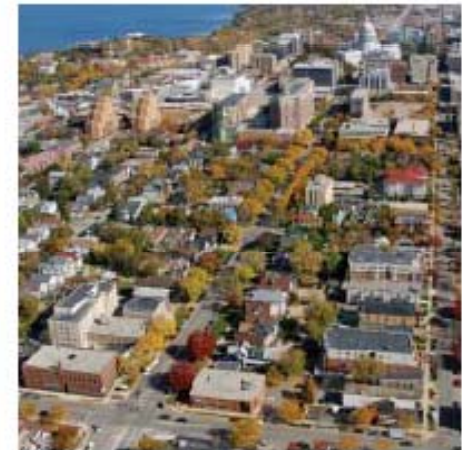




Draft Zoning Code
Community Summit
Community Meetings
June 2009



Why the Rewrite?

Overview of the New Code

Current and New Districts

Next Steps

Consultant Team

Cunningham Group

Code Writing and Urban Design

White & Smith, LLC

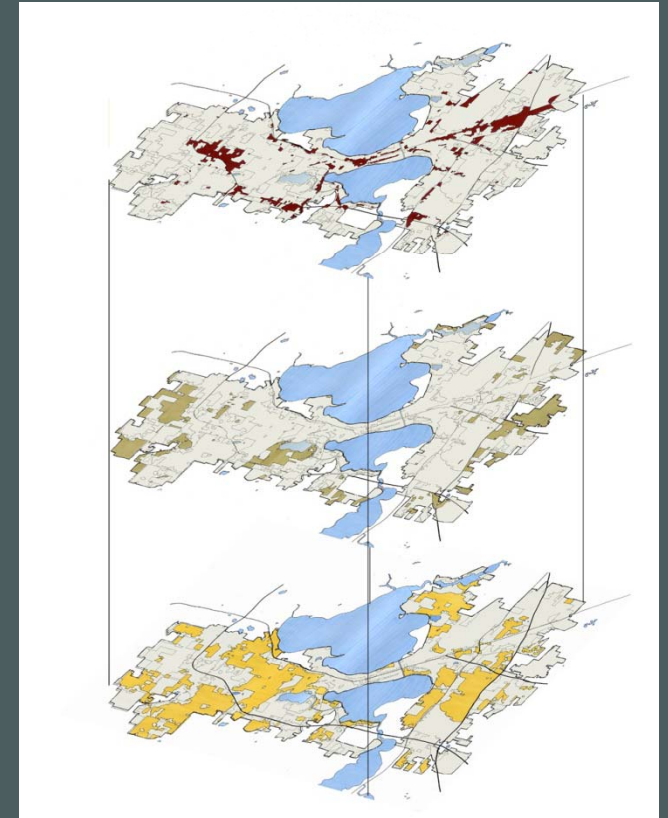
Code and Legal Advisor

Keane Musty

Form-Based Code

URS Corporation

GIS



History of Zoning Codes in Madison

Updates:
December 1st 1945
August 26th 1954

Jan. 13th
1966

Madison's Zoning Ordinance No. 2047

Adopted November 20, 1922

CHAPTER 16

ZONING AND CITY PLANNING

Section

- 16.01 City Plan Commission.
- 16.02 Zoning--Interpretation and Purposes.
- 16.03 Districts and Maps.
- 16.04 Definitions.
- 16.05 General Provisions.
- 16.06 Agricultural Districts.
- 16.07 Residential "A-1" Districts.
- 16.08 Residential "A-2" Districts.
- 16.09 Residential "B-1" Districts.
- 16.095 Residential "B-2" Districts.
- 16.10 Residential "C" Districts.
- 16.11 Residential "D" Districts.
- 16.12 Trailer Camp and Tourist Court Districts
- 16.13 Commercial "A" Districts.
- 16.14 Commercial "B" Districts.
- 16.15 Commercial "C" Districts.
- 16.155 Industrial Park Districts.
- 16.16 Industrial "A" Districts.
- 16.17 Industrial "B" Districts.
- 16.18 Garages, Parking Lots and Filling Stations
- 16.19 Exceptions and Modifications.
- 16.20 Enforcement.
- 16.21 Board of Appeals.
- 16.22 District Changes and Ordinance Amendments.
- 16.23 Land Division Regulations.
- 16.24 (RESERVED FOR FUTURE USE.)
- 16.25 Setback Lines Established.
- 16.26 Airport Approach Protection.

