



**CITY OF MADISON  
ECONOMIC DEVELOPMENT COMMITTEE**

**DEVELOPMENT PROCESS IMPROVEMENT INITIATIVE**

**REPORT TO THE MAYOR & COMMON COUNCIL**  
JANUARY 31, 2011  
AMENDED & APPROVED BY ECONOMIC DEVELOPMENT COMMITTEE ON FEBRUARY 16, 2011

***City of Madison  
Economic Development Committee***

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Joseph W. Boucher, Vice Chair - Neider & Boucher  
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**CITY OF MADISON ECONOMIC DEVELOPMENT COMMITTEE**

MADISON MUNICIPAL BUILDING  
215 MARTIN LUTHER KING, JR. BLVD., ROOM 312  
MADISON, WI 53701

January 31, 2011

On June 16, 2010 Mayor Cieslewicz charged the City's Economic Development Committee (EDC) and staff with making recommendations regarding the review and approval of real estate development projects in the City.

As with any process, the one used in seeing a development through City land use approvals should be routinely reviewed and improved. The Mayor has established several goals for this initiative, calling for a process that is efficient, predictable & uniform, and maintains existing high standards.

In the time since the Mayor's charge to the Committee, staff has solicited and compiled inputs from stakeholders in the development process in Madison. Inputs have been both written and in-person. Previous reports related to the charge were also reviewed and assessed. These included:

- *Streamlining the Development Review & Building Permitting Process, 2006*
- *Evaluation & Analysis of Madison's Development Review & Permitting Process, 2005*
- *Opportunities to Make Madison City Government More Friendly, 2004*

We have taken all the inputs and have worked with City staff that is involved on the day-to-day frontlines in moving a real estate development from concept to completion. This information has been reviewed, discussed, consolidated, and compiled into the attached report. The overall goal is to make the development approval process more conducive to attracting investment, supporting the built environment, creating a modern urban center, and increasing the tax-base and fiscal sustainability of our city.

We are recommending that the Common Council formally accept this report and instruct the City Attorney and responsible department/division directors to begin immediate adoption of the recommendations and, where necessary, formulate detailed ordinance modifications, implementation and budget plans with a deadline of June 1, 2011 in time for inclusion in the City's 2012 budget deliberations.

On behalf of the EDC, we would like to thank all who have taken time to be part of this important initiative to make our city a better place to live, work, raise a family, and do business.

Sincerely,

Douglas Nelson, Chair

Joseph W. Boucher, Vice Chair

## ACKNOWLEDGEMENTS

We would like to acknowledge the active participation of many who have given their time and thoughtful consideration to this initiative including:

- Alderspersons
- Neighborhood Associations
- Neighborhood Planning Councils
- Neighborhood Business Associations
- Business & Trade Associations
- City Landmarks Commission
- City Urban Design Commission
- City Plan Commission
- City Department of Planning, Community & Economic Development
- City Development Assistance Team
- City Office of Organizational Development
- Madison residents & businesses

Background and written comments received by the EDC in conjunction with this initiative can be found in the Appendices and on Legistar, [File #18121](#)



**"FORWARD"**

**CITY OF MADISON  
ECONOMIC DEVELOPMENT COMMITTEE  
DEVELOPMENT PROCESS IMPROVEMENT INITIATIVE  
January 31, 2011**

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**“The starting point for improvement is to recognize the need.”**

Masaaki Imai  
Father of Continuous Improvement

## THE CASE FOR IMPROVEMENT

### Madison is competing with everywhere.

Competition in a municipal context is for families, workforce, business and investment. Each component is necessary to sustain a healthy, stable and vibrant economy and critical to fiscal sustainability for the city.

With over 50% of its total area exempt from property taxes<sup>1</sup> (colored areas on map to right), the city of Madison must be concerned with its competitiveness and attractiveness to a wide-range of interests in order to sustain levels of service, quality of living, and standard of life for its residents. [\(see new draft intro\)](#)



Some rank the State of Wisconsin relatively low as an environment for business<sup>2</sup> making it all the more important to create a desirable place in Madison to invest, work and live. [\(see new draft intro\)](#)

Innovation in the way the City processes real estate development proposals is one way to be more competitive.

For the purpose of this report, the strategy for encouraging investment and development in our city is to:

***Increase Madison’s competitiveness for investment and job creation by streamlining the development process, maintaining quality of the built environment, and ensuring efficient, fair, and responsive regulatory decision making.***

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<sup>1</sup> City of Madison Economic Development Division, [Tax Exempt Parcels in the City of Madison](#) Note: The map includes public open spaces and right of ways for roads. Owners of some exempt parcels make Payments in Lieu of Taxes (PILOT) to the City.

<sup>2</sup> Refocus Wisconsin 2010, [Wisconsin: We've Got a Problem](#)

Research by professors at the University of Iowa and University of North Carolina, Chapel Hill, published in The Journal of Housing Research<sup>3</sup> states;

*“In many jurisdictions, the number of months that it takes from application to approval can be quite short. In others, the time period from application to approval of entitlements can be quite long, in effect constraining the amount and timing of development through delays in the review and approval process. While there is no explicit restriction, in practice the delay lengthens the development period and increases the cost to the developer”*

**It’s not only the city of Madison.**

Madison is the hub of an innovative region. It is the urban center and heart of the metropolitan area. It is positioned nationally and internationally as a recognized brand, and is the main driver of the regional economy.

Madison, the region, is compact. Unlike much larger urban centers, the major communities surrounding Madison are relatively close-by and therefore considered as a single economic market in which people choose to live and businesses, together with their related jobs, choose to locate.

Because of this proximity, the city of Madison is competing with surrounding communities while at the same time cooperating in and an integral part of overall regional development.

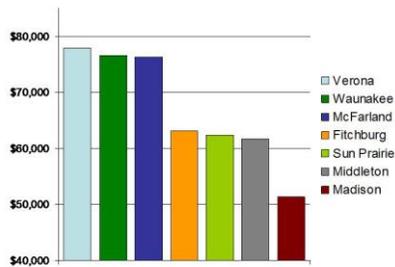
Currently the city enjoys a symbiotic relationship with the communities surrounding Madison. We must be cognizant, however, that this relationship could potentially become detrimental to the City if investment, businesses and families choose to locate “near” Madison rather than within its municipal boundaries.<sup>4</sup>

For those businesses and/or property owners that can’t relocate outside the city, facing difficulty competing on price, or dealing with onerous mandates and restrictions on developable parcels can cause undue hardship, increased costs, and deterioration of the built environment.

The development process involves not only commercial, industrial and institutional investment, but also encompasses residential and private



2009 Median Household Income



<sup>3</sup> Xifang Xing, David J. Hartzell and David R. Godschalk, [Land Use Regulations and Housing Markets in Large Metropolitan Areas](#)

<sup>4</sup> City of Madison Economic Development Division, [“Economic Dashboard Report 2-26-2010”](#)

infrastructure investments. For that reason, we must keep a simple truism in mind when developing land-use policies:

*Innovation, talent, and investment don't care about municipal or state boundaries on a map. They live, work, and raise families wherever it makes the most sense. When it no longer makes sense, for any number of reasons, they move somewhere else.*

Most people and their purchasing power do not care if they're shopping, going to a restaurant, or watching a movie in the city of Madison or a mile down the road outside the city limits.

### **What is the benefit of improving the development approval process in Madison?**

By far the most compelling benefits are encouraging investment in the city and maintaining fiscal sustainability and municipal services. With nearly three quarters of the City of Madison's total revenue derived from property taxes<sup>5</sup>, maintaining services while keeping increases in the tax levy in check, and potentially reduced, is a significant benefit.

The equation is quite simple:

#### **Level of Services = Tax Levy X Property Values**

The more investment in development (residential and non-residential) and personal property to maintain facilities and operations, the higher the overall property values within the city. The higher the values the greater level of services that can be provided by the existing level of taxes and/or the potential to lower the tax levy needed to support the same level of services.

Public policy, in the broadest terms, adds expense to development in two ways:

- Financial – through taxes and fees
- Regulatory – through approval time and land use policies

Public policy can also reduce costs by eliminating barriers and streamlining processes.

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<sup>5</sup> Total City funding in 2010 comes from its share of property taxes (72%), intergovernmental payments (15%), and local revenues (fees, fines, licenses, permits, PILOT payments, etc.)(13%). The City's share of overall property taxes in 2010 is 35%. The remainder flows to MMSD (47%), the County (11%), MATC (6%), and State of WI (1%). Source: City of Madison 2010 Adopted Operating Budget

## GUIDING PRINCIPLES

### Proportionate Inputs

Each group of stakeholders/customers has their respective role to play in the development approval process. Key to streamlining the process is understanding their roles and their proportionate input into the overall approval process.

Ultimate municipal land-use authority by statute rests in the hands of elected officials on the Madison Common Council<sup>6</sup>. There is specific decision-making authority that State statutes or Madison ordinances give to various Board and Commission sub-units such as Plan, Urban Design and Landmarks Commissions. Decision-making authority established by City ordinance can be changed by subsequent actions of the Common Council but State statute cannot.

There are many stakeholders, with and without legislative authority, involved in the development approval process. These can be grouped into two categories; Advisory and Decision-making:

- **ADVISORY**
  - Associations
    - Residents
    - Businesses
    - Property owners
  - Individuals/general public
  - City Committees
  
- **DECISION-MAKING**
  - Elected Representatives
    - Common Council
  - Boards & Commissions
  - City Staff

Each stakeholder has various interests they represent and each has a unique focus on the balancing act necessary to govern responsibly; balancing short-term wants with long-term needs of the city.

Further impacting effective decision-making is the politics of development. While an elected representative must represent their constituency, it is also their and their fellow elected officials' responsibility to make decisions which benefit the entire city. It is important to note that development decisions are based on standards contained within the City's ordinances and that sometimes leads to friction within districts if a particular development [faces opposition is opposed by special-interest groups](#) but may be good for the city overall. This manifests itself in dealing with proposals that vary from [the comprehensive plan](#), adopted neighborhood plans, zoning map amendments, or projects that some may simply not like based on personal preferences.

For these reasons, this report, in part, focuses on proportionate roles and inputs for each of the stakeholders [and attempts to balance local concerns with city-wide concerns](#).

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<sup>6</sup> State of Wisconsin Statutes, Chapter 62.23(7)

**Complete Information**

There is no substitute for complete and transparent information except in rare cases involving confidential negotiations or other exceptions allowed by law. The more complete, accurate and timely the information flow between parties involved in the development approval process, the more unlikely [it is that](#) roadblocks to efficiency will surface.

Using existing Internet-based concepts to provide useable two-way communication, collaboration and access to information, the City should be able to significantly decrease time involved in the approval process without sacrificing quality or adequate deliberation.

Through advanced use of web-based tools, interested parties, Applicants, and City staff should all have access to complete information and be able to track exactly where a proposal is while going through the process. It is through this tracking that bottlenecks and delays can be identified and addressed.

**Empowerment**

This principal involves ensuring that the City has the right people, with authority, performing their respective roles in the development process. The City has talented staff in all of the agencies involved in the development review process. Decisions on development approvals should be delegated appropriately to front-line staff with Department and Division authority and support to insure that they are empowered to make decisions within their areas of expertise.

[NOTE: Plan Commission suggests adding an appendix with the Comprehensive Plan amendment process](#)

## RELATIONSHIP OF COMPREHENSIVE, NEIGHBORHOOD, AND SPECIAL AREA PLANS

### Comprehensive Plan/Neighborhood Plans

[Plans exist to provide predictability and guidance to stakeholders.](#) Certain development proposals such as zoning map amendments must be consistent with the Comprehensive Plan. Neighborhood plans ~~may or may not be adopted as part of the~~ [are supplemental to the](#) Comprehensive Plan. They are, ~~however, always~~ used as advisory guides in reviewing development proposals.

Neighborhood plans and the Comprehensive Plan should be regularly reviewed and inconsistencies should be reconciled where they exist by amending the neighborhood plans or the Comprehensive Plan.<sup>7</sup>

The practice has been to work with neighborhoods to develop Neighborhood Plans and Overlay Districts<sup>8</sup> (i.e. Conservation, Historic, and Urban Design Districts.)

## CURRENT MISSION STATEMENTS OF PLAN, URBAN DESIGN, AND LANDMARKS COMMISSIONS<sup>9</sup>

State statutes gives land use authority within the city to the Madison Common Council, Plan Commission and Zoning Board of Appeals.<sup>10</sup> The Council may delegate certain additional powers to commissions or boards at its discretion.

The following mission statements are taken directly from the applicable sections of the Madison General Ordinances:

### Plan Commission Mission

It is the function and duty of the Plan Commission to make and adopt a master plan for the physical development of the municipality. The commission makes reports and recommendations to the Common Council related to the plan and physical development of the city and on the location and architectural design of public buildings and other public projects. The commission also reviews and makes recommendations on any sale or lease of land, rezoning requests, annexations of land, subdivision plats and ordinance text amendments. The Plan Commission has final approval authority on land divisions (certified survey maps), Conditional Use requests and appeals of certain Urban Design Commission decisions.

### Urban Design Commission Mission

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<sup>7</sup> This is routinely done as plans are proposed. This is the method used to resolve inconsistencies between the East Rail Corridor Plan, the Williamson Street Plans, the Tenny-Lapham Neighborhood Plan and the East Washington Capitol Gateway Plan.

<sup>8</sup> See Appendix K

<sup>9</sup> City of Madison, ["Boards, Commissions & Committees"](#) ["Neighborhood Associations"](#)

<sup>10</sup> State of Wisconsin Statutes, Chapter 62.23(7)

To assure the highest quality of design for all public and private projects in the city; protect and improve the general appearance of all buildings, structures, landscaping and open areas in the city; encourage the protection of economic values and proper use of properties; encourage and promote a high quality in the design of new buildings, developments, remodeling and additions so as to maintain and improve the established standards of property values within the city; foster civic pride in the beauty and nobler assets of the city and, in all other ways possible, assure a functionally efficient and visually attractive city in the future.

