

Each dwelling must include a stoop or porch fronting the street or a common green or courtyard.

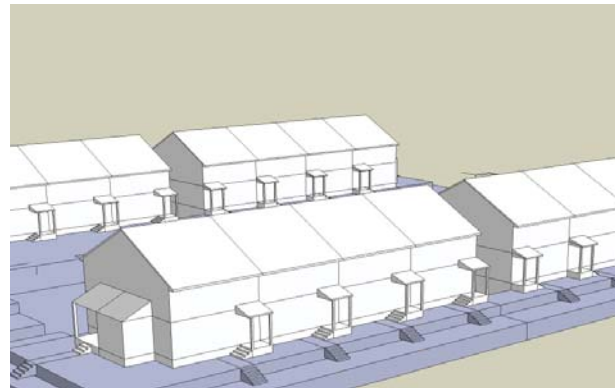
Buildings facing a public street shall be comprised of individual units, articulated vertically to create visual interest and continuity. Divisions or breaks in materials, entry placement, window bays or other architectural details shall be used to delineate individual units.

Massing and Articulation

Massing, proportions and articulation of single-family attached buildings should respond to existing residential buildings in their vicinity. Maximum building length parallel to the primary abutting street shall not exceed one hundred sixty (160) feet without a significant articulation of the facade.

Landscaping

Front yards shall be landscaped to provide visual screening and privacy. Landscaping may consist of trees, shrubs, and/or groundcovers, in combination with decorative fences or walls.



Typical Single Family Attached Buildings



Small Apartment Building

A multi-story multi-family building with a central entrance oriented to the primary abutting street, containing four to eight units. Buildings of this type are sometimes designed to resemble a large single-family building with a pitched roof.

Access and Entry

The principal entry to the building shall be oriented to the primary abutting street.

Parking, loading and trash disposal may be accessed from an alley or common sideyard driveway serving one or more buildings.

Parking

Parking shall be located behind each building, below the building, or in a common parking court in the interior of a block. Surface or structured parking may be located within the side yard provided that it occupies no more than 25% of the frontage along the primary abutting street.

Frontage

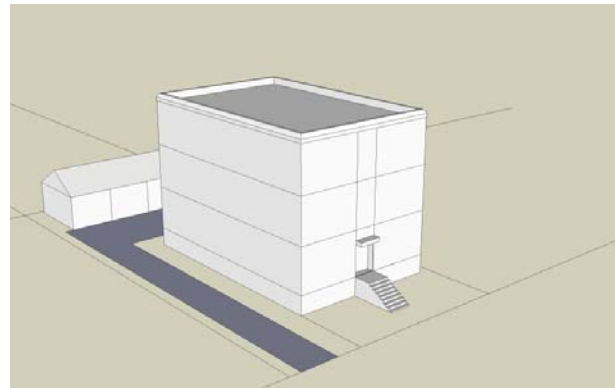
Each building must include a stoop or porch fronting the street or a common green or courtyard.

Massing and Articulation

Massing, proportions and articulation of small apartment buildings should respond to existing residential buildings in their vicinity, including features of those buildings such as roof pitch, proportions of windows and doors, and placement on the lot. Building facades shall be articulated vertically and horizontally for visual interest.

Landscaping

Front yards shall be landscaped to provide visual screening and privacy. Landscaping may consist of trees, shrubs, and/or groundcovers, in combination with decorative fences or walls.



Typical Small Apartment Building



Large Apartment Building, Stacked Flats

A multi-story building with combined entrances, stairways and elevators, comprised of single- or two-level occupant spaces stacked on top of each other, typically accessed from a central corridor.

Access and Entry

The principal entry to the building shall be oriented to the primary abutting street.

Parking, loading and trash disposal may be accessed from an alley or common drive serving one or more buildings.

Parking

Parking shall be located behind each building, under the building, or in a common parking court in the interior of a block. Parking may be located within the side yard provided that it occupies no more than 25% of the frontage along the primary abutting street. Structured parking at ground floor level shall not be visible from the front façade of the building.