Legislative History of Chapter 28, Madison Zoning Ordinance

Chapter 28, the new zoning ordinance, was created following the adoption of Ordinance No. 1955 by the Common Council on January 13, 1966. However, the new zoning ordinance did not become effective until July 8, 1966, when Ordinance No. 2062 and 2063 were both published in the City's official newspaper. Ordinance No. 2062, adopted on June 23, 1966, repealed the previous zoning ordinance then in effect. Ordinance No. 2063, also adopted on June 23, 1966, incorporated the zoning district maps as a part of Chapter 28 and also readopted Chapter 28. Since July 8, 1966, several amendments to the zoning ordinance, including both text and map amendments, have been adopted. The following include only the text amendments adopted to September 1, 1966, and these amendments are incorporated in this chapter:

- Ordinance No. 2060 adopted June 23, 1966.
 - Ordinance No. 2061 adopted June 23, 1966.
 - Ordinance No. 2072 adopted July 14, 1966.
 - Ordinance No. 2092 adopted August 11, 1966.
 - Ordinance No. 2093 adopted August 11, 1966.
- See additional references in this chapter.

AN ORDINANCE to regulate and restrict the location of trades and industries and the location of buildings designed for specified uses, to regulate and limit the height and bulk of buildings hereafter erected or altered, to regulate and limit the percentage of lot occupancy, to regulate and determine the area of yards, courts and other open spaces surrounding buildings, and for said purposes to divide the city into districts, to provide a method of administration, and to prescribe the penalties for the violation of its provisions.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADISON WISCONSIN:

SECTION 1.-DEFINITIONS.

For the purpose of this ordinance, certain terms and words are herewith defined, as follows:

Words used in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure;" the word "shall" is mandatory and not directory.

Accessory Building: A subordinate building or portion of main building, the use of which is incidental to that of the main building.

Alley: A public thoroughfare not over twenty (20) feet wide.

Apartment House: A building or portion thereof used or intended to be used as a residence by three or more families living in separate apartments.

Area: See "Building Area".

Boarding House: A building, other than a hotel, where lodging and meals, for five or more persons, are served for compensation.

Building: Any form of construction for the shelter, support or enclosure of persons, animals or chattels; and when separated by division walls from the ground up, and without opening, each portion of such building shall be deemed a separate building except as provided in Section 15 (g).

Building Area: The maximum horizontal projected area of a building and its accessory buildings, excluding open steps, terraces, and eaves projecting not more than thirty (30) inches.

Court, Inner: An open unoccupied space enclosed on all sides by walls, or by walls and a lot line.

Court, Outer: An open unoccupied space on the same lot with a building opening upon a street, alley, yard or setback.

Court, Height'of: The vertical distance from the lowest level of such court to the highest point of any bounding wall.

Court, Length of Outer: The mean horizontal distance between the open and closed ends of the court.

Curb Level: The mean level of the established curb in front of the building. Where no such curb has been established the city engineer shall establish such curb level for the purpose of these regulations.

Dwelling, One-Family: A detached building, having accommodations for and occupied by only one family.