**Landmarks Commission Mission**

The commission shall have the power to recommend to the Common Council the designation of landmarks, landmark sites and historic districts within the city limits of Madison. Designations shall be made by the Common Council, and once designated, such landmarks, landmark sites and historic districts shall be subject to all provisions of Sec. 33.19, Madison General Ordinances.<sup>11</sup>

**Development Review Bodies**

The Common Council has final authority on rezoning; including Planned Unit Developments (PUDs), annexation, and subdivision requests. The Plan Commission has final authority on conditional use and demolition requests, and is advisory to the Common Council on rezoning, annexation, and subdivision requests. The Urban Design Commission has final authority on requests in Urban Design Districts and is advisory to the Plan Commission on PUDs, some conditional use permits, and Planned Commercial Districts (PCD). The Landmarks Commission has final authority on certificates of appropriateness for projects within local historic districts and on projects involving a property with landmark designation.

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<sup>11</sup> The full Landmarks Commission ordinance can be found here: [MGO Section 33.19](#)

## DEVELOPMENT APPROVAL PROCESS

Development proposals can be grouped into two general categories:

- Simple, or those that are listed as existing permitted uses within the zoning ordinance
- Complex, for those that require board or commission review, Common Council approval, and/or require public investment (i.e. Tax Incremental Financing-TIF)

### Simple

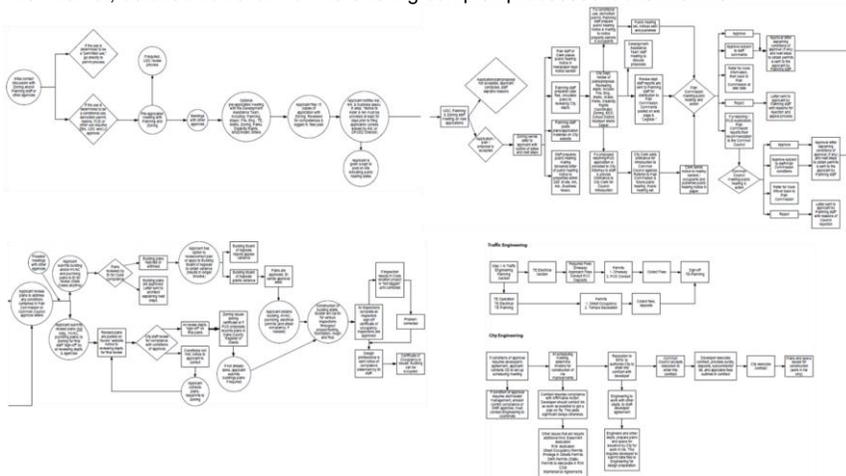
Projects that are consistent with the neighborhood and comprehensive plans, comply with all zoning requirements, and do not require public-sector investment (i.e. Tax Incremental Financing or TIF.)

### Complex

The flowchart for complex projects that require board/commission review and/or Common Council action can vary considerably depending on the approvals required.

Variations of what is required, the staff personnel and board/commission/committees involved, and the political influences all must be coordinated, processed, staffed and tracked.

The internal, detailed flowchart for the existing complex processes looks like this:<sup>12</sup>



The current average time to move through the conditional use process is 47 days and for a zoning map amendment, 76 days following submission to the City's Department of Planning, Community & Economic Development. The averages do not take into consideration time spent prior to formal application to the City.

<sup>12</sup> See Appendix G for larger version.

There are, of course, projects that cannot be reviewed within the scheduled timeframes. These are usually associated with complex and public funding of projects but can also apply to what might, on the surface, appear to be a simple project.

Potential delays can occur at any phase of the process; from neighborhood review to the flow through various agencies and boards/commissions, to political deliberations, to legal challenges to a particular proposal or the approval process itself.

**Implementation Goal**

The one year goal in streamlining the approval process is to achieve acceptance, cooperation and implementation of these recommendations by investors/developers/business owners, property owners, neighborhood and business associations, boards and commissions. Further, to receive Mayoral and Common Council support, and budget allocations for changes to the development process.

The goal/timeline for Simple and Complex projects is diagramed below along with the time anticipated to get to completion of the permitting phase. It should be noted that the timeline can be longer even for permitted uses if the initial submittals do not meet ordinance requirements.

**SIMPLE**

**Simplified Plan Review & Inspection Process**

*Permitted Uses*

**Timeline = 3 to 10 business days**

Pre-Application	Plan Signoff/Permitting	Construction / Inspection
<ul style="list-style-type: none"> <li>•Project Development</li> <li>•Discussions with Zoning and other agencies</li> </ul>	<ul style="list-style-type: none"> <li>•Site plan concurrent review and sign-off (multi-agency)</li> <li>•Building plan review (Inspection Unit)</li> <li>•Fee payment</li> <li>•Permits issued</li> </ul>	<ul style="list-style-type: none"> <li>•Inspect Work</li> <li>•Issue orders if necessary</li> <li>•Issue Certificate of Occupancy</li> </ul>

**COMPLEX**

**Generalized Zoning, Subdivision, Plan Review, Permitting & Inspection Process**

*For projects requiring Board or Commission review*

(Zoning Map Amendments/PUD, Conditional Uses, Demolition Permits, Urban Design & Landmarks Commissions, Zoning Board of Appeals)

**Timeline = 3 weeks\* to 4 months\*\***

Pre-Application	Formal Application Submittal/Approval	Plan Signoff/Permitting	Construction / Inspection
<ul style="list-style-type: none"> <li>•Project Development</li> <li>•Discussions with multiple agency staff and other stakeholders</li> </ul> <p>* Variances, Landmarks Certificate of Appropriateness, sign variances</p> <p>** Zoning map amendments, subdivision preliminary &amp; final plats, public improvements</p>	<ul style="list-style-type: none"> <li>•Board, Commission, and/or Common Council approvals</li> <li>•Formal public hearings</li> <li>•Identify conditions for approval from multiple agencies</li> </ul>	<ul style="list-style-type: none"> <li>•Site plan sign-off (multi-agency)</li> <li>•Building plan review (Inspection Unit)</li> <li>•Fee payment</li> <li>•Permits issued</li> </ul> <p>•If needed</p> <ul style="list-style-type: none"> <li>•Draft Development Agreement for infrastructure (Engineering &amp; Traffic Engineering)</li> <li>•BPWCC approval plans &amp; specs and development contract (Engineering)</li> </ul>	<ul style="list-style-type: none"> <li>•Inspect Work</li> <li>•Issue orders if necessary</li> <li>•Issue Certificate of Occupancy</li> </ul>

## ORGANIZATION OF GOALS & IMPLEMENTATION OPTIONS

The report going forward is divided into four sections:

- **Pre-Application Phase**  
What happens [with](#) a development proposal before an application is officially submitted to the City?
- **Application, Review & Approval Phase**  
What happens once the development proposal starts through the City's Staff, commission, board, and Common Council process?
- **Post-Approval Phase**  
After the legislative review and approval, what happens during the City agencies' sign-off process?
- **Administration Improvements**  
What can be done from an administrative perspective to make the process more efficient?

Process goals were developed from careful consideration of all inputs, discussions, and problem solving sessions with external and internal customers of the development review process. These were logically grouped into goals with specific implementation recommendations.

Implementation options are just that, options. It is ultimately up to the Common Council (via ordinance and/or resolution) and the Mayor (via executive-branch policy) to adopt, prioritize and fund.

## PRE-APPLICATION PHASE

The following goals focus on the pre-application phase of the project. Pre-application is the time before developers make formal application to the City of Madison. The overarching goal of the pre-application phase of a project is to provide all stakeholders (Alderspersons, developers, neighbors, homeowners, renters, business owners, adjacent commercial property owners, neighborhood and business associations) an opportunity to learn about both the proposed project and the vision of the surrounding neighborhood. Clear information and open communication are ~~therefore~~ the hallmarks of a good pre-application phase.

The desired outcome of the Pre-Application Phase of a project is ultimately a decision by the potential Applicant on whether or not an application should be submitted to the City. ~~Further, if~~ an Applicant decides to proceed with an application, this phase also provides information that will help the Applicant in-developing a proposal that will capture both the positive attributes of the project desired by the surrounding neighborhood, as well as addressing concerns that have been raised to best of the Applicant's ability.

The Pre-Application Phase is not the point in the project when proposals are approved or rejected. The pros and cons of a project are weighed, ~~and ultimately, if~~ a formal application is submitted, it is reviewed, revised, approved, ~~or~~ denied or approved with modifications, by the City (through the Landmarks Commission, Urban Design Commission, Plan Commission and/or Common Council.)

***For the purpose of this report, "neighborhood stakeholders" collectively refers to Alderspersons, neighborhood associations, neighborhood business associations, residents, property owners, business owners, and other interested parties.***

**A. GOAL: Establish predictable, consistent processes and expectations for neighborhood stakeholders & staff review of development proposals during the Pre-Application Phase of projects.**

- 1. Require first point of contact in the Pre-Application Phase of the project to be with the Department of Planning & Community & Economic Development (DPCED.)**
  - a. Require developer/property owner to register project via web-based system.**

The Municipal Ordinance currently requires 30-day notification for many development projects requiring Commission/Council approval before an Applicant can formally submit an application to the City of Madison. This minimum 30-day notification period is part of the Pre-Application Phase of the project. It is recommended that the 30-day notification period be maintained with the start of the period triggered by registration of the project with DPCED.

Through the City's website, a standardized registration form should be provided, which would include basic information about the proposed project and Applicant<sup>13</sup>. Registration through this system would generate automatic notification to Alder(s), neighborhood stakeholders, [other interested parties](#), and City staff within a specified proximity to the project. Included may also be list-serves of any interested individuals desiring notification of projects within certain geographic areas of the City, or city-wide.

Registration through this system would also populate a project-specific webpage that would serve as a depository of information regarding the project for the balance of the Pre-Application, Application, Review, and Post-Approval of the project. As noted later in this report, this webpage would be linked to the City's legislative website (Legistar) and the enterprise land and asset management system (ELAM). This would be a publically-available webpage that would, in effect, provide a virtual one-stop-shop for information about a specific project. Prior to or after this notification being provided, a meeting with Zoning and Planning Division staff is essential in order for the applicant to understand the ordinance standards that will apply to the project and how the project conforms to adopted City Plans.

Implementation: Near-term, 2011, 2012. Ordinance amendments would be required to change the notification process. Additional budget allocation may be required to develop the project-specific webpage system noted above, along with allocation of existing staff resources necessary to input information and maintain the system once it has been developed.

**2. Standardize the process of notification and review of Projects during the Pre-Application Phase of the project.**

- a. ***Meet with Alder(s), Neighborhood Association President(s) [or designee](#), Neighborhood Business Association President(s) [or designee](#), [condominium and homeowner association representatives](#), and DPCED staff to determine the structure of the Pre-Application Phase of the project.***

Once a project has been registered as noted above, require meeting(s) within the 30-day notice period with all of the following individuals invited to participate: the Applicant, Alder(s), Neighborhood Association President(s) [or designee](#), Neighborhood Business Association President(s) [or designee](#), [condominium or homeowner association representatives \(if appropriate\)](#), DPCED staff, and other appropriate stakeholders. The purpose of this meeting will be to discuss and determine how the project in question should proceed through the Pre-Application Phase of the process.

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<sup>13</sup> See Appendix I & J for examples of development project questionnaires from Capitol Neighborhoods, Inc. and Marquette Neighborhood Association. A standard registration form would include many of the attributes from these questionnaires.

When and where should meetings occur? Who should attend? How should information be distributed throughout the neighborhood and how will information be transmitted back to the Applicant and City? What level of project facilitation on the part of DPCEd staff is desired? The purpose of this initial meeting is not to discuss the merits of the project in question, but rather, to come to an understanding on what is needed [to complete the for an effective](#) Pre-Application Phase of the project.

Pre-application expectations should also be set at this initial meeting. What type of detailed information do neighborhood stakeholders desire to see at this phase of the project; and, what level of detailed information can the Applicant provide?

Every effort should be made to strike a balance between neighborhood stakeholders' desire for detailed information and the Applicant's desire for flexibility and limited financial exposure during this Pre-Application Phase of the project.

Neighborhood associations and other neighborhood stakeholders should develop and agree to a standardized format for their review of development proposals [that is adopted citywide. Examples are available from some neighborhood associations and would ideally be standardized and adopted city-wide.](#)<sup>14</sup>

Implementation: Near-term, 2011, no ordinance amendments would be required.

**b. Enhance notification of projects to broadest [possible](#) group of neighborhood stakeholders as possible.**

Once the framework for the Pre-Application phase of the project has been finalized, every effort should be made to distribute information about the project and the review process to the broadest [possible](#) group of neighborhood stakeholders [as possible](#).

The project webpage noted above will serve as a depository for project information, as well as information regarding the review process. It will be necessary; however, to alert all neighborhood stakeholders of this project webpage, which can be done through the following:

- Significantly increasing the printing and postage budget of the Common Council Office to enable Alders to send notices to residents, business owners and property owners within their districts alerting them to projects entering the Pre-Application phase and directing them to the project webpage for additional information.

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<sup>14</sup> See Appendix I & J

- Additional signage at the project site alerting neighbors of the project, and more importantly, the project webpage where they can receive additional information about the project.
- Alder(s), Neighborhood Association(s), and Neighborhood Business Association(s) websites and newsletters.
- Use of the City's *My Madison* feature to enable interested stakeholders to voluntarily sign-up to receive emailed project updates and meeting notices.

As the neighborhood moves through its review of a project, neighborhood stakeholders will be required to post meeting ~~information~~ notices through the project webpage.

Neighborhood stakeholders are also encouraged to post meeting notices at other prominent places around the neighborhood, such as community message boards of retail establishments, public libraries, and digitally through neighborhood listserves.

Neighborhood stakeholders should also be encouraged to utilize the City's *My Madison* feature to broadcast meeting notices.

Implementation: Near-term, 2011, 2012, no ordinance amendments would be required. Budget allocations would be required for the project webpage system and to integrate it with the Enterprise Land and Asset Management System (as noted earlier), along with funds for Common Council postage and printing.

**3. Provide Applicants with access to "Participating in the Development Process: A Best Practice Guide for Developers, Neighborhoods & Policymakers" and update this guide periodically.**

The city maintains a helpful document outlining Madison's development process available at:

[http://www.cityofmadison.com/planning/bpg\\_final\\_for%20weba.pdf](http://www.cityofmadison.com/planning/bpg_final_for%20weba.pdf)

Applicants should be directed to this guide to help them prepare to participate in the development process. Being prepared and understanding Madison's development process can save time, money, and frustration. The guide should be periodically reviewed and updated to remain current.

