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LAND USE

***THE PLAN: GOALS, OBJECTIVES, POLICIES AND
IMPLEMENTATION RECOMMENDATIONS***



APPENDIX 2-3

RELATIONSHIP BETWEEN THE COMPREHENSIVE PLAN AND NEIGHBORHOOD* AND SPECIAL AREA PLANS.

The Comprehensive Plan provides general goals, objectives, policies and implementation recommendations to guide the future growth and development of the City, and includes the Generalized Future Land Use Plan Maps which make general land use recommendations in a geographic context. The recommended land use categories mapped in the Comprehensive Plan are relatively broad, and are applied to relatively large geographic areas. Each land use category encompasses a range of potential land uses and a range of densities which establish the general types of uses, intensity of development, and design characteristics recommended within that area. But the Generalized Future Land Use Plan Maps do not define the specific land uses, development intensity or design characteristics recommended for particular locations within the broader mapped areas.

To provide the detailed land use recommendations needed to guide future development at specific development locations, the Comprehensive Plan requires that all significant changes in land use from existing conditions must be consistent with the recommendations of a City-adopted neighborhood, neighborhood development, or special area plan. The land use and design recommendations of the neighborhood or special area plan should be consistent with the recommendations of the Comprehensive Plan, but generally should be more detailed and specific regarding the types of land uses recommended at particular locations within the area, the recommended development density, and any recommended design standards or guidelines applicable to the location. Currently, there is considerable variation in the level of detail in different plans, and that difference may continue; but it is intended that all neighborhood and special area plans include land use and design recommendations that are specific enough to provide meaningful guidance to developers, neighborhoods, City agencies and policy makers, and others involved in the initiation or review of development projects.

This appendix describes the relationship between the Comprehensive Plan and the more-detailed neighborhood, neighborhood development and special area plans, and some of the differences between them.

*Note: To avoid unnecessary repetition, the term “neighborhood plan” may also encompass “neighborhood development plans” and sometimes “special area plans,” unless the context indicates otherwise. Please see Volume I, Chapter 2, Pages 2-28 to 2-30 for a definition of these three types of plans.



Status of Neighborhood and Special Area Plans Under Wisconsin Statutes

Currently, the City of Madison master plan consists of many elements, including the Madison Land Use Plan, dozens of neighborhood, neighborhood development, and special area plans, and other special interest plans, as summarized in the Introduction and described in more detail in Volume I, Chapter 2, Land Use Background Information. Each of these plans was prepared and adopted separately as “an element of the City of Madison master plan,” and has the same legal status as other elements of the master plan provided in Wisconsin Statutes, Section 62.23(3). However, while Wisconsin’s new Comprehensive Planning law largely leaves this Section intact, Section 66.1001(1) includes a definition that, a “comprehensive plan means . . . a master plan that is adopted or amended under 66.23(2) or (3).” Other sections of the Comprehensive Planning law require that a Comprehensive Plan must be adopted as a single document all at one time, and must adhere to specific prescribed requirements regarding plan content and adoption procedure. Together, these changes mean that the individual plans adopted separately by the City at different times as a result of neighborhood or other specialized planning activities should no longer be adopted as “elements of the Comprehensive Plan” or as “elements of the master plan,” which now means the same thing.

Planning is an ongoing activity in the City of Madison, and preparation and adoption of individual neighborhood and special area plans as required from time-to-time is the only way that meaningful community planning can be carried out. In a community the size of Madison, the Comprehensive Plan is too generalized to provide the necessary degree of guidance, and the State-mandated comprehensive planning process is too cumbersome to be a continuous activity. The Comprehensive Plan specifically requires that significant changes in land use or density from existing conditions must be consistent with the recommendations of an adopted neighborhood or special area plan, and in order to establish the link between these plans and the Comprehensive Plan, it is recommended that, following adoption of this Comprehensive Plan, they be adopted as “a supplement to the Comprehensive Plan” to reflect their function and status in providing the more-detailed planning recommendations needed to effectively implement the Comprehensive Plan.



Land Use and Design Recommendations in Neighborhood and Special Area Plans

The Comprehensive Plan Generalized Future Land Use Plan Maps make relatively broad land use and design recommendations applied to broad geographic areas. Neighborhood and special area plans may, and usually should, include more detailed land use and design recommendations applied to more-precisely defined geographic areas. The land use and design recommendations in neighborhood and special area plans should be consistent with, and “fit within,” the broad Comprehensive Plan recommended future land use categories. The examples below illustrate this relationship.