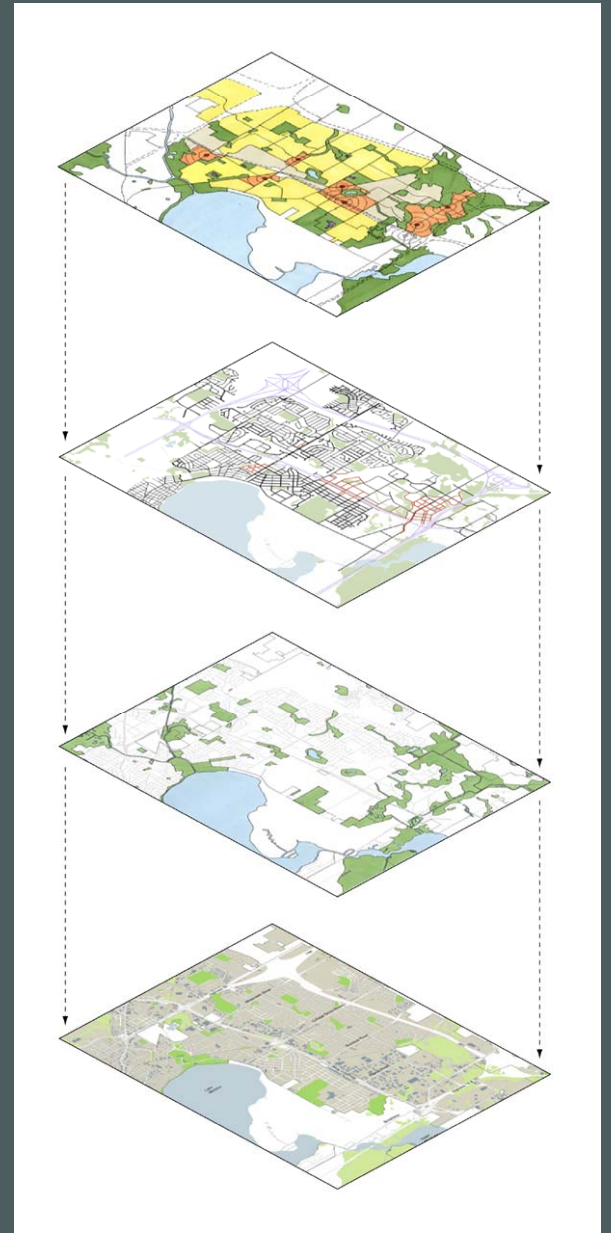
Dwelling, Two Family: A detached or semi-detached building having accommodations for and occupied as a dwelling by not more than two (2) families.

Garage, Private: A garage with capacity for not more than four (4) steam or motor driven vehicles, for storage only, for private use and not more than one space in which shall be rented to persons not occupants of the premises.

Garage, Public: Any building or premises used for housing or care of more than four (4) steam or motor driven vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

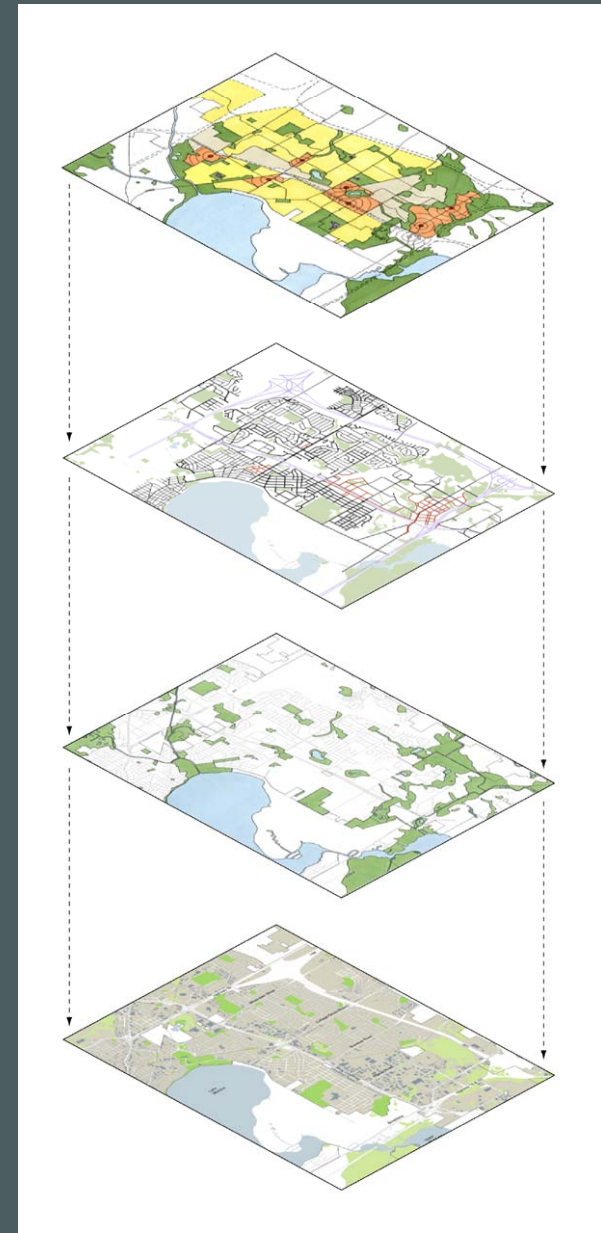
Keeping up with Change:

- No Comprehensive Code Rewrite since 1966
- Neighborhood and Area Plans
- Urban Design Districts
- Downtown Design Zones Overlay
- 2006 Comprehensive Plan
- Multiple Code Amendments



Project Objectives - To craft a Zoning Code that:

- Implements the recommendations of the Comprehensive Plan and neighborhood/area plans
- Is integrated with and cross-references related ordinances
- Includes graphics and illustrations that make it easy to use
- Incorporates land use-based and form-based provisions



Project Objectives – Implementing the Comprehensive Plan

- Includes mixed-use zoning districts and a traditional neighborhood development district
- Promotes high-quality, context-sensitive infill and redevelopment projects
- Links land use and transportation, promoting transit-oriented and traditional neighborhood development
- Promotes transit, walking and biking
- Promotes a sustainable built and natural environment



What will the Code Rewrite Not Accomplish?


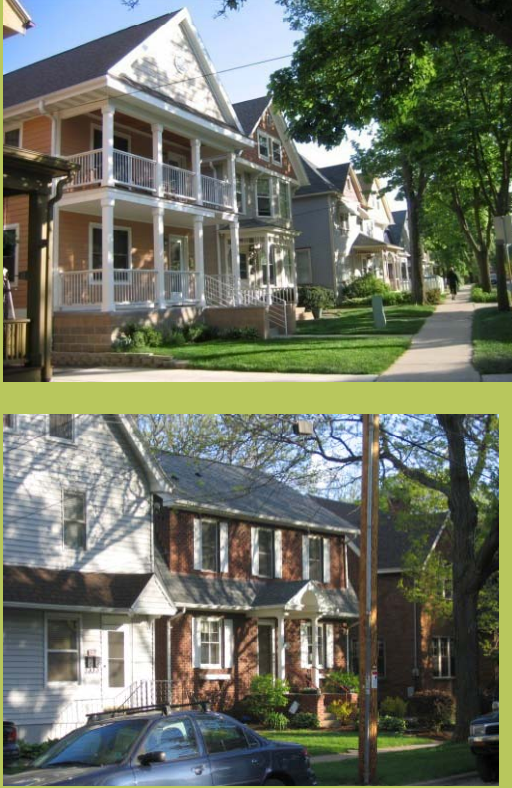
- It will not update the Comprehensive Plan
- It will not change or replace neighborhood or area plans
- It will not change regional or transit plans
- It will not conflict with State statutory requirements for zoning
- It will recommend changes to related City ordinances, but won't update them concurrently

Unifying Principles

- Zoning districts should be based on the City's inherent character and valued places.
- Zoning should include an increased emphasis on urban form
- The Code should be simplified where possible, but must retain complexity where needed
- The process should be as inclusive as possible



“Character Areas” Concept

Area / Characteristics	Map Example	Sample Images
<p>Traditional Neighborhood, Consistent Housing Types:</p> <ul style="list-style-type: none">• Early 20th century housing styles• Single-family, two- and three-family houses• Detached sidewalks, street trees• Detached rear yard garages where lot widths permit driveways		