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## PRE-APPLICATION PHASE

### B. GOAL: Inclusive, fair, and uniform neighborhood input into development projects

1. **Require/Encourage neighborhood review of a development proposal in such a manner that incorporates different perspectives through a variety of different means.**

All neighborhoods within the City of Madison are unique and include a diverse mix of homeowners, renters, commercial property owners, and businesses that may have different and unique perspectives and ideas regarding proposed development projects. Every effort should be made to insure that broad arrays of neighborhood stakeholders are provided with an opportunity to provide feedback regarding projects.

Implementation: Near-term, 2011, no ordinance amendments or budgetary allocations would be required.

2. **Enable City staff to better facilitate meetings between Applicants and neighborhood stakeholders when needed.**

Neighborhood stakeholders depend on timely and accurate information to be able to provide valuable feedback regarding development proposals. City staff should be enabled to assist with the collection and dissemination of project information to neighborhood stakeholders. Likewise, City staff should help Alderperson(s) and neighborhood stakeholders facilitate neighborhood meetings, especially in the case of complex and controversial projects.

Implementation: Near-term, 2011, no ordinance amendments; however, additional budgetary allocation may be required for project facilitation.

3. **Require/Encourage neighborhood associations/stakeholders to provide comments on the project that reflect with a range of viewpoints in lieu of a specific recommendation**

Require Neighborhood Association(s) and Neighborhood Business Association(s) to provide the Applicant, Alder(s), and DPCED staff with written comments on the proposed project during the Pre-Application Phase of the project in lieu of rather than providing a specific recommendation or position at this stage of the process. What does the neighborhood like about the project? What does the neighborhood have concerns about, and how might those concerns be addressed? What suggestions does the neighborhood have for improving the project? How strong is the sentiment regarding the Project? What contrarian viewpoints have been provided? Policymakers would also appreciate disclosure of stakeholders' interests.

These comments should be provided to the Applicant, Alderperson(s), and DPCED staff so that they can be posted on the project webpage and become part of the official record of the project.

As noted earlier, the primary purpose of the Pre-Application Phase of the project is to provide the Applicant with information about how the neighborhood views the project in an effort to help the Applicant make a determination regarding whether ~~he/she wishes and/or when to continue~~ to make a formal application to the City, and in what form. Specific recommendations, positions, and “votes” on a project do not need to occur prior to the project being formally submitted and can occur during the formal review process once an Applicant has applied.

Implementation: Near-term, 2011, no ordinance amendments or budgetary allocations required.

4. **Encourage neighborhood associations stakeholders to utilize a variety of means to secure neighborhood stakeholders’ feedback during the Pre-Application phase.**

Some individuals may not have the availability to attend scheduled meetings due to work schedules and other commitments. Every effort should be made provide alternative platforms for receiving community feedback. The use of the Internet, especially through email, wikis and social media, should be encouraged as a way for individuals to provide comments. The use of surveys may be another source of feedback.

Implementation: Near-term, 2011, no ordinance amendments or budgetary allocations required.

5. **Encourage developers to engage neighborhood stakeholders early in the process, even before plans are fully developed.**

Input into the program of a developer and early input on design can be productive, can save developers cost, and can result in a better final product.

Implementation: Near-term, 2011, no ordinance amendments or budgetary allocations required.

## PRE-APPLICATION PHASE

### **C. GOAL: Increase property and development information available to residents, property owners, and investors/developers.**

Even before a developer is ready to begin the Pre-Application Phase, he or she will need access to as much information as is reasonably possible regarding the property where development is desired. Neighborhood stakeholders will likewise be interested in as much project information as possible as a project moves through Pre-Application, Application, and Review Phases.

#### **1. Increase and enhance the amount of property information that is available in a web-based, digital format.**

- a. Work on the development review process identified the following changes to the way in which the City maintains and presents property information as being desirable:
  - i. Note within the City's current web-based *Property Lookup* feature whether or not a property falls within an Urban Design District or designated Historic District, and include a link to the requirements for said District.
  - ii. Provide a link within *Property Lookup* to all neighborhood, comprehensive, and other planning documents that have a direct spatial relationship to the property in question.
  - iii. Provide a link within *Property Lookup* to all neighborhood associations and neighborhood business associations that cover the area where the property is located.
  - iv. Fully digitize and catalogue all property information maintained by the City, and provide links to this information through *Property Lookup*.
  - v. Develop and maintain a catalogue of all plans and studies that have a spatial impact on the City, and provide an "order of control" that explains the relationship between documents, especially when conflicting recommendations exist.

Implementation: Uncertain timeframe. Additional staff and budgetary allocation will be required, especially for the full digitization of property records. No ordinance amendments required.

#### **2. Enhance the information that is available to guide residents, business owners, property owners, and prospective developers as they are preparing applications.**

- a. Work on the development review process also identified the following changes to the type of information that is available to residents, property owners, and developers that would be desirable as individuals prepare applications to submit to the City:
  - i. Publish a single list of all development-related fees, and provide a web-based tool to assist applicants with calculating their likely permit fees.

- ii. Expand utilization of the Development Services Center website to provide even more detailed directions on applying for projects. In other words, continue to replace statements that read “contact staff for information” with the information that the City wishes to provide.
- iii. Continue to make owner/occupant mailing lists available to developers for purchase.

Implementation: Near-term, 2011, no ordinance amendments or budgetary allocations required.

## APPLICATION, REVIEW & APPROVAL PHASE

The following goals focus on the application, review and approval phase of the project. [It begins when the applicant makes the](#) formal submittal to the City. [At this point in time](#) and the application is added to the list of projects to be reviewed by the appropriate staff, commission or board and Council if needed. All boards and commissions and the Council allow public testimony on the application.

### D. GOAL: Clarify and simplify the process for development proposals that require more than internal staff approvals.

1. ***Classify development proposals based on the approvals that are required using a two tiered system: one for simple projects (permitted uses) and another for more complex projects (those requiring approval by boards, commissions or the Common Council).***

The Zoning Administrator is charged with the responsibility of determining whether a proposed use is a permitted use under the Zoning Code.

The City currently has a process in place which differentiates between “permitted uses” as simple projects and those requiring review by a board or commission; “complex projects.”

The revised Zoning Code will make more types of development in the City of Madison permitted uses as of right rather than requiring approval by a board or commission, which should reduce the number of projects requiring extensive review by boards and commissions. The new Zoning Code will also include additional design standards which should provide more information to potential developers at the beginning of their due diligence process.

The new code should result in the reduction of the use of Planned Unit Developments which are more cumbersome and time consuming for applicants and staff. A broader range of up-to-date districts should replace the use of Planned Unit Developments in most cases. Following the adoption of the new zoning ordinance, the City should undertake a review of the development process within 18 months.

Implementation: Near-term, 2011, ordinance amendments required, no additional budget authorization needed.

2. ***Identify and propose changes to empower staff to grant administrative approvals where appropriate***~~*Empower professional staff to make decisions not specifically requiring commission review.*~~

Give DPCED Director and each commission/committee the ability to identify and define when it is appropriate to have items approved through administrative review and when it is appropriate for the item to go before commission/committee for review and approval.

~~For example, staff has recommended that the design of projects approved under the Façade Grant Program could be moved from the Urban Design Commission to Planning Division staff.~~

Implementation: Near-term, 2011, Common Council ordinance change required, no budget authorization required.

## APPLICATION, REVIEW & APPROVAL PHASE

E. GOAL: ~~Compliance with~~ Improve effectiveness of Commissions/Committees/Boards Conditions and Recommendations.

**1. Review and revise at a minimum of once every ten years, commission and board mission statements with review and approval by Common Council.**

The mission statements of the Plan Commission, Landmarks Commission, Urban Design Commission and Zoning Board of Appeals are found within City ordinance. Each should be reviewed and revised if necessary to ~~cover all of~~ clarify the duties and responsibilities and the purpose of each entity.

The Common Council with guidance from staff of the aforementioned commissions and boards should work to ensure that mission statements of these bodies do not overlap with one another.

Implementation: Near-term, 2011, potential ordinance amendments required, no budget authorization needed.

**2. Provide meaningful and effective orientation for all new commission, committee and Common Council members and neighborhood stakeholders.**

**a. Staff for each commission/committee/board should develop a formal orientation and training program.**

Staff should work with the Organizational Development and Training Office<sup>15</sup> to develop a formal training program for each commission/committee/board. This training should involve a review of the commission's mission, processes, standards for the review of projects and timelines. The inter-relationship between boards and commissions should be included. The training program should review the manner in which commission meetings are conducted and the interactions among members, applicants and the general public appearing before the commission. Ensure that meetings are conducted in a respectful manner, staying on task and checking with applicants to ensure that they understand the recommendations made by commission members.

Implementation: Near-term 2011, 2012, no budget authorization needed.

**b. Develop a Mentoring Program for new members.**

New members should be assigned a more senior member of the commission/committee/board to work with during their first year as a member of the commission. The Chair of the commission/committee/board should make these assignments.

Implementation: Near-term, 2011.

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<sup>15</sup> See Appendix H

- c. **Provide an ~~semi-annual or~~ annual review of projects approved by the boards or commissions or committees.**

A self-critique and review should involve projects approved by just one commission and projects such as Planned Unit Developments reviewed by the Urban Design Commission, Plan Commission and Common Council. Tours can be focused on the work of each commission and could involve joint tours with more than one commission.

Implementation: Near-term, 2011, no budget authorization required.

## APPLICATION, REVIEW & APPROVAL PHASE

**F. GOAL: Reduce development approvals required and overlapping jurisdictions and conflicts among development approval entities.**

**1. Identify and eliminate overlapping jurisdictions of boards and commissions where possible. ([see matrix](#))**

For example, for projects involving landmark properties or projects within historic districts, consider review only by the Landmarks Commission rather than by both the Landmarks Commission and Urban Design Commission. For projects within the Downtown core, mixed-use commercial district (currently the C4 District) require review of additions and alterations by just the Urban Design Commission rather than by both the Plan Commission and Urban Design Commission. For demolitions of landmark buildings or buildings on historic districts, require approval by only the Landmarks Commission instead of both Landmarks and Plan Commission.

Implementation: Near-term, 2011, ordinance amendments required.

**2. Redefine super majority requirement for Common Council to be 2/3 of Alders present or eleven Alders, whichever is greater, to reverse decisions of boards and commissions. ([see matrix](#))**

The Common Council will need to decide if ordinance amendments are appropriate. The following decisions currently require a super majority vote:

- a. Certificates of appropriateness by the Landmarks Commission.
- b. Conditional Use permits by the Plan Commission.
- c. Demolition permits by the Plan Commission.

Implementation: Near-term, 2011, ordinance amendments required.

## APPLICATION, REVIEW & APPROVAL PHASE

### G. GOAL: Streamline and clarify Commission review of applications.

- 1. Schedule joint presentations/meetings for large projects where there is significant overlap of information required (e.g. Plan Commission and Urban Design Commission).**

Implementation: Near-term, 2011.

- 2. In Commission meetings, establish a procedure to allow presentations for up to 10 to 15 minutes for the development team and to recognize that for controversial cases, the same amount of time may be appropriate for the “organized opposition,” however self-organized for controversial cases.**

For most projects, the commission's current standards related to speaking can be maintained (e.g. the Plan Commission's policy of limiting speakers to three (3) minutes which can be extended by one (1) minute if there is no objection from a member of the body, which generally works quite well).

Implementation: Near-term, 2011.

- 3. For those commissions which do not currently use a consent agenda, institute the consent agenda process where appropriate.**

Implementation: Near-term, 2011.

- 4. For any item referred by a board or commission, the commission should specify the reason for the referral and the specific items which need to be addressed prior to the project returning to the board or commission.**

At the start of the subsequent meeting the Chair should review the reason for referral with the commission.

Implementation: Near-term, 2011.

- 5. Commissions should differentiate between “conditions of approval” that are based in city ordinance requirements and those which are recommendations from the board or commission.**

Implementation: Near-term, 2011.

- 6. Supply the applicant with all staff reports and recommended conditions of approval one (1) week in advance of the public hearing/commission meeting.**

Implementation: Near-term, 2011.

- 7. Maintain Landmarks Commission in its current form.**

- a. Continue to allow staff approval of small projects [which has resulted in 80% of the projects being approved by staff and 20% being reviewed by the commission.](#)

Implementation: Near-term, 2011.

- b. Continue meeting two times per month to facilitate prompt review of projects.

Implementation: Near-term, 2011.

- c. For projects requiring review by both the Urban Design Commission and the Landmarks Commission, require the Landmarks Commission review to precede the review by the Urban Design Commission. Structure Landmarks Commission approval to allow staff review and sign-off on changes required by other commissions.

Implementation: Near-term, 2011.

- d. Amend the Landmarks Ordinance to make it easier to interpret while not diminishing its effectiveness.

Implementation: Near-term, 2011, ordinance amendment needed.

- e. Work with the Landmarks Commission to evaluate the potential to institute a simple recommendation process for projects which require approval by the Plan Commission or Common Council with the following options:

- i. Approval of development plan as presented.
- ii. Approval with recommended conditions.
- iii. Rejection of development plan with written reasons.
- iv. [Single referral with reasons](#)
- v. [Rejection of development plan with recommended conditions of approval](#)

Implementation: Near-term, 2011.

**8. Maintain Urban Design Commission in its current form.**

- a. Maintain the ordinance requirements whereby the Urban Design Commission is advisory to the Plan Commission on certain types of Conditional Use permits and Planned Developments.

Implementation: Near-term, 2011.

- b. Update Urban Design District ordinance requirements to provide for more specific, objective standards. These Urban Design Districts function as overlay districts to the existing base zoning for a property.

Implementation: Urban Design District ordinances should be reviewed and updated at a minimum of once every ten years.

- c. Amend Urban Design Ordinance to allow staff to approve small projects within Urban Design Districts and alterations to projects.

Implementation: Near-term, 2011, ordinance amendment required.

- d. Integrate the Urban Design Commission application process into the Plan Commission/Common Council application and scheduling process. Currently a separate application is required for Urban Design Commission review. Consider requiring one application for Urban Design Commission, Plan Commission and Common Council review. Consider amending the schedule and timeline for Urban Design Commission projects to allow time for a written staff report to be provided to both the Urban Design Commission and the Plan Commission prior to action by either commission.

Implementation: Near-term, 2011, no ordinance amendments would be required.