Example 1: Recommendations for a Neighborhood Mixed-Use District

Comprehensive Plan Recommendation

The Comprehensive Plan might designate a six-block area along a collector street as a “Neighborhood Mixed-Use District.” This designation identifies the area as an activity center recommended for a mixture of residential and commercial uses, which could occur in both mixed-use and single-use buildings. Generally, buildings should be between two and four stories in height, although one-story buildings may be appropriate in limited circumstances, and be compatible with the scale and intensity of the adjacent neighborhood. Development density for commercial uses is not specified, although gross square footage of commercial buildings is generally recommended to not exceed 10,000 square feet, except for grocery stores. The recommended residential density range is not more than 40 dwelling units per net acre. The Comprehensive Plan also recommends that more specific land use and design recommendations, and more precise map recommendations, be established in a neighborhood or special area plan---which may also identify small areas within the district where uses or densities outside the general ranges for a Neighborhood Mixed-Use District are recommended.

Neighborhood Plan Recommendation

A neighborhood plan that encompasses the location of this same six-block Neighborhood Mixed-Use District might establish more-detailed recommendations for land uses and design at specific locations within the District. For example, the neighborhood plan might specify that on two of the blocks, the ground floor of all buildings should be a neighborhood-serving retail or service use, with either residential or office uses on the upper floors. On two other blocks, single-use commercial buildings, single-use residential buildings and mixed-use buildings might all be recommended as appropriate uses. And, on the remaining two blocks, predominantly residential uses might be recommended, but with limited commercial uses allowed in mixed-use buildings only.



The neighborhood plan might also specify that on two of the six blocks, all buildings must be at least two stories, but not more than four stories in height; but on the other four blocks, buildings should not exceed three stories and one story buildings may be considered, although at least two stories is preferred. The neighborhood plan could also include detailed design standards or guidelines regarding the scale and mass of buildings, building placement and orientation, and elements of building design, such as type of roof or building materials.

The neighborhood plan might recommend that a small plaza be created at a defined location within the six-block mixed-use district. This small feature would not be shown in the Comprehensive Plan. The area recommended for a mix of uses might also be slightly larger or smaller in the neighborhood plan than the area mapped in the Comprehensive Plan.

All of these more-detailed recommendations would be consistent with the general Neighborhood Mixed-Use District recommendation in the Comprehensive Plan.

Example 2: Recommendations for a Low-Density Residential District

Comprehensive Plan Recommendation

The Comprehensive Plan designates a large area within a neighborhood as a Low-Density Residential District. The average residential density recommended for the district as a whole is within the “less than 16 units per net acre” range, but small areas outside this range may be appropriate when recommended in a neighborhood plan. Recommended housing types include single-family houses, rowhouses, and two and three flat buildings. Small-scale apartment buildings with up to four units may be interlaced with other housing types, but buildings with more than four units may also be included within small scale apartment complexes. A wide variety of supporting uses are consistent with the Low-Density Residential District recommendation, including parks, schools, civic uses, and small neighborhood-serving retail and service uses, especially in mixed-use buildings.

Neighborhood Plan Recommendation

The neighborhood plan covering this same Low-Density Residential District might show additional detail and create additional land use categories. For example, within the “less than 16 units per acre” density range of the Comprehensive Plan designation, the neighborhood might create a “low-density” zone of less than 8 units per acre, and a “low-medium density” zone of 8 to 16 units per acre, each of which would be mapped. The plan might identify separate locations recommended primarily for single-family and two-family residences, attached row houses, a mixture of housing types up to four-units, and small-



scale garden apartments. The neighborhood plan also should identify specific recommended locations for any non-residential uses compatible with the definition of the Low-Density Residential District, such as parks, schools, or a neighborhood “corner store.”

All of these more-detailed recommendations would be consistent with the general Low-Density Residential District recommendation in the Comprehensive Plan. But, all of these uses would not necessarily be consistent with the Comprehensive Plan unless the more-detailed recommendation is included in an adopted neighborhood plan. That is, small retail uses serving the neighborhood would be consistent with a Low-Density Residential District recommendation, but only at locations specified and mapped in a detailed plan.