Project Milestones

Community Meetings, May
2008

- ❑ **Experience with the Code**
- ❑ **Examples of Good Development**
- ❑ **Goals for the Rewrite Process**

Focus Groups, Developers,
Neighborhood Association
members

Zoning Analysis Report,
June 2008

Annotated Outline Report,
September 2008

Community Meetings, September
2008

- ❑ **Introduction of New Districts**

Disclaimers

- Not a final draft
- Revisions will continue
- No consensus on some issues
- Certain issues will only be resolved at the mapping stage
- Downtown districts will fill out the upper end of the density scale
- Shorter is not always clearer

Zoning Code Outline

- A. Introduction
- B. General Provisions – districts, zoning map
- C. Residential Districts
- D. Mixed Use and Commercial Districts
- E. **Downtown Districts (TBA)**
- F. Employment Districts
- G. Special Districts
- H. Overlay Districts
- I. Floodplain Regulations
- J. General Regulations
- K. Supplemental Regulations
- L. Building Form Standards
- M. Procedures
- N. Nonconformities
- O. Boards and Commissions
- P. Definitions and rules of Construction

Residential Districts (14)

Current District	Proposed District	Primary Purpose (Proposed Zoning District)
R1 – Single-Family Residence (8,000)	SR-Consistent 1 TR-Consistent 1	SR-C1: Single-family detached, 8,000 sq. ft. minimum TR-C1: Single-family detached, 6,000 sq. ft. minimum
R1-R Rustic Residence (0.6 ac.)	TR-Rustic	Single-family detached, 0.6 ac. lot size; deep setbacks
R2 – Single-Family Residence (6,000)	SR-Consistent 2 TR-Consistent 2	SR-C2: 6,000 sq. ft. minimum TR-C2: 4,800 sq. ft. minimum (recognizes existing small lots)
R2S, R2T, R2Y, R2Z Single-Family (3,500 – 5,000)	TR-Planned	Single, two-family, attached and small multi-family types; traditional neighborhood design, alley and street access 3,500 sq. ft. minimum
R3 – Single- and Two-Family Res. (4,000) R4L, R4A Limited General Residence	SR-C3 TR-C3	SR-C3: 6,000 to 8,000 sq. ft., single- and two-family TR-C3: 4,800 sq. ft., single- and two-family
R4 General Residence (2,000/unit, 6,000/lot)	SR-V1 TR-V1 SR-V2 TR-V2	SR-V1: single, two to 4-family, 6,000 to 8,000 sq. ft. TR-V1: single, two and 3-family, 6,000 to 8,000 sq. ft. SR-V2: single to multifamily (8 units), 2,000 to 6,000 sq. ft. TR-V2: single to multi-family (8 units): 2,000 to 4,800 sq. ft.
R5 General Residence	TR-U1 TR-U2	TR-U1: single to multifamily, 1,000 to 6,000 sq. ft. TR-U2: single to multifamily, 600 to 6,000 sq. ft.
R6 General Residence	Downtown Districts (TBD)	
R6H General Residence	Downtown Districts (TBD), Historic District Overlay	

Mixed-Use and Commercial Districts (6)

Current District	Proposed District	Primary Purpose (Proposed Zoning District)
C1 Limited Commercial	NMX Neighborhood Mixed Use	Neighborhood-scale uses; 5,000 – 10,000 sq. ft. for businesses/buildings; 3 story height, building frontage standards
C2 General Commercial	TSS Traditional Shopping Street	Mixed-use corridor, neighborhood-scale uses; 10,000 – 25,000 sq. ft. businesses, buildings, 3 story height, building frontage standards
C2 General Commercial	CC-T Commercial Corridor - Transitional	Mixed-use highway corridors, medium-scale uses; 25,000 – 40,000 sq. ft. businesses/buildings, 5 story height, building frontage standards
C2 General Commercial	MXC Mixed-Use Center	Master-planned district; unified design and circulation; 25,000 – 40,000 sq. ft. businesses/buildings, 4 story height
C3 Highway Commercial	CC-T Commercial Corridor - Transitional	Mixed-use highway corridors, medium-scale uses; 25,000 – 40,000 sq. ft. businesses/buildings, 5 story height, building frontage standards
C3L Commercial Service and Distribution	CC Commercial Center	Existing shopping centers and large-scale commercial uses; 25,000 – 40,000 sq. ft. businesses/buildings, 5 story height, building frontage standards
C4 Central Commercial	<i>Downtown District TBD</i>	