Frontage

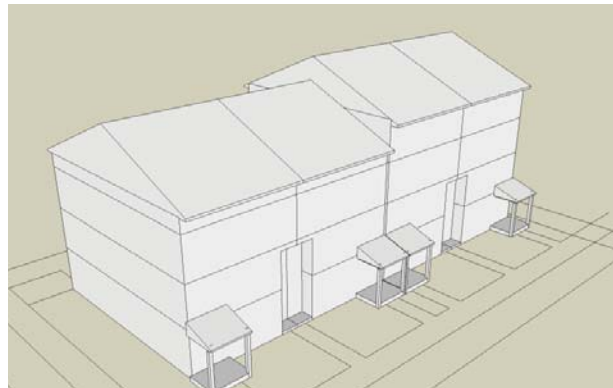
Each building must include a stoop or porch fronting the street.

Massing and Articulation

Massing, proportions and articulation of single-family attached buildings should respond to existing residential buildings in their vicinity. Maximum building length parallel to the primary abutting street shall not exceed one hundred sixty (160) feet without a significant articulation of the facade. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet.

Landscaping

Front yards shall be landscaped to provide visual screening and privacy. Landscaping may consist of trees, shrubs, and/or groundcovers, in combination with decorative fences or walls.



Typical Large Apartment Building



Courtyard Apartment Building

A multi-story multi-family building designed around an open courtyard abutting a primary street, surrounded by building walls on three sides.

Access and Entry

The principal entry to the building shall be oriented to the primary abutting street or courtyard. The courtyard shall be oriented to a street and shall be largely visible from the street, but may be separated from the street by a decorative fence.

Parking, loading and trash disposal may be accessed from an alley, through the courtyard, or through a common drive serving one or more buildings.

Parking

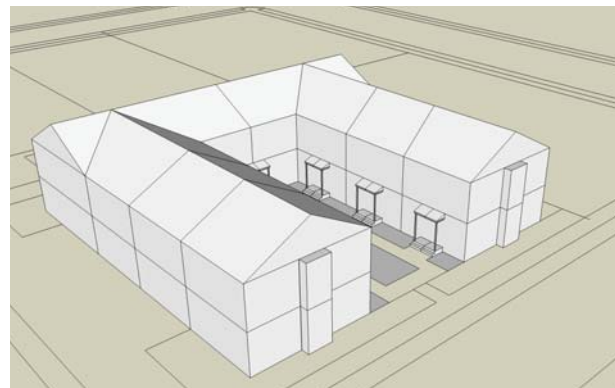
Parking shall be located behind each building or wholly or partially underground. Structured parking visible at ground floor level shall not be visible from the front façade of the building. Surface parking may be located to the side yard of a courtyard building provided that it occupies no more than twenty-five percent (25%) of the frontage along the primary abutting street.

Massing and Articulation

Buildings may be divided into individual attached units at ground level or served by shared entrances. Maximum building length parallel to the primary abutting street shall not exceed one hundred sixty (160) feet without a significant articulation of the facade. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet.

Landscaping and Open Space

Courtyards shall be a minimum of thirty-five (35) feet in width or depth, and shall be maintained as common open space for residents. Courtyards shall be fully landscaped and may also include play structures and other amenities.



Typical Courtyard Apartment Building



Carriage House Building

A building containing a detached garage and an accessory dwelling unit of modest size located above the garage. It is located on an alley or on the rear one-third of a lot that includes a principal building.

Access and Entry

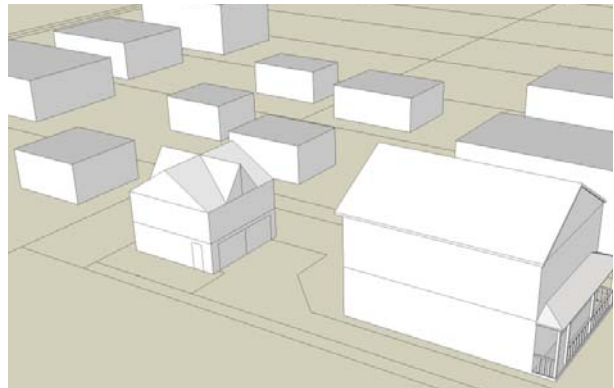
The principal entry to the unit shall be accessed from the side or rear yard or alley. The entry shall be connected to the abutting street by a paved walkway.