Consistency among Individual Neighborhood and Special Area Plans

Madison has a large number of neighborhood and special area plans, and if they are to be easily understood by those who will look to them for guidance regarding the types of developments recommended at particular locations, there needs to be a reasonable degree of consistency in the way that their land use and design recommendations are defined and presented. To help establish consistency among different neighborhood and special area plans, and between these plans and the Comprehensive Plan, the Planning Unit of the Department of Planning and Development should prepare guidelines for use in developing the land use and design recommendations included in the more-detailed plans that will be adopted as supplements to the Comprehensive Plan. The proposed guidelines are not intended to unduly restrict the content and presentation style of individual plans, but to ensure that each presents their land use and design recommendations using reasonably-standardized definitions and format to facilitate use and comparison.

Consistency between Neighborhood Plans and the Comprehensive Plan

The mapped land use recommendations in the Comprehensive Plan are intended to be consistent with the recommendations in City-adopted neighborhood, neighborhood development, and special area plans to the extent possible, considering the differences in scale and generality between the types of plans. As described above, considerable flexibility is provided within the land use categories mapped in the Comprehensive Plan to allow neighborhood and special area plans to establish more-detailed land use and design recommendations that are mapped more precisely. Thus, for example, a few small apartment buildings scattered within a Low-Density Residential District is not necessarily inconsistent with the recommended land use, nor would recommending a few locations for this use in a neighborhood plan necessarily require that the Comprehensive Plan recommendation for those locations be amended to maintain consistency between the plans. On the other hand, if the neighborhood plan recommends a four-block area for apartment development within a larger



area recommended primarily for single-family and duplex development, then the area recommended for apartments generally should also be identified as a separate land use category (Medium-Density Residential, for example) in the Comprehensive Plan.

The Comprehensive Plan and a neighborhood or special area plan may also have small differences in the mapped boundaries between areas recommended for different land uses without necessarily making the plans inconsistent, or requiring an amendment to either plan. These differences are inherent in plans that differ significantly in scale, particularly when the land use categories have considerable scope. For example, if a neighborhood plan recommends a block at the edge of a large designated Community Mixed-Use District primarily for residential uses, there is not necessarily an inconsistency with the Comprehensive Plan because residential developments are among the uses included in the Community Mixed Use District definition. But if the neighborhood plan recommended several blocks of mixed-use development within an area designated as Medium Density Residential, this would be considered inconsistent since the neighborhood plan proposes a significant amount of non-residential use where the Comprehensive Plan recommends primarily residential uses.

Determining whether or not the recommendations in a neighborhood or special area plan are consistent with the Comprehensive Plan is to some extent a judgment call, and the range of uses and densities that would be considered consistent with the Comprehensive Plan recommendation will be greater within some land use categories compared to others. For example, the range of recommended uses that could be considered generally consistent with the Comprehensive Plan is much larger within a designated Community Mixed-Use District than within a Low-Density Residential District. The Planning Unit of the Department of Planning and Development should prepare guidelines to assist in determining whether or not the detailed land use and design recommendations in a proposed neighborhood or special area plan are consistent with the more general Comprehensive Plan recommendations. In cases where the proposed recommendations are determined to be not consistent with the Comprehensive Plan, either the neighborhood plan must be revised to be consistent, or an amendment the Comprehensive Plan must be adopted to change the land use designation for the area of potential conflict, as described further below.



APPENDIX 2-4

PLAN EVALUATION PROCESS

Both the Comprehensive Plan and the neighborhood, neighborhood development, and special area plans adopted as supplements to the Comprehensive Plan should be reviewed , evaluated and updated periodically as needed to ensure that they continue to reflect current conditions and community planning objectives. The Comprehensive Plan recommends the following schedule for these evaluations:

Comprehensive Plan

The Plan Commission will conduct an annual review and evaluation of the Comprehensive Plan as a means of keeping the Plan and its goals, objectives, policies, and implementation recommendations up-to-date. During the annual evaluations, the Plan Commission may identify and recommend changes to the Comprehensive Plan text and maps, and will consider Comprehensive Plan amendments requested by the public or other City boards and commissions. If the Plan Commission recommends that the Comprehensive Plan be amended, the City will follow the Comprehensive Plan amendment process summarized below in Appendix 2-5.