- e. Require the Urban Design Commission to evaluate the potential to institute a simple recommendation process for projects which require approval by the Plan Commission or Common Council with the following options:

- i. Approval of development plan as presented.
- ii. Approval with recommended conditions.
- iii. Rejection of development plan with written reasons.
- iv. [Single referral with reasons](#)
- v. [Rejection of development plan with recommended conditions of approval](#)

Currently for projects requiring approval by the Plan Commission or Common Council, the Urban Design Commission uses a practice of granting "initial approval" or "final approval" of a project when in actuality, the Commission is making a recommendation to the Plan Commission and Common Council and it is the Plan Commission or Common Council which is actually approving the project. In some cases projects need to return to the Urban Design Commission for "final approval" of the project after the Plan Commission and Common Council have approved the project. ([see matrix](#))

Implementation: Near-term, 2011.

- f. Work to identify the type of signage projects which can be approved by staff which may deviate from the strict ordinance requirements. The Commission and staff would need to identify those signage projects that can be administratively approved and the criteria that staff would use to approve projects that do not comply with the standards of the ordinance, similar to the method used by staff to approve parking reductions.

Implementation: Near to mid-term, 2011-2015, ordinance amendments required.

- g.** Remove the requirement that Façade Improvement Grant projects be referred to the Urban Design Commission for approval unless the project is located within an Urban Design District or would otherwise require Urban Design Commission approval.

Implementation: Near-term, 2011, Common Council resolution required.

**9. Maintain the Plan Commission in its current form.**

Consider appointing a member of the City's Urban Design Commission to the Plan Commission ([or vice versa](#)) as a way to improve the communication between the commissions and avoid misunderstandings related to recommendations and comments. Clarify and formalize the role of the Plan Commission and Alcohol License Review Committee for projects which require review by both entities (i.e. outdoor eating areas and beer gardens).

Implementation: Near-term, 2011, ordinance amendments may be required.

- a. Require the Plan Commission to evaluate the potential to institute a simple recommendation process for projects which require approval by the Common Council with the following options:
  - i. Approval of development plan as presented.
  - ii. Approval with recommended conditions.
  - iii. Rejection of development plan with written reasons.
  - iv. [Single referral with reasons](#)
  - v. [Rejection of development plan with recommended conditions of approval](#)

**10. For advisory boards/commissions, such as Landmarks and UDC, require, unless otherwise requested by the applicant, a recommendation be made at a single meeting of the body. ([see matrix](#))**

- a. Prohibit these bodies from re-referring items unless requested to do so by the applicant.

Implementation: Near-term, 2011, ordinance amendments may be required.

## APPLICATION, REVIEW & APPROVAL PHASE

### H. GOAL: Develop Clear Standards for Application Materials and Review Criteria for Applicants, Staff and Public Use.

- 1. Review all application forms used for the review and approval of development plans to ensure that all required information is presented in a clear/uniform fashion. Develop checklists to be used by staff to determine whether an application is complete.**

Implementation: Near-term, 2011.

- 2. Integrate the Enterprise Land and Asset Management (ELAM) system with the City's Legislative Information Center and the Development Services Center website.**

Currently there are several places on the City's website where development information can be obtained. Ensuring that development related information on current projects, past projects, application materials, schedules, and development standards can be found in a centralized location continues to be an unmet objective. All documents posted online should have a date and label which clearly identifies the document.

Implementation: Mid-term, additional budget allocation may be necessary.

- 3. As identified in the 3-5 year Strategic Economic Development Implementation Plan, develop and utilize a benefit-cost model to measure the fiscal impact of key development projects and to align TIF and other City Economic Development Tools with the benefits received.**

The intent is to gauge the community benefits being derived from a proposed project compared with potential public investments. The development of a benefit-cost or fiscal impact model will require a capital outlay to develop the model and the identification of appropriate staff resources to maintain the model and to run the model for "key development projects."

Implementation: Near to mid-term, the scope of work will need to be identified, and budget allocation will need to be provided.

## APPLICATION, REVIEW & APPROVAL PHASE

### I. GOAL: Designate project staff/liaison as a means for efficient application review.

#### 1. *Assign a staff project liaison to all complex projects.*

For projects requiring board and commission approval assign a staff person within the department to be the point person or liaison for the project. The Planning Division currently assigns a Planner as the point person for all development projects requiring Plan Commission and Common Council approval.

The role of the point person should be reviewed with a view toward assigning project managers to the largest, most complex projects. These project managers would be assigned to shepherd the most complex projects through the review and approval process. The work of the project manager would continue the work currently being done to help educate applicants, help to resolve inter-agency/inter-commission conflicts, help applicants obtain timely feedback from all stakeholder groups, and schedule meetings with affected parties to resolve issues. This is a very similar role that Planning Division staff currently plays with all projects. However, the expectation is that more frequent meetings, a potentially longer pre-application process, and a potential need to resolve significant issues would be greater and the need to involve senior level staff and division directors in these most complex projects would be likely. This project liaison will also be responsible for coordinating with the expanded use of the Development Assistance Team (DAT) noted below.

Implementation: Near-term, 2011, no additional budget authorization required, Training for project managers to be provided by the Organizational Development and Training Office with help from division managers.

#### 2. *Require relevant staff from the "Development Review agencies" to attend those commission meetings at which a project is under consideration and where their presence is needed. Empower staff to speak on behalf of their agency at these meetings.*

Implementation: Near-term, 2011.

#### 3. *Expand the use of the Development Assistance Team (DAT).*

The Development Assistance Team meets every Thursday morning to review development projects which come before the Plan Commission, Urban Design Commission, Landmarks Commission, and Common Council to review conditions of approval and reconcile potential conflicts. The team also meets with potential applicants prior to the submittal of formal applications to review and provide early comments on development concepts. The role of the team could be expanded. Comments on development concepts and the identification of remaining issues to be addressed could be formalized and put in writing for potential applicants, Alders and neighborhood stakeholders. An additional opportunity for applicants to meet with the team could be provided after

applications are submitted and formal recommended conditions of approval are available.

Implementation: Near-term, 2011, no budget authorization is required.

## POST-APPROVAL PHASE

The goal in this phase focuses on the follow-through after a project is approved. This phase deals with completing the details called for in the approval. Actual construction permits cannot be issued until these items and sign-offs are completed by the applicant and City staff.

### **J. GOAL: Better coordinate/expedite City agency sign-off on approved development plans.**

- 1. Expand the role of the Development Assistance Team in the post-approval process by offering meetings with the team or appropriate staff to discuss and clarify conditions of approval.**

Implementation: Near-term, 2011, 2012, no budget authorization is required.

- 2. Establish clear timelines for staff review of projects submitted for staff sign-off. Provide periodic reports on the time it takes for agencies to check out plans and review plans to division heads, the Mayor, and relevant boards and commissions.**

Implementation: Near-term, 2011, 2012, no budget authorization is required.

- 3. Gather applicant feedback from stakeholders through the use of surveys, interviews and post-approval project meetings. Incorporate the feedback into the updates of the "Participating in the Development Process, A Best Practices Guide".**

Implementation: Near-term, 2011, 2012, no budget authorization is required.

## ADMINISTRATION IMPROVEMENT

These goals focus on how the City reviews applications, informs and educates all stakeholders in the development review process. Maximizing the use of technology to create a transparent review process for all stakeholders is a major theme of the goals in this section.

### K. GOAL: Neighborhood plans, training and feedback.

#### **1. *Keep the City's Comprehensive Plan and neighborhood plans up to date.***

Neighborhood plans are supplements to the Comprehensive Plan but are not adopted as part of the Comprehensive Plan. The plans are used as guides in reviewing development proposals. State law requires that certain development proposals such as zoning map amendments must be consistent with the Comprehensive Plan. The City's Comprehensive Plan should be reviewed periodically to ensure that inconsistencies between the Comprehensive Plan and neighborhood plans are reconciled. Neighborhood plans should be reviewed and updated ideally every 10 years. Neighborhood plans should be presented in a standardized format which makes it easy for customers to refer to and find relevant recommendations in any neighborhood plan they pick up.

Implementation: Near to mid-term, budget authorization will be required as resources are not currently available to keep neighborhood plans up to date on this schedule.

#### **2. *Neighborhood plans should consider economic feasibility and market realities.***

Recognizing that it is impossible to consider the economics of all plan recommendations 5-10 years before projects will likely be implemented, every effort should be made to consider economic realities of recommendations given current market conditions. In other words, if a recommendation is not economically feasible today, neighborhood stakeholders and City staff should seriously question if it will be economically feasible 5-10 years in the future.

Neighborhood plans should be referred to the Plan Commission, Long-Range Transportation Planning Committee, Economic Development Committee, and other relevant boards and commissions for recommendation prior to adoption by the Common Council.

Neighborhood associations should together develop economic criteria by which the EDC and other boards/commissions/committees can review proposed neighborhood plans. These criteria should be submitted to the EDC for its approval. [\(Note: Plan Commission suggests rewording this paragraph. See potential language in matrix\)](#)

Implementation: Near to mid-term, budget authorization will be required as resources are not currently available to complete economic feasibility studies for neighborhood plans.

**3. Develop enhanced training.**

**a. Customer service training for City staff involved in the development review process.**

Work with the Organizational Development and Training Office to develop a customer service training program for all staff involved in the development review process from all agencies. Reinforce the Department of Planning and Community & Economic Development's Customer Service Mission with all staff involved in the process. In summary, this philosophy states that "we will act as if our agency's existence is directly tied to the quality of service we provide." This means: putting our customers as the focus of everything we do, educating first, enforcing when necessary, supporting and inspiring each other and continuously working to improve our services.

Implementation: Near-term, 2011, 2012, no budget authorization is required.

**b. Staff for the Plan Commission, Landmarks Commission, Urban Design Commission and Zoning Board of Appeals should work with the Organizational Training and Development Office to prepare training materials for each development review entity.**

These materials should also be used to provide training opportunities for the Common Council and neighborhood stakeholders. Develop these training modules so that they can be accessed more frequently, via the web or city channel.

Implementation: Near-term, 2011, 2012, no budget authorization is required.

**c. Provide a small annual stipend to members of the Plan Commission, Landmarks Commission, Urban Design Commission and Zoning Board of Appeals to off-set the cost of attending conferences or training related to their respective roles.**

A policy, similar to that used for City staff, should be adopted regarding how commission and board members receive authorization and reimbursement for conference and training expenses.

Implementation: 2012, budget authorization is required.

**d. Increase funding for and encourage all staff involved in the development review process to regularly attend conferences and training opportunities for their respective fields.**

Implementation: 2012 and beyond, budget authorization is required.

**4. Develop feedback protocols.**

Provide a variety of mechanisms for applicants, neighborhood stakeholders and others to provide feedback on the development review process. The use of online surveys, comment cards at the front desk, and post-approval interviews are all tools which should be used.

Implementation: Near-term, 2011, no budget authorization required.

**5. Host an annual meeting for architects, developers, engineers and project managers to discuss City policies to identify concerns, problems, or changes which should be addressed and to suggest changes to the development review process.**

Implementation: Near-term, 2011, no budget authorization required.

**[6. See matrix RE: Neighborhood roundtable](#)**

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## ADMINISTRATION IMPROVEMENT

### L. GOAL: Development guidelines, website and Development Assistance Team.

#### 1. *Update development guidelines.*

Review all brochures, information pamphlets, application forms, flowcharts and checklists to ensure that the application materials which are available to customers are up-to-date and comprehensive. Provide this information through the City's website and in printed form.

Implementation: Near-term, 2011, some budget authorization may be required.

#### 2. *Prioritize the restructuring of the Department of Planning and Community & Economic Development website to provide a direct link from the City's homepage, and to incorporate web modules from Best Practice cities.*

Direct links should be provided to the Development Services website, the Enterprise Land and Asset Management System and the Legislative Information Center. Customers should be able to track all projects involved in all stages of the development review, approval, and construction process.

Implementation: Near-term, 2011, some budget authorization may be required.

#### 3. *Review and expand the use of the Development Services Center website first implemented in 2009.*

The website brings together the requirements of the City agencies involved in the development review process, application forms, schedules, checklists and access to other relevant information needed by customers of the process.

Implementation: This review should be undertaken with the update of the Department website.

#### 4. *Clearly establish and publicize on the Development Services Center website the process to hear appeals of administrative rulings by City staff.*

For example, if Planning staff is not willing to support the approval of an alteration to an existing Conditional Use, the applicant can apply to the Plan Commission to have the request considered. Any decision which involves an interpretation of the Zoning Code can be appealed to the Zoning Board of Appeals. Interpretations of the Building Code are appealed to the Building Board of Appeals.

Implementation: Near-term, 2011, 2012.

## ADMINISTRATION IMPROVEMENT

### M. GOAL: Physical facilities to facilitate development review process.

#### **1. *Implement the Development Review and Permitting Center (the physical one-stop-shop).***

The City has budgeted for the remodeling of the Madison Municipal Building to create the one-stop-shop. The area should contain a single greeting area where a receptionist can direct customers to appropriate areas and to set appointments for customers with Plan Reviewers, Zoning staff and staff from other agencies. The area should also contain small conference room spaces within the Department for inter-agency meetings with developers. All conference rooms should be directly linked to the City's Geographic Information System layers including zoning, utilities, roads, and other infrastructure and property information. The space should also include a suitable lobby space for customers to wait and to discuss projects informally, space to display informational brochures, the creation of a development resources center with relevant ordinances, brochures and special area plans, neighborhood plans, etc. and a business center for applicants to present and discuss plans. The current space is woefully inadequate and conveys a poor first impression on our customers.

Implementation: 2012/2013, implementation will need to be coordinated with the planning for the redevelopment of the Madison Municipal Building and Government East Block so budget authorization will be required.

#### **2. *Renovate the Common Council chambers so everyone can see presentation materials including the direct linkage of presentation materials through the web and City Channel.***

Implementation: 2012, budget authorization is required.

#### **3. *Install permanent computers and projectors within all meeting rooms used for development review meetings.***

Currently, Room LL-110 in the Madison Municipal Building and Room 108 in the City-County Building are outfitted with projectors and computers which provide access to the internet, City file servers and GIS layers. The City Council chambers, 260 in the Municipal Building and LL-130 in the Municipal Building should also be provided with the same equipment.

Implementation: 2012, budget authorization will be required.