Parking

Parking shall be located below or beside the unit and accessed from an alley or side yard driveway.

Building Design

Carriage houses shall employ materials, roof pitch, orientation, door and window placement and proportions, and other details compatible with those of the principal building.



Typical Carriage House Building



Mixed Use and Non-Residential Building Forms

Commercial Block Building

A multi-story building that is designed to support a mix of commercial or office uses on the ground floor with office, studio, lodging and/or residential units above. Buildings are typically designed with storefronts or arcades at ground floor.

Access and Entry

Principal entry to each ground floor unit shall be a direct entrance from the primary abutting street. Parking, loading and trash disposal may be accessed from an alley or through a sideyard or rearyard drive serving one or more buildings.

Parking

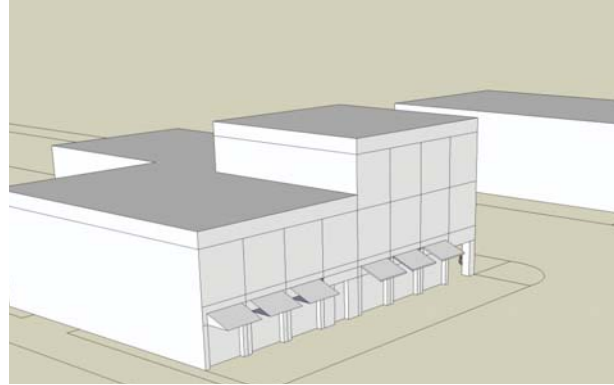
Parking shall be not be located between the building's front façade and the street. Parking may be located behind the rear plane of the principal building on the lot, or within a side yard, provided that no more than seventy (70) feet of lot frontage along the primary abutting street is occupied by parking or driveways. Parking may also be wholly or partially underground, or in a common parking area in the interior of a block.

Frontage

Buildings shall be designed with storefronts along at least fifty percent (50%) of the front ground floor façade. Stoops and patios may also be used.

Massing and Articulation

Maximum building length parallel to the primary abutting street shall not exceed one hundred sixty (160) feet without a significant articulation of the facade. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet. Entrances shall be provided at least every forty (40) feet along the primary abutting street.



Typical Commercial Block Building



Liner Building

A specialized building, parallel to the street, which is designed to conceal an area such as a parking lot or loading dock. While liner buildings may include commercial or residential uses, their limited depth (from front to back) makes them more disposed to residential use. Liner buildings may have a small common front yard, but do not include individual private outdoor spaces.

Access and Entry

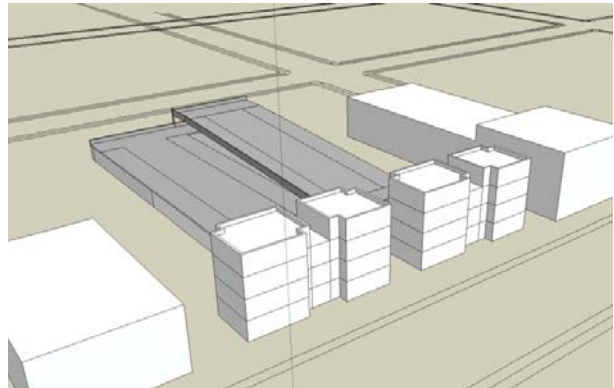
Principal entry to each ground floor unit shall be a direct entrance from the primary abutting street.

Frontage

Buildings may be designed with storefronts, porches or stoops serving one or more units.

Massing and Articulation

Maximum building length parallel to the primary abutting street shall not exceed three hundred (300) feet without a visual break such as a courtyard or recess. Minimum building depth is sixteen (16) feet. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet. Entrances shall be provided at least every forty (40) feet along the primary abutting street.



Typical Liner Building



Parking Building

A multi-story building specifically designed for parking of automobiles on a temporary basis, which may also include ground-floor storefronts and upper-level office space. Often paired with a liner building along the street frontage.