Amendments to the Comprehensive Plan may be proposed to change the recommendations for lands within the established portions of the City, including potential redevelopment locations, or for vacant lands at the periphery of the City. Because it is intended that the several types of adopted plans remain consistent with one another, amendments to the Comprehensive Plan will generally be made in association with the preparation of a new neighborhood, neighborhood development, or special area plan; or with an amendment to those plans. An exception would be when an amendment to the Comprehensive Plan is made to correct an error in the original map recommendation.

Neighborhood Plans

Neighborhood Plans are prepared for established neighborhoods within the built-up areas of the City, as described in Volume I, Chapter 2, Land Use Background Information. These plans typically address a wide variety of issues, and land use is not necessarily their primary focus. But most of the neighborhoods for which plans have been prepared are also experiencing, or are expected to experience, at least some redevelopment. It is important, therefore, that the plans for these neighborhoods include detailed land use and design recommendations to guide that development and establish the parameters for the types of redevelopment that will be supported. All neighborhood plans should be reevaluated from time-to-time to determine



whether changes to the land use and design recommendations should be considered. Reevaluation of the adopted plan will be needed more frequently in some neighborhoods than in others, depending on the pace of development and other changes in existing conditions in the neighborhood. In some cases, just the land use and design recommendations in the plan might be reviewed and updated, without necessarily revisiting all of the issues typically addressed in a neighborhood plan. In situations where future land use changes are anticipated or recommended in only a small portion of a neighborhood, or where the neighborhood does not have an individual neighborhood plan, a special area plan may be prepared for just the lands surrounding the potential redevelopment location, rather than preparing a plan for the entire neighborhood.

In order to ensure that neighborhood plans remain current, the Planning Unit of the Department of Planning and Development should prepare a realistic schedule for periodic review and updating of the City's adopted neighborhood plans.

Neighborhood Development Plans

Neighborhood development plans are prepared to guide the future development of new neighborhoods at the periphery of the City, as described in Volume I, Chapter 2, Land Use Background Information. These plans are primarily concerned with land use, transportation and the extension of public services; and provide a detailed land use and street plan to guide future development on lands that are largely agricultural or undeveloped at the time that the plans are prepared. Neighborhood development plans are used to review proposed subdivision plats, rezoning requests, and specific project proposals. Amendments to neighborhood development plans occur in two basic ways.

Because the recommended pattern of land uses and the alignment of future streets presented in neighborhood development plans are necessarily somewhat conceptual, the pattern of land uses and the alignment of streets proposed in subdivision plats and rezoning requests submitted for City approval typically will differ to some extent from what is shown in the neighborhood development plan. Each neighborhood development plan should describe the key elements of the plan that proposed developments must be consistent with, such as the general location of activity centers and parks, the alignment of collector streets and other major local streets, and the general locations and mix of land use types and densities. Some elements of a proposed development, such as the precise alignment of local streets, or the precise locations of specific detailed land uses and types and densities of housing, often differ to some extent from what is shown the neighborhood development plan. These differences are still considered consistent with the plan if they maintain the general recommended land use and street pattern, provide similar densities and housing types, maintain street connectivity, and maintain the intended relationships between different land uses and between land uses and transportation facilities. If



the proposed development is determined to be generally consistent with the neighborhood development plan, the plat or rezoning request can be approved, and the approval should specify that the plan is amended as required to reflect any changes to the land use and street pattern. As part of revising the neighborhood development plan to reflect the approved project, the recommendations for lands not yet developed may also be adjusted to maintain logical land use relationships and street connections, for example. These types of revisions do not require formal plan amendments.

When significant changes to the neighborhood development plan's recommended land use or street pattern are proposed, a formal amendment is prepared and considered following the process described below. Consideration of an amendment may be in response to a specific development proposal not considered consistent with the current plan, or it may be initiated by the City in response to changed conditions, new information, or a desire to expand the scope or quality of the plan's recommendations. Examples of proposed changes that would require consideration of a neighborhood development plan amendment include development of an employment and commercial center on lands currently recommended for residential uses, a large multi-family development in the heart of a recommended low-density area, or realignment of a planned major roadway.

