



Department of Planning & Community & Economic Development
Planning Division

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MEMORANDUM

TO: Plan Commission
FROM: Planning Division Staff
DATE: November 12, 2010
SUBJECT: Follow up on Frontage and Parking (Memo 2- #38 "Final Clause")

The Plan Commission referred action on a portion of recommendation 38 (Memorandum 2) at the October 26 special meeting. At issue was staff's recommendation to relocate the parking-related standards from the Building Form section into the specific district sections, where other such standards are found. A related issue is that the terms "frontage" and "parking" are found throughout the ordinance and do not always refer to the same type of standard. Staff's intent was to reorganize these standards to help make the document more user-friendly. Prior to making a recommendation, the Commission requested staff provide additional information on how these standards differed and how any differences would be reconciled during this effort.

Staff note that the draft ordinance provides the following language in the building forms section to address differences between such standards:

The design standards in this Section (Subchapter 28 K: Building Form Standards) 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.

Summary of Differing Standards

Instances of differing standards are summarized below. In some cases, the differing standards are clearly in conflict. In other cases, one set of standards may simply provide additional regulations over and above the other set of standards.

Building Form Standards that are in Conflict / More Restrictive

Such differences typically fall into one of two general categories. The first category is where the more-restrictive Building Form standards provide additional regulations to what is in the specific districts. This is found primarily in the Mixed-Use and Commercial districts for the larger residential building forms. Specifically, several building types (Single-Family Attached, Small Multi-Family, Large Multi-Family, Courtyard Multi-Family, and Live-Work) include a "parking" standard stating:

Parking shall be located behind each building, below the building, or in a common parking court in the interior of a block. If located within the side yard, surface or structured parking shall occupy no more than 25% of the frontage along the primary abutting street.

This standard creates additional frontage requirements for these larger residential buildings compared to the underlying standards in the NMX, TSS, MXC, CC-T, and CC districts. Staff note that similar conflicts exist for these residential building forms and the TW (Traditional Workplace District). Staff believe that it is appropriate for these residential building forms to retain unique frontage standards and recommend these standards be relocated into the appropriate districts.

The other category of differences includes instances where the Building Form standards are directly in conflict with similar district standards. (An example is where these sections require a different percentage of parking allowed along a street frontage). Many of the instances of direct conflict occur between the “Mixed-Use and Non-Residential Building Forms” and the standards within the specific Employment districts. In general, the Employment districts have more flexible parking and frontage standards. Specific conflicts exist with the “parking” standards for commercial block, live work, residential/commercial conversion, podium, and flex buildings. Removing the Building Form standards that provide direct conflict would not result in any policy change, since the ordinance already states that the district standards take precedence.

District Standards that are in Conflict / More Restrictive

There are a smaller number of instances in which the district standards are more restrictive than the building form standards. Most of these relate to the Industrial Building form that has only the following parking standard:

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

Therefore, the more restrictive parking requirements of the TW, SE, SEC, EC, and IL districts would apply. Staff note that the district standards for the SEC district are also more restrictive than the Flex Building standards. As noted above, staff believe that it is appropriate for the more specific standards to be located within the district.

Conclusion

There are several overlapping standards related to “frontage” and “parking” located in different parts of the Red-Lined draft ordinance. That draft includes language noting that in areas of conflict, the district standards should take precedence over regulations in the Building Form section. Staff agrees with that general approach.

As noted in the original recommendation, staff believe the overall usability of the code would be significantly improved by locating the related parking and frontage standards in one place. With this effort, staff’s intent was not to change the underlying policy but rather reorganize the document to make the standards clearer. Based on a review of these standards, staff note that the relocation of the residential parking standards to the appropriate districts will be among the most significant changes. The specific recommendations are noted below.

Recommendation

1. Remove all standards labeled “*Parking*” from the Building Form section. Where the removal of these standards would result in a change in the underlying policy, relocate standards into the appropriate districts. This includes (but is not limited to):

- a. **RELOCATE** the following Building Form “*Parking*” standards into the applicable districts. (*Single-Family Attached, Small Multi-Family, Large Multi-Family, and Courtyard Multi-Family Building Forms*)

Add the Following Language to Districts: *Parking shall be located behind or beside each building, below the building, or in a common parking court in the interior of a block. If located on the side of the building within the side yard, surface or structured parking shall occupy no more than 25% of the frontage along the primary abutting street.*

- b. **DELETE** the following Building Form “*Parking*” standards. These standards just reference other sections. (*Single Family Detached, Two and Three Unit Buildings, Two-Unit Twin Forms, and Live Work Building Forms*)
 - c. **DELETE** the following Building Form “*Parking*” standards. The district standards would already prevail. (*Residential/Commercial Conversion, Commercial Block, Liner, Parking, Podium, Flex, and Industrial Building Forms*)
2. Re-Label any remaining “*Frontage*” standards in the building form section. These standards do in fact, relate to the building form and include language such as “Each building shall include a stoop, porch or terrace...” Such standards should remain in this section. Please note, for some building forms, this information is already listed under the “*Access and Entry*” heading.
 3. Re-Label district “*frontage*” standards (e.g. Fixed, Flexible, Prescribed) as “*Setbacks and/or Build-to Lines.*” By its definition, frontage is not the same as setback, though these terms are sometimes used interchangeably.