Employment Districts (6)

Current District	Proposed District	Primary Purpose (Proposed Zoning District)
M1 Limited Mfg (Urban)	TW Traditional Workplace	Mixed-use district with employment focus, limited residential and commercial; focus on reuse; 5 story height, frontage standards
O-1 Limited Office-Res. O-2 Business and Professional Office	SE Suburban Employment	Free-standing offices, limited production; 20,000 sq. ft. lot size; 5 story height
RPSM Research Park – Specialized Manufacturing RDC – Research and Development Center	EC Employment Campus	Master-planned office and research parks, internal circulation, design review, parking placement standards; minimum FAR and 2-story height, no maximum height
O-3 Administrative Office O-4 Administrative and R & D	SEC Suburban Employment Center	Similar to existing office/research park standards; design review; 1 acre lot size; 75% lot coverage; no maximum height
SM, Specific Mfg, M1 Limited Mfg (General)	IL Industrial – Limited	Standard district; limits commercial uses, screening of outdoor storage, 20,000 sq. ft. lot size; 75% lot coverage; no maximum height
M2 General Mfg	IG – Industrial - General	Standard district; limits commercial uses, 10,000 sq. ft. lot size; 75% lot coverage; no maximum height

Special Districts (7)

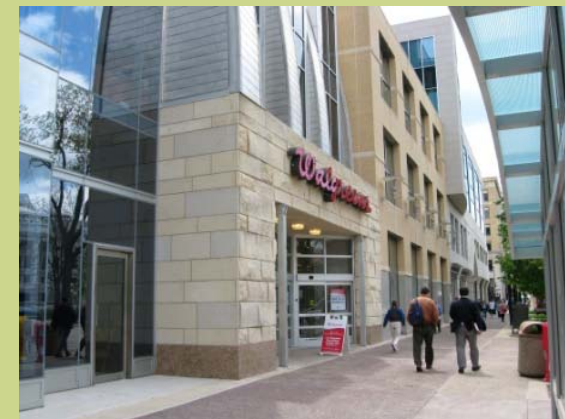
Current District	Proposed District	Primary Purpose (Proposed Zoning District)
A Agriculture	A - Agricultural	Cultivation and animal husbandry; intensive ag. by conditional use
NONE	UA - Urban Agricultural	Cultivation and animal husbandry within developed areas; more intensive activities require management plan
C - Conservancy	C - Conservancy	Parks, preserves, protected open space, environmentally sensitive areas, golf courses, etc.
NONE	Airport District	Recognizes Dane County airport standards
NONE	Campus Institutional District	Encourages institutional master plans with City / public review process
Planned Unit Development / related districts	Planned Development	Sets higher standards for use of this method.
Planned Comm. Mobile Home Park	Planned Mobile Home Park	Similar to current standards

Overlay Districts (6)

Current District	Proposed District	Primary Purpose (Proposed Zoning District)
Wellhead Protection Overlay	Wellhead Protection Overlay	Same
Floodplain	Floodplain	Reorganized into single subchapter
Wetland	Wetland Overlay	Overlay district will improve ability to map
NONE	Transit-Oriented Development Overlay	Support transit investment and station area planning by requiring minimum density/intensity in rail station areas, (to be defined)
Neighborhood Conservation Overlay	Neighborhood Conservation Overlay	Same
Historic District Suffixes	Historic District/ Landmark Overlay	Same requirements
NONE	Urban Design Overlay	Links Urban Design Districts to Zoning; allows UD District standards based on neighborhood plan to supersede some zoning standards
NONE	Accessory Dwelling Unit Overlay	Allows neighborhood study process to allow ADUs