The ongoing review of subdivision plats, rezoning requests, and specific project proposals requires frequent review and application of the recommendations in the neighborhood development plan, and amendments to the plans are made frequently either as part of, or prior to, approval of these proposals. As a result, the neighborhood development plans are generally more current and up-to-date than many of the neighborhood plans, although a few of them no longer reflect current conditions or expectations.

New neighborhood development plans are prepared from time-to-time as additional lands within identified City growth areas are recommended for development and extension of City services. Future City urban growth areas were identified in the 1990 Peripheral Area Development Plan, and are updated in this Comprehensive Plan. Current City plans and this Comprehensive Plan require that a neighborhood development plan be prepared and adopted prior to submittal of requests to amend the Central Urban Service Area or consideration of development approvals, such as rezoning requests or subdivision plats.



Special Area Plans

Special area plans, described in Volume I, Chapter 2 Land Use Background Information, vary greatly in the scope of issues considered and in geographic coverage. *Downtown 2000* is a special area plan, as are the Yahara River Parkway Master Plan and the East Rail Corridor Plan, for example. Some plans, like the East Rail Corridor Plan, include relatively detailed land use and design plans that supplement earlier or more-general neighborhood plans that encompass the special planning area. Others, like the Yahara River Parkway Master Plan, may include land use recommendations only for properties that directly affect the primary focus of the plan--in this case the Yahara River corridor across the isthmus. Land use and design recommendations in special area plans should be consistent with the recommendations in other plans that cover the same area, such as a neighborhood plan (if one exists) and the Comprehensive Plan.

Special area plans should be reviewed and evaluated as required to maintain them as useful and effective guides to planning and development activities, but the need for this varies greatly between plans. Some special area plans are very long-range, and provide useful guidance for decades. Others were prepared to provide recommendations to guide the redevelopment of a specific relatively-small area that subsequently was redeveloped: so there is no reason to update the plan. In some cases, the recommendations of a special area have been incorporated into another plan, such as a neighborhood plan, and there is no longer a need to have a separate plan for the smaller area. Special area plans for large, important areas with a lot of development activity, such as downtown Madison, for example, should be reviewed frequently and updated as required. It is a specific recommendation of this Comprehensive Plan that a new plan for the downtown area be prepared as a high priority.



APPENDIX 2-5

PLAN ADOPTION AND AMENDMENT PROCESS

The process for adoption and amendment of the Comprehensive Plan is prescribed by Wisconsin's Comprehensive Planning law, and differs from the process followed in adopting and amending neighborhood, neighborhood development and special area plans.

Comprehensive Plan

As required by Wisconsin Statutes, Section 66.1001(3), the Comprehensive Plan must be adopted by the Common Council by ordinance, after being recommended for adoption by a resolution of the Plan Commission. Specific procedures described in the Introduction must be followed in adopting the plan, and the plan must be adopted as a single document all at one time. Amendments to the Comprehensive Plan must follow the same procedures as the original adoption, including notification of adjacent communities and government entities, placement of the proposed amended plan in public libraries, opportunities for public comment, holding a public hearing, and distribution of the adopted amended plan. This is required even if the proposed amendment is a small one with very limited, if any, effect outside the immediate area of the amendment.

Neighborhood, Neighborhood Development and Special Area Plans

The process for adopting and amending the City's neighborhood, neighborhood development and special area plans is determined by the City Plan Commission and Common Council. These plans are adopted by the Common Council, by resolution, following a recommendation from the Plan Commission; and a public hearing is held before both the Plan Commission and Common Council. The resolutions adopting these plans initially are usually referred to other City boards, commissions and committees, which typically may include the Long-Range Transportation Planning Commission, Pedestrian/ Bicycle/Motor Vehicle Commission, Transit/Parking Commission, and Urban Design Commission; but which may also include other commissions, such as the Park Commission, Landmarks Commission, Economic Development Commission or Board of Estimates, depending on the subject of the plan. Amendments to neighborhood plans, neighborhood development plans and special area plans may be referred to fewer boards, commissions and committees, depending on the scope and importance of the proposed amendment.

Neighborhood associations and business organizations are notified of any proposed neighborhood, neighborhood development or special area plans, or plan amendments in their area, and other organizations may also be notified. Individual property owners are not usually notified, but may be notified in the case of new neighborhood development plans, as may property owners within or adjacent to a proposed amendment area.