### **ADMINISTRATION IMPROVEMENT**

**N. GOAL: Revisit and review the development process on a regular basis to identify improvement opportunities.**

As stated in the introduction of this report, any process can and should be reviewed and improved on a regular basis. Require DPCED to review the development process on an on-going basis looking for inefficiencies and opportunities to improve. At a minimum of once every ten years, require a report to the Common Council outlining performance metrics and recommendations for new improvements going forward.

Implementation: Ongoing, with possible future ordinance changes and budget amendments as needed.

## APPENDICIES

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**Appendix A - Recommendation Matrix for Implementation**

Goal	Near Term (2011/12) Implementation	Ordinance/ Resolution Change Required	Budget Authorization Required	Other
A. 1.a.	x	x	x	2011/12
A.2.a.	x			
A.2.b.	x		x	2011/12
B.1	x			
B.2	x		x	
B.3	x			
B.4	x			
C. 1.a			x	Uncertain timeframe
C. 2.a	x			
D. 1	x	x		
D.2	x	x		
E.1	x	x		
E. 2. a	x			2011/12
E. 2. b	x			
E. 2. c	x			
F.1	x	x		
F.2.a,b,c	x	x		
G. 1	x			
G. 2	x			
G. 3	x			
G. 4	x			
G. 5	x			
G. 6	x			
G. 7. a,b,c, e	x			
G. 7. d	x	x		
G. 8. a	x			
G. 8.b	x	x		
G. 8.c	x	x		Next five years
G.8.d	x			
G.8.e	x			
G.8.f	x	x		
G.8.g		x		2011/12
G.9	x	x		
G.10	x	x		

DEVELOPMENT PROCESS IMPROVEMENT INITIATIVE

H.1	x			
H.2			x	Mid-term
H.3			x	Near to mid-term
I. 1	x			
I. 2	x			
I.3	x			
J.1	x			2011/12
J.2	x			2011/12
J.3	x			2011/12
K.1	x		x	Near to mid-term
K.2	x		x	2011/12
K.3.a	x			2011/12
K.3.b	x			2011/12
K.3.c	x		x	2012
K.3.d	x		x	2012
K.4	x			
K.5	x			
L.1	x		x	
L.2	x		x	
L.3	x		x	Undertake with Dept website update.(L.2)
L.4	x			2011-2012
M.1			x	2012/13 coordinate with MMB redevelopment and Gov. East Block
M.2			x	2012
M.3			x	2012
N.				Ongoing, with possible future ordinance changes and budget amendments. See Prior Reports Recommendations Matrix in Appendix B.

**Appendix B - Prior Reports Recommendations Matrix**

Recommendation	Source	Completed	In Process	Not Adopted or Begun	Included in 12/2010 Report
Create cabinet-level office of Economic Development to increase the capacity to grow.	2004 EDC Report				
Customer service training for City staff, especially those in direct contact with businesses.	2004 EDC Report, 2006 Planning Dept. Staff		Natural Step		Expanded
Quality review of processes.	2004 EDC Report				Expanded
Establishing timeline for review and communication.	2004 EDC Report				Expanded
Development of a customer-satisfaction feedback mechanism for businesses to provide input.	2004 EDC Report		Survey has been drafted.		Expanded
Commit technology and staff resources to designing and implementing a comprehensive project management and development, review, approval and implementation system.	2004 EDC Report		ELAM software, Development Services (DSC) Website, digitizing property files		Expanded
Creation of an ombudsman/project manager and a first point contact for businesses seeking City approvals and permits.	2004 EDC Report, 2005 Lafollette Report, 2006 Planning Dept. Report		Planning has been using for major complex development projects		Expanded
Undertake a total evaluation and redesign of current system of development review and approvals.	2004 EDC Report, 2006 Planning Dept. Staff Report		ELAM, Zoning Code Rewrite & One-Stop Shop		Expanded
Customer focus	2004 EDC Report				Expanded
A project management system	2004 EDC Report, 2005 Lafollette Report				Expanded
Single location "One-Stop-Shop" for development projects	2004 EDC Report, 2005 Lafollette Report, 2006 Planning Dept. Report				Expanded

Recommendation	Source	Completed	In Process	Not Adopted or Begun	Included in 12/2010 Report
Clearly defined project timelines	2004 EDC Report				Expanded
Universal use of Web technology	2004 EDC Report				Expanded
Adopt presumptive approval as a basic operating principle of the development review process. Under this standard, a project that is not approved or denied within 180 days is deemed approved unless there is a mutually agreed cause for extension.	2004 EDC Report				
Institute a review and restructuring of Commission's role in the development review process and of the City regulatory environment affecting business location and expansion.	2004 EDC Report		Zoning Code Rewrite		Expanded
Consolidate existing Commissions, such as the Urban Design and the Plan Commission, to eliminate the fragmented approach to projects, encourage whole project review, and reduce the number of reviews.	2004 EDC Report				
Limit public body review of routine items, e.g., conditional uses that are usually approved.	2004 EDC Report		Zoning Code rewrite completed for some reviews		Expanded
Clearly define the role and limits of Boards and Commissions and develop clear criteria for referral.	2004 EDC Report		New Urban Design Districts, more can be done		Expanded
Through the Common Council Organizational Committee or a separate rules committee, instituting a regular review of ordinances and regulations to clean out the obsolete, eliminate conflicts and inconsistencies, and revise to meet current project's approval.	2004 EDC Report		Zoning Code Rewrite		
Curtail or eliminate entirely the Plan Commission's and the Common Council's practice of holding project approvals "hostage" for issues unrelated to the project's approval.	2004 EDC Report	Improved / completed			

Recommendation	Source	Completed	In Process	Not Adopted or Begun	Included in 12/2010 Report
Do not permit new ordinances, amendments or other significant regulatory and policy changes to be introduced into the Common Council agenda by title only.	2004 EDC Report	Improved / completed			
Require a routine use of economic or business impact assessment for major new legislation affecting businesses.	2004 EDC Report			See Mayor's response memo Aug. 4, 2005	For development projects
Building on the Dept. of Planning & Community & Economic Development's "Best Practices Guide," develop a clear statement of the rights and responsibilities of all parties involved in the development review process.	2004 EDC Report, 2006 Planning Dept. Staff Report		DAT Meetings, Development Services Center Website, Best Practices Guide		Expanded
Use "carrots" – the methods of encouragement and rewards – rather than the sticks of legislative mandates to promote a culture supportive of business and to encourage private sector investment that exceeds basic requirements and standards.	2004 EDC Report				
Earlier Public Notice	2005 Lafollette Report		Zoning Code rewrite		
Simplified Approach for certain projects	2006 Planning Dept. Staff Report		Zoning Code rewrite		Expanded
Dedicated staff for ordinance update	2005 Lafollette Report				
Education Programs and tools	2005 Lafollette Report		DSC Website		Expanded
Team Involvement by reviewing agencies	2005 Lafollette Report		DAT Meetings		Expanded
Zoning Code Update	2006 Planning Dept. Staff Report		Zoning Code rewrite		

**Appendix C - Previous Reports Index with hyperlinks**

Document Name & Date	Description
<a href="#">Development Process Report 2006</a>	Streamlining the Development review and building permit process , including a proposal to create a development review and permitting center
<a href="#">Mayor Memo Oct. 5, 2006</a>	Department of Planning and Development Reorganization Report
<a href="#">Mayor's EDC Report Memo 8-4-2005</a>	Memo to EDC on updates and implementation of recommendations from Opportunities to Make Madison City Government More Friendly to Business: 2004 report
<a href="#">La Follette Evaluation of Permitting Process</a>	Evaluation and Analysis of Madison's Development review and Permitting Process
<a href="#">La Follette Appendices</a>	Research protocols, case studies from other cities, position descriptions from other cities
<a href="#">Opportunities to Make Madison City Government More Friendly to Business: 2004</a>	Also known as the "Bugher Report", recommendations; includes testimony from two business forums

**Appendix D - Public Comments Index with hyperlinks**

<b>Document Name &amp; Date</b>	<b>Description</b>
<a href="#">Steve Cover Comments</a>	Comments on 11/29/10 draft report
<a href="#">Ed Clarke Comments</a>	Comments on 11/29/10 draft report
<a href="#">Board of Madison's Central Business Improvement District (BID)</a>	Dec. 8, 2010 comments
<a href="#">Greater Madison Chamber of Commerce comments</a>	Dec. 2, 2010 memo
<a href="#">CNI Comments</a>	Dec. 3, 2010 letter and comments on 11-29-10 draft
<a href="#">Twink Jan-McMahon comments</a>	Presented at 11/29/10 EDC meeting
<a href="#">Peter Ostlind &amp; Ledell Zellers comments</a>	Presented at 11/29/10 EDC meeting
<a href="#">Mike Whaley, Findorff, comments</a>	Sent to EDC via Al Zimmerman email
<a href="#">Susan Schmitz, Downtown Madison Inc., comments</a>	Presented at 11/29/10 EDC meeting
<a href="#">Landmarks Commission Report</a>	Excerpt from Nov. 8, 2010 LMC meeting
<a href="#">Urban Design Commission Report</a>	Recommendations from the Nov. 10, 2010 UDC meeting
<a href="#">Neighborhood Summit: Round Two Notes</a>	October 23, 2010 notes
<a href="#">Neighborhood Summit: Round Two Agenda</a>	October 23, 2010 agenda
<a href="#">Ken Golden Critique</a>	10/20/10 Handout at EDC Meeting
<a href="#">Fred Mohs Remarks</a>	10/20/10 Handout at EDC Meeting
<a href="#">Paul Soglin Email</a>	Sept. 23, 201 email on Landmarks Ordinance
<a href="#">Implementation Steps</a>	Sept. 16 handout from Bill White Et Al
<a href="#">DAT Meeting #2</a>	Notes from Sept 10, 2010 DAT Meeting
<a href="#">Smart Growth Greater Madison Comments</a>	September 8, 2010 comments
<a href="#">City Engineering Comments</a>	August 27, 2010 memo from Rob Phillips, City Engineer
<a href="#">Bert Stitt Comments</a>	Aug. 28, 2010 email and Citizen Participation Plan from Glendale Arizona
<a href="#">DAT Meeting Comments</a>	August 19, 2010 comments from DAT staff

<a href="#">Al Zimmerman Presentation</a>	August 18, 2010 email and presentation to EDC
<a href="#">Alder Compton Comments</a>	August 18, 2010 comments
<a href="#">Madison Trust for Historic Preservation</a>	August 13, 2010 comments
<a href="#">RASCW Recommendations</a>	Realtors Association of South Central Wisconsin Aug. 17, 2010
<a href="#">July Neighborhood Summit Summary</a>	Official top priorities from the July 31, 2010 neighborhood summit meeting
<a href="#">Plan Commission Member Comments</a>	Aug. 17, 2010
<a href="#">Don Severson Comments</a>	Aug. 15, 2010
<a href="#">Neighborhood Summit</a>	Invitation, pictures and flipcharts after polling from July 31, 2010 meeting
<a href="#">Erik Paulson Comments</a>	Aug. 15, 2010
<a href="#">Marshall Swift Comments</a>	Aug. 15, 2010
<a href="#">Regent Neighborhood Association Comments</a>	Aug. 13, 2010
<a href="#">Alder Judy Compton Comments</a>	Aug. 13, 2010 comments from District 16 Alder Judy Compton
<a href="#">Madison Landmarks Commission Recommendations</a>	August 12, 2010
<a href="#">Sherman(School) Neighborhood Assoc. July 31 Neighborhood Summit Concerns</a>	Aug. 10, 2010
<a href="#">Sherman(School) Neighborhood Assoc. Comments</a>	Aug. 10, 2010
<a href="#">Greater Madison Chamber of Commerce Recommendations</a>	Aug. 9, 2010
<a href="#">Madison's Central Business Improvement District's Recommendations</a>	Aug. 9, 2010
<a href="#">Capitol Neighborhoods, Inc. Comments</a>	Aug. 6, 2010
<a href="#">10-8-6 Memo to Alders-Input Request</a>	Aug. 6, 2010 memo to all Alders, EDC, M. Olinger, B. Murphy, Mayor's Office asking for comments
<a href="#">Anita Weier comments</a>	Aug. 6, 2010
<a href="#">Harrington to UDC comments</a>	John Harrington is a member of the UDC
<a href="#">Fey comments for EDC</a>	Comments from the Chairperson of the Plan Commission
<a href="#">Marquette Neighborhood Comments</a>	Aug. 5, 2010
<a href="#">Marshall Smith Steve King comments</a>	Aug. 3, 2010 economic development emails

<a href="#">Zoning Board of Appeals Area Exceptions</a>	Chart of number of zoning variances approved, denied and no returns from 2005-2009
<a href="#">Dawn O'Kroley comments</a>	Aug. 3, 2010
<a href="#">Greenbush Neighborhood Association Statement</a>	July 30, 2010
<a href="#">Bethel Lutheran Church Statement</a>	July 30, 2010 email
<a href="#">Dudgeon Monroe Neighborhood Association</a>	July 30, 2010 statement
<a href="#">Northside Planning Council Recommendations</a>	July 15, 2010
<a href="#">Adams Outdoor Recommendation 7-22-10</a>	Letter from Adams Outdoor Advertising recommending billboard policy review as part of development process review
<a href="#">DMI Development Approval Recommendations 6-25-10 Final</a>	Downtown Madison, Inc.'s recommendations
<a href="#">Bill White: Madison Development Process 6-11-10</a>	Recommendations from ad hoc group of Madison practitioners
<a href="#">Cooley Memo re Input 10-6-30</a>	City Development Review & Approval Initiative including project timeline and opportunities for public input from Tim Cooley, EDD Director