Highlights of the Code: Use Tables

	Residential Districts														Standards
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	
Retail, Service, Recreation and Other Uses															
Bed and breakfast establishments	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Home occupation	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	Y
Market garden	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Golf course, public or private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Swimming and tennis clubs, private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Limited retail use of landmark site or building	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Mixed-use building at corner location		C	C	C	C	C	C	C	C	C	C	C		C	Y
Management office, restaurant, limited retail, recreation facilities within multi-family building					A					A	A	A			Y
Any structure with floor area exceeding 10,000 sq. ft.	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Lakefront development	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Utility Uses															
Electric substations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Gas regulator stations, mixing and gate stations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Telecommunications towers and transmission equipment buildings	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Sewerage system lift stations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Water pumping stations, water reservoirs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Accessory Uses and Structures															
Emergency electric generator	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Accessory building or structure, not exceeding maximum size	A	A	A	A	A	A	A	A	A	A	A	A	A	A*	Y
Accessory building or structure, exceeding maximum size	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Keeping of up to 4 chickens	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Lease of off-street parking space(s)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Parking lot accessory to a nonresidential use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Parking lot exceeding minimum required parking	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Temporary Uses															
Dependency living arrangement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Real estate sales office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y



Highlights of the Code: Rethinking Parking

- The amount of required parking is reduced for almost all uses
- Maximum parking standards are added for each use
- Most commercial, mixed-use and employment districts do not require off-street parking, except for large uses and buildings or concentrations of eating places.
- Bicycle parking is “detached” from number of automobile spaces required
- New standards for short vs. long-term bike parking, parking area design
- Increased landscaping for off-street parking and development sites
- Shared parking standards are updated to encourage shared parking



Highlights of the Code: Open Space and Landscape

- Lot coverage requirement establishes a maximum percentage of impervious surfaces on a lot; the remainder must be green space.
- Pervious pavement and green roofs are encouraged because they are not included in maximum lot coverage.
- Usable open space requirements revised so paved areas are not included (except walkways/pervious)
- Landscaping requirements are increased, are now based on total “developed area” rather than parking area. Greater variety of landscape options.



Sustainability Aspects of the 2009 Draft Zoning Code

Open Space, Impervious Surfaces and Landscaping

Lot coverage requirement establishes a maximum percentage of impervious surfaces on a lot; the remainder must be green space.

Pervious pavement and green roofs are encouraged because they are not included in maximum lot coverage.

Usable open space requirements revised so paved areas are not included (except walkways/pervious)

Landscaping requirements are increased, are now based on total “developed area” rather than parking area. Greater variety of landscape options.

Residential Districts – Compact Development and Diverse Housing Types

Smaller lot sizes in many districts enable more compact infill development

Narrower front yard setbacks encourage interaction.

Open porches may extend into front yard setbacks.

Amount of required parking is reduced.

Required parking need not be constructed.

Many districts allow or require a mix of housing types.

Accessory dwelling units may be developed through an overlay district process.

Mixed Use, Walkability and Community Health

New Neighborhood Mixed-Use District and Traditional Shopping Street District geared to neighborhood nodes and corridors, small-floorplate uses.

All Mixed-Use and Commercial districts allow residential uses.

Building form and design standards for Mixed-Use and Commercial districts bring buildings close to the sidewalk and reduce the visibility of surface parking to create a more lively pedestrian environment.

Traditional Workplace District encourages adaptive reuse of industrial buildings for a mix of uses.

New employment districts (Traditional Workplace and Employment Campus) encourage greater densities than existing suburban business parks.

Transit-Oriented Development

New transit-oriented development overlay district will apply around transit stations, based on a station area plan, with minimum levels of density, intensity and mixed use.