Access and Entry

Principal entry to each ground floor unit shall be a direct entrance from the primary abutting street. Vehicular entrance drives shall be located and designed to minimize interference with pedestrian movement. Vehicular entrances on secondary streets are encouraged.

Building Design

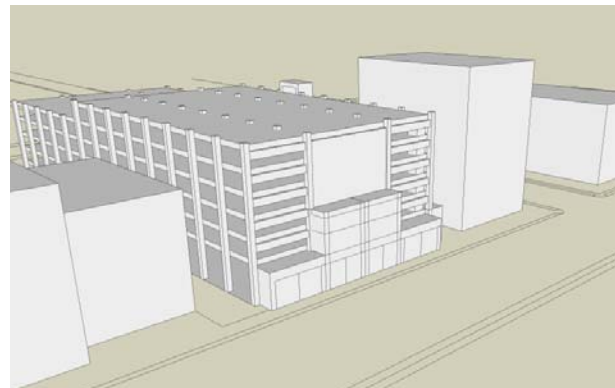
The ground floor of any parking structure abutting a public street or walkway shall be designed and architecturally detailed in a manner consistent with new commercial or mixed-use buildings.

Upper floors shall be designed so that sloped floors typical of parking structures do not dominate the appearance of the façade.

Windows or openings shall be provided that echo those of surrounding buildings.

Massing and Articulation

Maximum building length parallel to the primary abutting street shall not exceed (300) feet without a visual break such as a courtyard or recess. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet. Entrances shall be provided at least every forty (40) feet along the primary abutting street.



Typical Parking Building



Live-Work Building

Similar to townhouses in scale and detailing, but with a ground floor designed for small commercial, office and service establishments, often with storefront detailing. Buildings are typically placed close to the sidewalk, although a forecourt or patio design may be used to allow for outdoor seating space.

Access and Entry

Principal entry to each ground floor unit shall be a direct entrance from the primary abutting street.

Parking

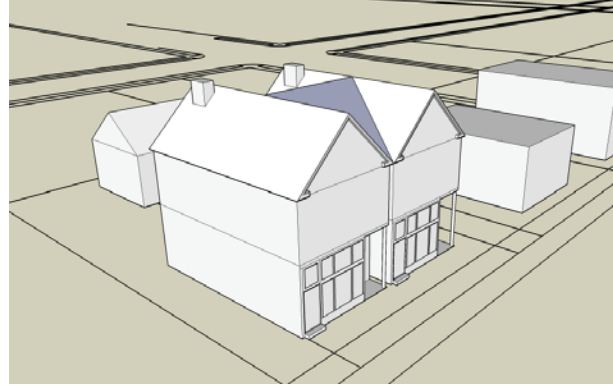
Parking shall be located behind each building or wholly or partially underground. Parking may be located within the side yard provided that it occupies no more than 25% of the lot frontage along the primary abutting street.

Frontage

Buildings may be designed with storefronts, porches, stoops or forecourts serving one or more units.

Massing and Articulation

Massing, proportions and articulation of live-work buildings should respond to existing residential buildings in their vicinity. Maximum building length along the primary abutting public street shall not exceed one hundred sixty (160) feet without a significant articulation of the facade. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet.



Typical Live-Work Building



Residential/Commercial Conversion

A former single-family dwelling converted to commercial or office use. The front yard generally remains as landscaped open space or courtyard; parking must be in the rear. The building form remains residential in character; ground floor windows and doors may be enlarged for improved visibility and access.

Access and Entry

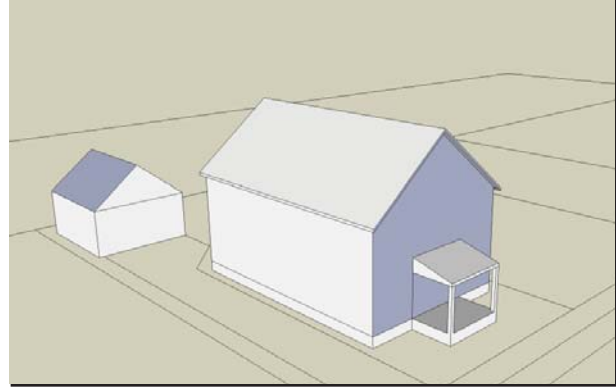
Principal entry to each ground floor unit shall be a direct entrance from the primary abutting street.