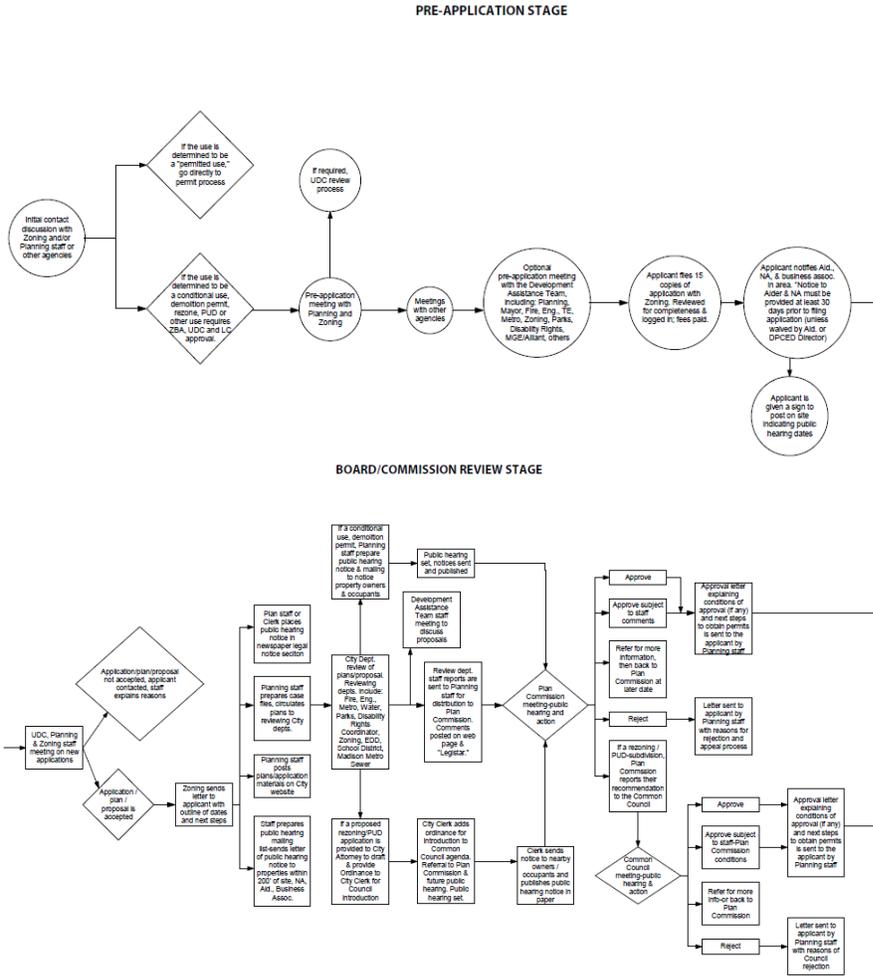
**Appendix E - City Commission Committee Comments Index with hyperlinks**

<b>Document Name &amp; Date</b>	<b>Description</b>
<a href="#">UDC Activity Log</a>	Urban Design Commission Activity Log 2003-2009
<a href="#">Urban Design Commission Procedural Comments</a>	Email from Rick Roll regarding UDC procedural comments
<a href="#">Murphy Memo to UDC Development Review Process 7-21-10</a>	Request for Comments on City Development Review and Approval Process from Urban Design Commission
<a href="#">Murphy PC Memo Development Review Process 7-8-10</a>	Request for Comments on City Development Review and Approval Process from Plan Commission
<a href="#">PC Review Standards</a> <a href="#">March 2010</a>	Standards for use in reviewing certain types of development proposals
<a href="#">2009 Landmarks Commission Approvals Information</a>	Development approval information including number of cases by commission for 2009
<a href="#">Murphy Memo to Plan Commission, 7/22/10</a>	Summary of Development Review Data
<a href="#">Completed Projects: July 2006-June 2010 Chart</a>	Number of projects approved by Plan Commission, Urban Design Commission, staff and/or Common Council
<a href="#">Murphy Memo to Landmarks Commission 7-12-10</a>	Request for Comments on City Development Review and Approval Process from Landmarks Commission

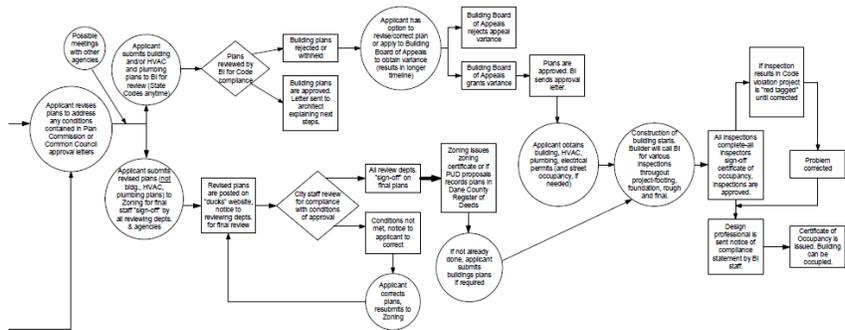
**Appendix F - Existing City Materials Index with hyperlinks**

<b>Document Name &amp; Date</b>	<b>Description</b>
<a href="#">Participating in the Development Process</a>	A best practices guide for developers, neighborhoods and policymakers, June 2005
<a href="#">Dev Review Process 07-10</a>	Pre-application and formal application chart including timelines and informal neighborhood review process chart
<a href="#">Generalized Top Down Flow Chart 0001</a>	Generalized zoning, subdivision, plan review, permitting and inspection process
<a href="#">Process Flow Chart 7-19-10</a>	Detailed flow chart with pre-application, board/commission and plan sign-off/inspection stages noted
<a href="#">Madison Measures App. Review</a>	Excerpt from Madison Measures 2009 Report, Planning Division mission, objectives, strategies, benchmarks and data

Appendix G - Existing Complex Project Flowchart

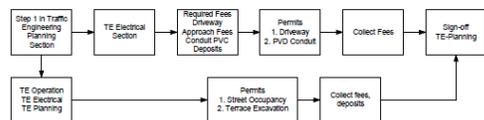


PLAN SIGN-OFF/PERMITTING/INSPECTION STAGE

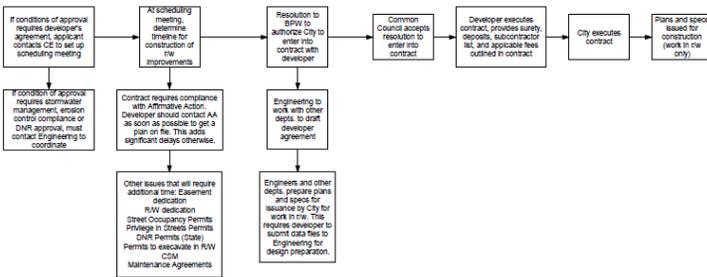


PLAN SIGN-OFF STEPS IN CITY TRAFFIC ENGINEERING/CITY ENGINEERING

Traffic Engineering



City Engineering



## Appendix H - Organizational Development & Training Support

### Process Improvement

Participate or facilitate team meetings of various groups involved in Development Process improvement initiative.

Work with staff teams on issues, identify roadblocks and create strategies for improving team dynamics and information flow.

Help create organizational structure and position description that supports project management role in Planning, Community and Economic Development

Gather input from neighborhood groups and alders on issues and concerns and help craft recommendations on neighborhood input

Help develop process for neighborhood input

Provide staff with just-in-time training on process improvement techniques

### Training and Orientation

Help create and deliver programs around the Development Process to various audiences.

### Specific Board, Commission and Committee (BCC) Training programs (Bi-annually or as needed basis.)

- Role of BCC in process
- Overview of process
  - Simple projects
  - Complex projects
  - Timing
  - Neighborhood roles
  - Alder roles
- Impacts on Process

### Orientation to Development Process for Neighborhood (NH) groups (NH meetings, as needed with various groups, NH Roundtable and Summit sessions)

- Overview of Development Process
  - Simple projects
  - Complex projects
  - Roles of BCC
  - Roles of alders
- Plans (Comprehensive, Neighborhood, district) and how they impact process
- Role of Neighborhood in process
- How to be heard and/or raise issues constructively

**Facilitation Training for City staff and neighborhood leaders**

City Staff can participate in facilitation training offered as part of regular training schedules. Project management training can also be provided for staff for larger, and complex projects

Neighborhood leaders can take part in facilitator training at the GMCC's Leadership Greater Madison program, Neighborhood Roundtables and Summits. Training could also be provided to neighborhood groups (and alders) on complex projects on an as needed basis, as well.

**On-going facilitation:**

In the past the City had a corps of staff trained to be facilitators. They were provided with training and usually facilitated internal or external sessions related directly to their own departments. Over time, this group has dwindled because of retirements, job change and lack of interest. The narrow focus of this corps of facilitators on their individual departments was good at the departmental level, but did not always provide support for broader needs within the entire organization and community. This group could be developed again.

Alternatively, the City could create the responsibility within specific position descriptions with the requirement that facilitation support address a broad range of needs. Specific planner, economic development, community development, police and fire positions could be targeted.

Another option could be to dedicate a specific group of individuals to this role, regardless of position. Interested employees (or new hires) could be assessed for overall skills in facilitation, communication and influence and also receive additional training in facilitation and key process improvement techniques.

The City could also hire outside facilitators as needed. These facilitators would work directly with staff on various development projects or neighborhood initiatives to ensure internal coordination and overall effectiveness of the efforts.

**Appendix I - Marquette Neighborhood Project Questionnaire**



**Marquette Neighborhood Development Proposal  
Project Questionnaire**

Please supply as much information as is currently available about your development plans for the Marquette Neighborhood. We appreciate any information you have – it's not required that you fill out the survey completely before submitting it. Please submit the information as early in the development process as possible, and in advance of your meeting with the Marquette Neighborhood Association. If available, please provide any plans or drawings you may have. Feel free to attach additional information to make your current stage of thinking as clear as possible.

You may complete this form either electronically or on paper. To use the electronic form, scroll to each field using the 'Tab' key. Once you've completed the form, save it as a Word document. Submit the form via email to Johanna Coenen: [elfnut@tds.net](mailto:elfnut@tds.net) or via mail to: 1340 Spaight Street, Apt. D, Madison, WI 53703. Thank you.

**I. General Information**

Date of initial questionnaire: \_\_\_\_\_

Revision date(s): \_\_\_\_\_

Project name: \_\_\_\_\_

Number of parcels: \_\_\_\_\_

Number of structures: \_\_\_\_\_

General location: \_\_\_\_\_

Developer name and desired contact (email): \_\_\_\_\_

Project architect/designer: \_\_\_\_\_

Brief project description:

Desired date for submitting plans to City: \_\_\_\_\_



**III. Commercial Components**

Commercial square footage: \_\_\_\_\_

Type and number of commercial units:

**Type:** \_\_\_\_\_ **Number:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rental rates: \_\_\_\_\_ \$/sf

Commercial condo rates: \_\_\_\_\_ \$/sf

Outright sale price: \_\_\_\_\_ \$/sf

**IV. Other Components (Industrial or Other)**

Brief description:

**V. Zoning Issues**

Current zoning classification: \_\_\_\_\_

Will the proposed project meet current zoning requirements? \_\_\_\_\_

Will the proposed project require a Zoning Variance? \_\_\_\_\_

Will the proposed project be a PUD? \_\_\_\_\_

Parcel Number	Parcel Depth (feet)	Parcel Width (feet)	Parcel Square Footage
1			
2			
3			
4			
5			

**Setbacks: (zoning requirements / proposed)**

Structure	Front Setback		Rear Setback		Side 1 Setback		Side 2 Setback	
	Req'd	Prop	Req'd	Prop	Req'd	Prop	Req'd	Prop
1								
2								
3								
4								
5								

**Bulk Standards**

Structure	Height	Step-back, if any
1		
2		
3		
4		
5		

Describe signage: \_\_\_\_\_

**VI. Parking Issues**

Street(s) from which parking is accessed: \_\_\_\_\_

Total number of required parking stalls: \_\_\_\_\_

Number of proposed surface stalls: \_\_\_\_\_

Number of proposed underground stalls: \_\_\_\_\_

Number of proposed ramp stalls: \_\_\_\_\_

Number and location of bicycle/moped stalls: \_\_\_\_\_

Number and location of loading zones: \_\_\_\_\_

**VII. Landscaping, Green Space**

Landscaped area square footage: \_\_\_\_\_ Percent of lot(s): \_\_\_\_\_

Landscaped area location: \_\_\_\_\_

Describe landscaped features and general location(s):

Describe open/recreational space:

**VIII. Esthetics/Historical Preservation**

Describe general appearance of building(s):

Will demolition be required? \_\_\_\_\_

Describe demolition and reasons for it: \_\_\_\_\_

Describe existing structures to be preserved or reused:

Exterior materials utilized: \_\_\_\_\_

Types of doors utilized: \_\_\_\_\_

Types of windows utilized: \_\_\_\_\_

Identify exterior features: \_\_\_\_\_

Describe compliance with Third Lake Ridge Historical District requirements:

**IX. Sustainability Issues**

Describe recycling of material:

Describe energy efficiency of project:

Describe storm water management plan:

Describe any other "green" building practices:

**X. Financing and Costs**

Describe any TIF or CDBG/CDA funding you are seeking:

Will this proposal qualify for Historical Tax Credits?

**XI. Alcohol Licensing**

	<b>Establishment Location</b>	<b>Alcohol License Required at Establishment?</b>	<b>What Percentage of Sales do you Anticipate Will Be Alcohol?</b>	<b>Hours of Operation when Alcohol will be Served</b>
1				
2				
3				
4				

**XII. Miscellaneous**

Please Describe Any Other Relevant Issues:

**Appendix J - Capitol Neighborhoods Inc. Project Questionnaire**

Revised 3/12/06

**Capitol Neighborhoods Development Proposal  
Proposal Information Form**

**I. General Information**

Initial date of questionnaire information	
Revision dates	

Proposal Name \_\_\_\_\_  
Proposal \_\_\_\_\_  
Address(es): \_\_\_\_\_  
Owner's Name: \_\_\_\_\_  
Proposal \_\_\_\_\_  
Architect/Designer: \_\_\_\_\_  
Number of floors &  
maximum height above the  
sidewalk \_\_\_\_\_

Brief Proposal Description:

Desired date for City submittals

Desired Start Date: \_\_\_\_\_  
\_\_\_\_\_

Anticipated Completion Date: \_\_\_\_\_

Ownership Type (check one): Rental     Outright Sale     Condominium Sale

What reviews or approvals  
will be required? (Plan  
Commission, Urban Design  
Commission, Landmarks,  
Council)

**II. Development Team**

(Please note if there is a key contact person)

<b>Name/Role (e.g. Project Manager, Architect, etc.) and Business Address</b>	<b>e-mail Address</b>	<b>Phone #</b>	<b>Fax #</b>

**III. Housing Components**

<b>Unit Mix – Market Price</b>	<b>Number</b>	<b>Average SF</b>	<b>Average Rent/Purchase Price</b>
Efficiency			
One Bedroom			
Two Bedroom			
Three Bedroom			
Four or More Bedroom			
Penthouse			
<b>Unit Mix – Inclusionary Zoning/Other Deed Restricted</b>	<b>Number</b>	<b>Average SF</b>	<b>Average Rent/Purchase Price</b>
Efficiency			
One Bedroom			
Two Bedroom			
Three Bedroom			
Four or More Bedroom			
Penthouse			

**Rental Units**

Percent of Total – Affordable (AU)	
Percent of Total Market Rate (MR)	
Number of Affordable Units	

Average monthly rent not including utilities AU	
Number of Market Rate Units	
Average monthly rent not including utilities MR	
Square Foot Size of AU as % of MR	
Annual Overall rent per square foot	

Further Description of Proposed Pricing Levels (as needed):

Further Description of Affordability Compliance (as needed):

**IV. Commercial Components**

Commercial Square Footage \_\_\_\_\_

Type and Number of Commercial Units:

Type:	Number:

Rental Rates: \_\_\_\_\_ \$/sf

**V. Other Components (Industrial or Other)**

Brief Description:

**VI. Zoning Issues**

Current Zoning Classification: \_\_\_\_\_

Is the site currently a PUD?