Parking

The amount of required parking is reduced for almost all uses.

Maximum parking standards are added for each use

Most commercial, mixed-use and employment districts do not require off-street parking, except for large uses and buildings or concentrations of eating places.

Bicycle parking is “detached” from number of automobile spaces required

New standards for short vs. long-term bike parking, parking area design

Increased landscaping for off-street parking, including bio-retention

Shared parking standards are updated to encourage shared parking

Renewable Energy

Wind and solar equipment allowed in required setbacks (state legislation).

Shoreland

New lakefront development standards limit lot coverage and regulate setbacks.

Local Food Production

Community gardens a permitted use in all districts.

Market gardens (for-profit) a conditional use in most districts.

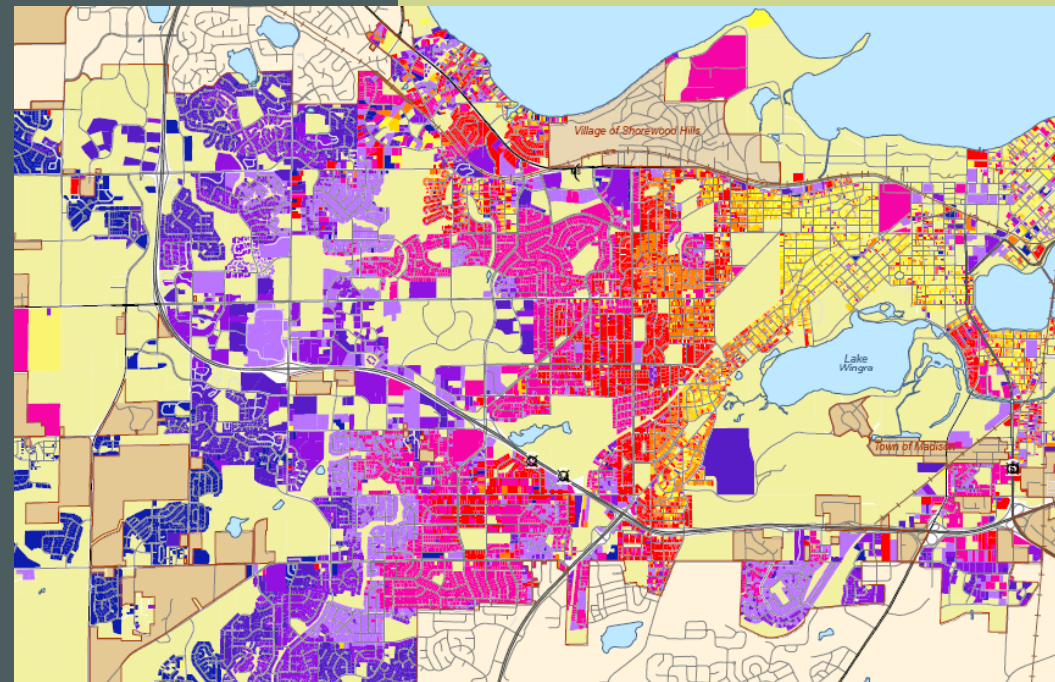
Urban Agriculture District allows more intensive food production, including greenhouses.

Farmers markets a permitted use in all Mixed-use, Commercial and Employment districts.

Bee-keeping and aquaculture allowed in Agriculture, Urban Agriculture and Employment districts.

Next Steps

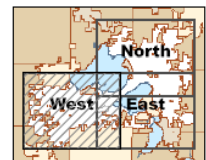
- How will comments received be addressed?
- How will the Zoning Code be revised?
- How will the Code affect my property?
- How and when will the Zoning Map be developed?



Legend

Construction Year

Unavailable
1916 and Before
1917 - 1926
1927 - 1936
1937 - 1946
1947 - 1956
1957 - 1966
1967 - 1976
1977 - 1986
1987 - 1996
1997 - 2008





Discussion

Draft Zoning Code

Community Summit
Community Meetings

June 2009