Parking

Parking shall be located behind the building or in a separate common off-street parking facility. Side yard parking may be acceptable if no other alternatives exist.

Frontage and Design

The residential form of the building shall generally be maintained. Porch, stoop or patio frontage may be acceptable. Accessibility may be improved through changes in entrance grade or other means.



Typical Residential / Commercial Conversion



Podium Building

A multi-story mixed-use building in which the upper stories are stepped back from a lower base, to provide outdoor terraces, to avoid excessive shadowing of streets or public spaces, or to preserve important views.

Access and Entry

One or more ground floor entrances from the primary abutting street shall be provided.

Parking

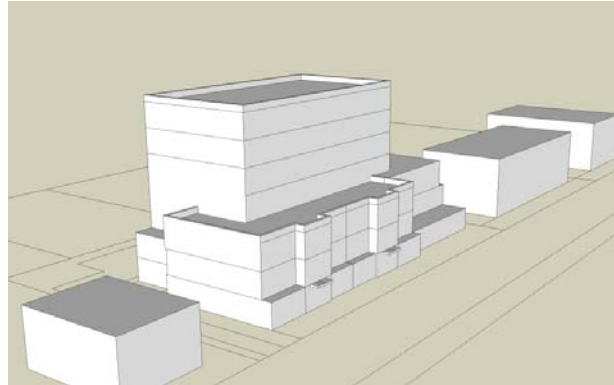
Parking shall be located behind each building, under the building, or in a common parking court in the interior of a block. Parking may be also be located within a side yard provided that it occupies no more than 40% of the frontage along the primary abutting street. Structured parking at ground floor level shall not be visible from the front façade of the building.

Frontage

Buildings may be designed with storefronts, stoops or forecourts.

Massing and Articulation

Maximum building length along the primary abutting public street shall not exceed one hundred sixty (160) feet without a significant articulation of the facade. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet.



Typical Podium Building



Flex Building

A variable building type at least two stories in height, designed to accommodate a variety of uses, including combinations of office, retail, lodging, and/or residential. A principal entrance should be oriented to the primary abutting street.

Access and Entry

One or more ground floor entrances from the primary abutting street shall be provided.

Parking

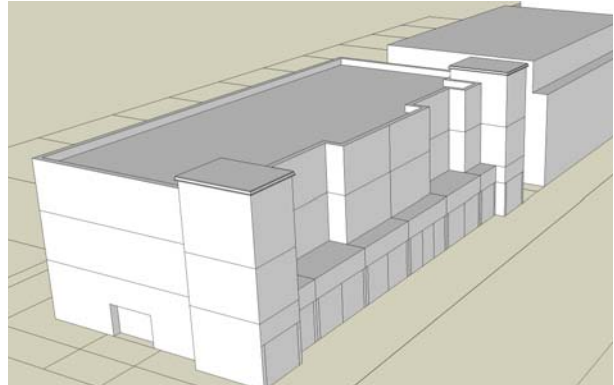
Parking shall be not be located between the building's front façade and the street. Parking may be located behind the rear plane of the principal building on the lot, or within a side yard, provided that no more than 70 feet of lot frontage along the primary abutting street is occupied by parking or driveways. Parking may also be wholly or partially underground, or in a common parking area in the interior of a block.

Frontage

Buildings may be designed with storefronts, stoops or forecourts.

Massing and Articulation

Maximum building length along the primary abutting public street shall not exceed one hundred sixty (160) feet without a significant articulation of the facade. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet



Typical Flex building



Industrial Building

A large open-floor-plate building that allows maximum flexibility in the types of uses accommodated. Buildings are typically characterized by a tall single story or first floor, and may be set on a raised base to facilitate industrial loading and unloading.

Access and Entry

One or more ground floor entrances from the primary abutting street shall be provided.

Parking

Parking may be provided on any side of the building. Loading activities shall be situated to the side or rear of the building.

Massing and Articulation

Facades facing a public street shall be vertically articulated at a minimum interval of 60 feet.