Is the site in a Historic District?

Will the proposal meet current zoning requirements? \_\_\_\_\_

Depth of Site \_\_\_\_\_ ft

Width of Site \_\_\_\_\_ ft

Lot Size: \_\_\_\_\_ total sf

Lot Size: \_\_\_\_\_ acres

Units/Acre \_\_\_\_\_

Bedrooms/Acre \_\_\_\_\_

Setbacks: (zoning requirements / proposed)

Zoning	Required	Proposed	Required	Proposed
Front Yard:		_____ ft.	Side Yard 2:	_____ ft.
Side Yard 1:		_____ ft.	Rear Yard:	_____ ft.

Signage: \_\_\_\_\_

Height of Structure:  
(above sidewalk) \_\_\_\_\_

Will This Project Require a Zoning Variance?    Yes     No

Will This Project Be a PUD?    Yes     No

**VII. Parking Issues**

Street from Which Parking Is Accessed: \_\_\_\_\_

Number of Surface Stalls: \_\_\_\_\_

Number of Underground or Ramp Stalls: \_\_\_\_\_

Number and location of

Bicycle Stalls: \_\_\_\_\_

Number and location of

Loading Zones: \_\_\_\_\_

Please provide a site plan indicating these items

**VIII. Landscaping, Green Space**

Landscaped Area Square

Footage:

Area of site with a pervious surface

\_\_\_\_\_ Sf and % of site

Area of site with impervious surface

\_\_\_\_\_ Sf and % of site

Does the proposal incorporate a green roof?

Landscaped Area Location: \_\_\_\_\_

\_\_\_\_\_ please provide a site plan



Describe Exterior Features:

Exterior Materials Utilized: \_\_\_\_\_

Types of Doors Utilized: \_\_\_\_\_

Types of Windows Utilized: \_\_\_\_\_

Identify Exterior Features: \_\_\_\_\_

Is the proposal located within a Historic District? Local \_\_\_\_\_ National Register \_\_\_\_\_

Describe Compliance with Historic District Requirements:

**X. Sustainability Issues**

Describe Recycling of Material:

Describe Energy Efficiency of Project:

Describe Storm Water Management Plan:

Describe Any Other "Green" Building Practices:



**Appendix K - [Overlay District Descriptions](#) (from draft Zoning Code rewrite)**

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28H. Overlay Districts

## Introduction

*This section contains a group of overlay districts that are grouped together for convenience in presentation:*

- *Wellhead Protection District – a minimal update of the current district*
- *Weiland District – a conversion of this existing primary district to an overlay in order to aid in updating maps and boundaries; most requirements are state mandates.*
- *Transit Oriented Development District – a new district designed to encourage intensification of uses and densities around proposed transit stations and along high-frequency transit corridors.*
- *Neighborhood Conservation District – a minimal update of the current district; essentially enabling specific “NCDs” to be created.*
- *Historic Preservation Districts – an overlay that links historic districts and landmarks to the regulations in Article 33.*
- *Urban Design Districts – an overlay that links these districts to the regulations in Article 33.*

*The Floodplain Districts also function as overlay districts, but will be placed in a separate subchapter because of their length.*

*All overlay districts share a common relationship to the underlying or “primary” district. If there is a conflict between overlay and primary district requirements, the most restrictive standards usually apply – unless the ordinance states otherwise.*

*Because these districts are so different in nature, there are few “General Provisions” in this chapter – each district has distinctive standards. This section has no table of common uses, since the uses are either governed by the underlying district or specified in the overlay district.*

*As with the other sections of the draft Zoning Code, note that sections in italics and sidebars are comments or questions, not code text.*

## General Provisions

### (1) Applicability.

The requirements of the overlay districts shall apply to all zoning lots located in such districts in addition to all requirements in the Madison General Ordinances that apply to the primary zoning district classification of those zoning lots.

In the event of a conflict between the provisions of any overlay district and the underlying primary zoning district, the most restrictive standards shall apply, except where otherwise specified.

*Typically, overlay districts contain more restrictive standards than the underlying principal zoning districts. However, the TOD District includes some standards that are less restrictive, in order to provide incentives for this type of development.*

### 28H.XXX. Wellhead Protection Districts

#### (1) Statement of Purpose.

The Common Council of the City of Madison finds that certain uses can seriously threaten or degrade groundwater quality. To promote the public health, safety, and general welfare of the City of Madison, the Wellhead Protection Districts are created to protect municipal water supplies.

#### (2) Protection Zones.

Each wellhead shall have two (2) zones of protection around it.

- A. Zone A is the area around the well in which it has been determined that groundwater and potential contaminants will take five (5) years or less to reach the pumping well.
- B. Zone B is the smaller of the following:
  - 1. The area around the well in which it has been determined that groundwater and potential contaminants will take one hundred (100) years or less to reach the pumping well, or
  - 2. The area within a twelve hundred (1,200) foot radius around the well, except for the area in Zone A.

#### (3) Uses.

All uses in Zones A and B of any Wellhead Protection District shall be approved by the Water Utility General Manager or his/her designee. A use may be approved with conditions. Approval by the Water Utility General Manager or his/her designee is in addition to all other approvals required for the proposed use.

- A. Permitted Uses In Zones A and B. Any use allowed as permitted in the principal zoning district, except those uses not approved pursuant to Sec. 13.22, Madison General Ordinances
- B. Conditional Uses In Zones A and B. Any use allowed as a conditional use in the principal zoning district except those uses not approved pursuant to Sec. 13.22. All conditional uses are subject to the provisions of Sec. 28.12(11).

#### (4) Existing Uses.

Any lawful use existing at the time of the creation of a Wellhead Protection District may be continued, however, no expansion or enlargement of such use is allowed without approval pursuant to Sec. 13.22 by the Water Utility General Manager or his/her designee.

*[The remainder of the section consists of specific maps of the districts.]*

### 28H.XXX. Wetland Overlay District

*[Much of the wording of the current ordinance is established by state statute. It is modified to redefine the district as an overlay.]*

#### (1) Statement of Purpose.

The Wetland Overlay District is established to maintain safe and healthful conditions, to prevent and control water pollution, to protect fish spawning grounds, fish and aquatic life and wildlife habitat, to preserve shore cover and natural beauty and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner which minimizes adverse impacts upon the wetland.

#### (2) Map Designation.

The wetland overlay district is shown on the official zoning district maps identified in Section \_\_\_\_.

#### (3) Discrepancies.

When an apparent discrepancy exists between the wetland district boundary shown on the official wetland zoning maps and the actual field conditions at the time the maps were adopted, the zoning administrator shall contact the appropriate district office of the Department of Natural Resources to determine if the wetland district boundary as mapped, is in error.

*The currently mapped Wetland District is based on a number of maps referenced in Section 28.06 of the current Code. Some changes to the boundaries of the overlay district may occur.*

#### (4) Permitted Uses.

The following activities and uses do not require the issuance of a zoning certificate, provided that no wetland alteration occurs:

- A. Hiking, fishing, trapping, hunting, swimming and nonmotorized boating
- B. Construction and maintenance of duck blinds

The following activities and uses may involve wetland alterations only to the extent specifically provided below:

- A. The construction and maintenance of piers, docks and walkways, observation decks and trail bridges built on pilings, including limited excavating and filling necessary for such construction or maintenance;
- B. The maintenance, repair, replacement and reconstruction of existing highways and bridges, roads, and electric, telephone, water, gas, sewer and railroad lines, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.
- C. The replacement and reconstruction of existing publicly-owned radio and television towers, provided that neither the existing nor the replaced or reconstructed tower is in a shoreland, as defined in Sec. \_\_\_\_

**(5) Conditional Uses.**

The following conditional uses may be allowed in the Wetland Overlay District, including wetland alterations only to the extent specifically provided below. The Southern District Office of the Wisconsin Department of Natural Resources shall be notified of the conditional use proposal at least 10 days prior to the hearing and shall be notified of the City's decision within 10 days after the decision is made.

- A. The construction of roads which are necessary for the continuity of the municipal street system, the provision of essential utility and emergency services or to provide access to permitted uses provided that:
  - 1. The road cannot as a practical matter be located outside the wetland;
  - 2. The road is designed and constructed to minimize the adverse impact upon the natural functions of the wetland;
  - 3. The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use;
  - 4. Road construction activities are carried out in the immediate area of the roadbed only; and
  - 5. Any wetland alteration must be necessary for the construction or maintenance of the road.
- B. The construction and maintenance of nonresidential buildings provided that:
  - 1. The building is used solely in conjunction with a use permitted in the Wetland Overlay District or for the raising of waterfowl, minnows or other wetland or aquatic animals;
  - 2. The building cannot as a practical matter be located outside the wetland;
  - 3. The building does not exceed 500 square feet in floor area; and
  - 4. Only that filling and excavating which is necessary to provide structural support for the building is allowed.
- C. The establishment and development of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, game and wildlife preserves, fish and wildlife habitat improvement projects, and public boat launching ramps, provided that:
  - 1. Any private recreation or wildlife habitat area shall be used exclusively for that purpose;
  - 2. Only that filling and excavating which is necessary for the development of public boat launching ramps, public trails, swimming beaches or the construction of park shelters or similar structures is allowed;

3. The construction and maintenance of roads necessary for the uses permitted under this paragraph are allowed only where such construction and maintenance meets the criteria in Paragraph 1 above;
  4. Wetland alterations in wildlife refuges, game preserves and private wildlife habitat areas shall only be for the purpose of improving wildlife habitat or otherwise enhancing wetland values.
- D. The construction and maintenance of electric, gas, telephone, water and sewer transmission and distribution lines and related facilities, provided that
1. The transmission and distribution lines and related facilities cannot as a practical matter be located outside the wetland;
  2. Only that filling or excavating which is necessary for such construction or maintenance is allowed; and
  3. Such construction or maintenance is done in a manner designed to minimize the adverse impact upon the natural functions of the wetland.
- E. The construction and maintenance of railroad lines, provided that:
1. The railroad lines cannot, as a practical matter, be located outside the wetland;
  2. Only that wetland alteration which is necessary for such construction or maintenance is allowed; and
  3. Such construction or maintenance is done in a manner designed to minimize the adverse impact upon the natural functions of the wetland.
- F. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.
- G. The practice of silviculture, including the planting, thinning and harvesting of timber and limited temporary water level stabilization measures which are necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on the conduct of silvicultural activities if not corrected.
- H. The pasturing of livestock and the construction and maintenance of fences for such pasturing including limited excavating and filling necessary for such construction or maintenance.
- I. The cultivation of agricultural crops.
- J. The maintenance and repair of existing drainage systems to restore pre-existing levels of drainage, including the minimum amount of filling necessary to dispose of dredged spoil, provided that the filling is permissible under Chapter 30, Wis. Stats., and that dredged spoil is placed on existing spoil banks, where possible.

- K. The installation and maintenance of sealed tiles for the purpose of draining lands outside the Wetland Overlay District provided that such installation or maintenance is done in a manner designed to minimize the adverse impact upon the natural functions of the wetland.

**(6) Prohibited Uses.**

Any use not listed in (4) or (5) above is prohibited, unless the wetland or a portion of the wetland has been rezoned by amendment of this ordinance in accordance with (8) below and the other requirements of this chapter.

- A. Use of boathouses. The use of a boathouse for human habitation and the construction or placement of a boathouse or fixed houseboat below the ordinary high-water mark of any navigable waters are prohibited.

**(7) Development Approvals.**

In the Wetland Overlay District, a zoning certificate shall be obtained from the Zoning Administrator before any new development or any change in the use of an existing building or structure commences. An application for a zoning certificate for lands in the Wetland Overlay District shall include the information required for a site plan, as specified in Section \_\_\_\_, as well as the specifications and dimensions for any areas of proposed alteration. *[see are moving the list of required information to site plan review section]*

**(8) Amendment of Wetland Overlay Zoning.**

Any amendment to the text or map of the Wetland Overlay District shall comply with the following:

- A. A copy of each proposed text or map amendment shall be submitted to the Southern District Office of the Department of Natural Resources within 5 days of the referral of the proposed amendment to the Plan Commission;
- B. All proposed text and map amendments to the Wetland Overlay Zoning regulations shall be referred to the Plan Commission and a public hearing shall be held in accordance with Section \_\_\_\_\_. The Southern District Office of the Department shall be provided with written notice of the public hearing at least 10 days prior to such hearing.
- C. In order to insure that the shoreland protection objectives in Section 281.31, Wis. Stats., will be accomplished by the amendment, the Common Council may not rezone a wetland in the Wetland Overlay District, where the proposed rezoning may result in a significant adverse impact upon any of the following:
  - 1. Storm water and floodwater storage capacity;
  - 2. Maintenance of dry-season stream flow or the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area or the flow of groundwater through

a wetland;

3. Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters;
4. Shoreline protection against soil erosion;
5. Fish spawning, breeding, nursery or feeding grounds;
6. Wildlife habitat; or
7. Areas of special recreational, scenic or scientific interest, including scarce wetland types and habitat of endangered species.

D. Where the Southern District Office of the Department of Natural Resources determines that a proposed rezoning may have a significant adverse impact upon any of the criteria listed above, the Department shall notify the City Clerk of its determination either prior to or during the public hearing held on the proposed amendment.

E. The Southern District Office of the Department of Natural Resources shall be provided with:

1. A copy of the recommendations and report of the Plan Commission on the proposed text or map amendment within 10 days after the submission of these recommendations to the Common Council; and
2. Written notices of the Common Council's action on the proposed text or map amendment within 10 days after the action is taken.

F. If the DNR notifies the Plan Commission in writing that a proposed amendment may have a significant adverse impact upon any of the criteria listed in 3. above, that proposed amendment, if approved by the Common Council, may not become effective until more than 30 days have elapsed since written notice of the Common Council approval was mailed to the DNR. If within the 30-day period the DNR notifies the Common Council that it intends to adopt a superseding wetland zoning ordinance for the City under Section 62.231(6), Wis. Stats., the proposed amendment may not become effective until the ordinance adoption procedure under Section 62.231(6), Wis. Stats., is complete or otherwise terminated.

**(9) Nonconforming Structures and Uses.**

This subchapter does not prohibit the repair, reconstruction, renovation or expansion of a nonconforming structure in existence on the effective date of this ordinance or of any environmental control facility in existence on May 7, 1982. All such work must be done in a manner designed to minimize the adverse impacts upon the natural functions of the wetland.

All other modifications to nonconforming structures are subject to Section 62.23(7)(h), Wis. Stats.

*Section 62.23(7)(h) Wis. Stats. limits the total structural repairs or alterations of a nonconforming building or structure to a maximum of 50 percent of its assessed value; otherwise it must be made conforming.*

**28.XXX. Transit Oriented Development Overlay District**

*[TOD districts are typically oriented towards fixed-guideway (light rail, commuter rail, streetcar) transit stations. Since commuter rail transit service in Madison is still some years away, the City needs to consider whether a district of this type may also be appropriate for locations along high-frequency transit corridors served by bus. Levels of density/intensity established by the ordinance will differ depending on the type of transit system.]*

**(1) Intent and Purpose.**

The TOD District is intended to support investment in and use of public transit. It does this by fostering development that intensifies land use and economic value around transit stations and by promoting a mix of uses that will enhance the livability of station areas.

The district is also intended to:

- A. Foster high-quality buildings and public spaces that help create and sustain long-term economic vitality.
- B. Improve pedestrian connections, traffic and parking conditions;
- C. Reduce parking requirements by encouraging shared parking and alternative modes of transportation.

**(2) Applicability.**

The TOD District is an overlay district that may be applied *[within an identified distance such as 1,000 feet – ½ mile, or a mapped area to be determined]* of an identified transit stop or station.

*[Alternatively: the boundaries of the TOD Overlay District are as shown on the zoning map.]*

**(3) Relationship to Other Regulations.**

Properties located within the TOD overlay district are subject to the provisions of the primary zoning district and the TOD overlay district. Where provisions of the overlay district conflict with the primary zoning district, the provisions of the overlay district shall apply.

**(4) Prohibited Uses.**

The following uses are prohibited in the TOD overlay district: *[Alternatively: within a central "core" area of the district, to be defined.]*

- A. Auto body shop
- B. Auto service station, convenience market
- C. Auto repair station
- D. Auto sales or rental
- E. Car wash

**(5) Minimum Intensity and Frontage Use.**

The following standards shall apply to new buildings and additions exceeding 50% of the original building's floor area:

- A. New buildings shall be a minimum of two stories in height.
- B. Minimum floor area ratio for nonresidential and/or mixed-use buildings: 1.0. Public gathering spaces, outdoor seating areas and areas for public art may be counted towards building square footage in calculating the minimum FAR.
- C. Minimum residential density: 15 units per acre. Density will be calculated based on the total area of the development site devoted to residential use, including residential units in mixed-use buildings.
  - 1. A new building with less than the required FAR or residential density may be allowed on a developed zoning lot where an existing building will remain, provided that:
    - a. Total lot coverage and FAR for the zoning lot are not reduced; and
    - b. The new development provides enhanced landscaping, pedestrian realm enhancements, or building design elements that improve the aesthetic appeal of the site.
- D. A minimum of 50% of ground floor frontage along primary streets shall be designed for retail use, with a floor-to-ceiling height of at least 10 feet and with 60% façade transparency between 2 and 8 feet from ground level.
- E. All parking structures shall be lined with other allowed uses at ground floor level along a minimum of 75 percent of the primary street frontage.

**(6) Multiple Use Requirements.**

Development proposals on sites of 1 or more acres shall include at least two of the following use categories. A minimum of 10% of the proposed gross floor area of the development shall be devoted to each use category that is present:

- A. Residential uses
- B. Commercial uses (including retail, service, restaurants and lodging)
- C. Civic and institutional uses (educational, public, etc.)

**(7) Public Space Requirement.**

Development proposals on sites of 10 or more acres must set aside a minimum of 5% of the project site as open space, which may be designed as a square, plaza, terrace or green, with a variety of landscaped and paved surfaces and seating areas. This requirement may be waived in cases where a master development plan already specifies the location and design of open space on the site.

**(8) Parking Standards.**

- A. For non-residential uses, the number of off-street parking spaces required is a minimum of 60 percent and a maximum of 85 percent of the off-street parking standards in Section \_\_\_\_\_. The maximum may be exceeded if the additional parking spaces are structured (in a building, deck, or underground).
- B. There is no minimum parking requirement for residential uses. A maximum of one space per unit may be provided. The maximum may be exceeded if the additional parking spaces are structured.  
*[Alternatively: require 50% of current requirement; typically 1/2 space per unit]*

**(9) Exemptions.**

Where an existing building or its accessory parking does not conform to the TOD overlay district requirements or serves an existing nonconforming use, the building may be expanded without fully meeting the requirements of this section as long as the expansion does not increase the nonconformity.

### Neighborhood Conservation Districts.

*[This section incorporates the current NCDistricts requirements with only minimal wording changes.]*

#### (1) Statement of Purpose.

Madison is endowed with many distinctive neighborhoods. Recognizing that these neighborhoods contribute significantly to the character and identity of Madison, the City seeks to conserve these areas as a matter of policy. The Neighborhood Conservation District Ordinance is a means to conserve the essential physical character of these neighborhoods.

By establishing a Neighborhood Conservation District, and tailoring the regulations to the attributes of the built environment that make the place distinctive, neighborhoods can prevent insensitive development, and promote better harmony between new and existing structures. This ordinance enables neighborhoods to conserve and enhance the physical characteristics that come together to produce a distinctive environment.

#### (2) Applicability.

- A. The requirements of the Neighborhood Conservation Overlay Districts apply to all development, exterior alterations, additions and demolitions of structures on all zoning lots located in such districts, in addition to all requirements of the underlying primary zoning districts.
- B. In the event of a conflict between the provisions of the Neighborhood Conservation Overlay Districts and the underlying primary zoning district, the provisions of the Neighborhood Conservation Overlay Districts shall apply.

#### (3) Eligibility Criteria.

To be considered for designation as a Neighborhood Conservation District, an area must meet the following minimum criteria:

- A. The proposed area includes at least eight (8) contiguous block-faces or 2,640 lineal feet of contiguous street frontage.
- B. The proposed area possesses consistent, identifiable built or natural environment characteristics to be conserved.
- C. At least seventy-five percent (75%) of the lots in the proposed district have been developed with a principal structure for at least twenty-five (25) years.
- D. The proposed requirements for a Neighborhood Conservation District are consistent with the Comprehensive Plan and existing neighborhood plans.
- E. The proposed area contains at least one of the following features:
  - 1. Distinctive building attributes: scale, mass, distinctive architectural characteristics, e.g., front porches, height, roof styles.

2. Distinctive land use patterns: mixed uses, parks/open spaces, or unique uses or activities.
3. Distinctive streetscape characteristics: lighting, street layout, materials, and landscaping.
4. Distinctive lot features: lot layouts and sizes, setbacks, alleys, and landscaping.

F. A Neighborhood Conservation Overlay District may not be placed in an existing local historic district or Urban Design District.

**(4) Designation Process.**

- A. All requests for creation of a Neighborhood Conservation District shall be initiated by a resident, owner, or commercial tenant and shall be submitted to the Director of the Department of Planning and Community and Economic Development.
- B. The Director of the Department of Planning and Community and Economic Development shall determine whether the proposed area is consistent with the eligibility criteria in Sec. 28.XXX(3).
- C. If the proposed Neighborhood Conservation District is consistent with Sec. 28.XXX(3), notice of an informational meeting regarding the District designation process shall be sent to all owners and occupants of the proposed District.
- D. Within thirty (30) days of the informational meeting, a survey shall be sent to all owners and occupants of the proposed District regarding the desirability of the proposed District. If more than one (1) informational meeting is held, the survey shall be sent within thirty (30) days of the last meeting.  
  
If any property is added to the proposed District prior to the final recommendation of the Plan Commission, the survey shall be sent to all owners and occupants in the area that was added, and the results shall be submitted to the Common Council.
- E. The Director of the Department of Planning and Community and Economic Development shall prepare a report on the results of the survey. The report shall only include survey responses received within twenty-eight (28) days from the date the survey is mailed shall be included in the report. The report shall be submitted to the Plan Commission and Common Council.
- F. A resolution authorizing a Neighborhood Conservation Study shall be introduced to the Common Council and referred to the Plan Commission. If authorized by a resolution adopted by the Common Council, a Neighborhood Conservation Study shall be undertaken.
- G. A Neighborhood Conservation Study shall explore the feasibility and potential benefits of establishing a Neighborhood Conservation District for an area. The study shall be prepared by the Department of Planning and Community and Economic Development, working with the residents, property owners and business representatives of the proposed district.

1. At the time the Neighborhood Conservation Study is initiated, written notice shall be given to all owners and occupants in the area proposed for study. Because the exact geographic limits of a Neighborhood Conservation District may include properties that were not anticipated to be in the district at the initiation of the study, failure to provide the above notice shall not affect the validity of a Neighborhood Conservation District that is created.
2. The Department of Planning and Community and Economic Development shall maintain a registry of persons interested in future notification regarding a particular Neighborhood Conservation District.

H. A Neighborhood Conservation Study shall include:

1. Maps indicating the proposed district boundaries, and the land uses within the proposed district.
2. An identification of the distinctive attributes of the area's built or natural environment to be preserved and enhanced.
3. An evaluation of the extent to which the objectives of the proposed Neighborhood Conservation District may be achieved through the application of a standard zoning district.
4. A list of design requirements for the proposed district that will preserve its distinctive character. In addition to the features in (3)(e), above, requirements may include but are not limited to the following:
  - a. Setbacks
  - b. Orientation
  - c. Height and width
  - d. Scale and massing
  - e. Architectural features, including but not limited to fenestration, roof pitch, and building materials.

I. Creation of a Neighborhood Conservation Overlay District. If a Neighborhood Conservation District is proposed following the completion of the Neighborhood Conservation Study, it shall include the geographic boundaries, the specific requirements to be used in reviewing development proposals, and may authorize area exceptions for particular requirements. A Neighborhood Conservation District ordinance shall be considered pursuant to the procedures in Sec. 28.12(10).

J. Every twenty (20) years after the effective date of the ordinance, the Department of Planning and Community and Economic Development shall survey the owners, residents, and commercial tenants and report to the Plan Commission and Common Council on the results of the survey and suggested changes to the ordinance.

### Historic Landmark and District Suffixes.

*[This section essentially replicates the current standards for historic districts, which are treated as a type of overlay. It combines the general standards for the historic districts, each of which is treated in a different section of Chapter 33.19.]*

#### (1) Statement of Purpose and Applicability.

Historic District suffixes are created to provide an effective means of identifying zoning lots which are either located within a designated Historic District or which contain a designated landmark, pursuant to the provisions of Section 33.19, Madison General Ordinances.

The appropriate suffix for a designated landmark or Historic District shall be appended to the current and any future zoning district classification of each zoning lot so affected. The suffix shall also be appended to zoning district classifications on Zoning District Maps.

The suffix designation has no effect upon the primary zoning district classification of the zoning lots in question. However, the applicable regulations of Chapter 33.19 which are referenced by the particular suffix shall apply to each such zoning lot in addition to the applicable requirements of the Zoning Code.

#### (2) HIST-L Designated Landmark.

The HIST-L suffix applies to all zoning lots on which a designated landmark is located, pursuant to Section 33.19(4) and (6), Madison General Ordinances. The owner of each such zoning lot is notified that the landmark and the landmark site shall be maintained in a condition consistent with the provisions of Section 33.19, in addition to the applicable requirements of the Zoning Code.

#### (3) Historic Districts Suffixes.

The following suffixes apply to historic districts. The owners of zoning lots within those districts are notified that any buildings or other improvements on those lots, whether present or proposed, shall be constructed, maintained, altered and demolished or reconstructed in accordance with both the general provisions of Section 33.19 and the specific provisions applicable to that district, in addition to all applicable requirements of the Zoning Code.

- A. HIST-MH: The Mansion Hill Historic District.
- B. HIST-TL: The Third Lake Ridge Historic District.
- C. HIST-UH: The University Heights Historic District.
- D. HIST-MB: The Marquette Bungalows Historic District.
- E. HIST-FS: The First Settlement Historic District.

### Urban Design Overlay Districts.

*[This section is intended to link the urban design districts in Chapter 33 to the Zoning Code as overlay districts, while preserving the review authority of the Urban Design Commission and the design standards for each district.]*

#### **(1) Statement of Purpose and Applicability.**

The Urban Design Overlay Districts are established to identify those urban design districts established under the provisions of Section 33.24, Madison General Ordinances within the context of the Zoning Code, and to establish a link between zoning procedures and those of the Urban Design Commission.

#### **(2) Applicability.**

The requirements of the Urban Design Overlay Districts apply to all development, exterior alterations, additions and demolitions of structures on all zoning lots located in such districts, in addition to all requirements of the underlying primary zoning districts.

#### **(3) Procedures.**

The requirements for design review in Section 33.24 shall apply within Urban Design Overlay Districts in addition to any reviews or procedures required under the Zoning Code. *[We should discuss whether this process can be streamlined or at least clarified in the Zoning Code and in Chapter 33.]*

*Note - as is typical for overlay districts, the more restrictive standards will apply in the event of a conflict.*