

CITY OF MADISON
2010-2011 COMPREHENSIVE PLAN REVIEW
PROCESS FOR CONSIDERING LIMITED AMENDMENTS TO THE COMPREHENSIVE PLAN

Introduction

The City of Madison Comprehensive Plan was adopted in January 2006. Since that time, several new neighborhood, neighborhood development, and special area plans¹ have been prepared and adopted as supplements to the Comprehensive Plan, and several of these plans have been amended; but there have been no formal amendments to the Plan itself.

The Madison Comprehensive Plan includes a recommendation to conduct an annual review and evaluation of both it and the supplemental neighborhood plans, but this frequent and extensive review of all of these plans has been found to be unrealistic in light of the staff resources available---and also generally not necessary. The recommendations in the Comprehensive Plan are relatively broad, with more-detailed and nuanced recommendations contained in the neighborhood and special area plans prepared for smaller geographic areas. This structure provides a degree of flexibility in the Comprehensive Plan's recommendations, and revisions to the City's adopted plans that may need to be considered in response to new policy initiatives, unanticipated development opportunities, or changed community objectives or conditions can often be addressed at the neighborhood plan level---so long as the neighborhood plan remains generally consistent with the Comprehensive Plan.

Beginning in January 2010, Wisconsin law requires that certain land use regulations and approvals must be consistent with the Comprehensive Plan---including some approvals related to zoning, land subdivision, and official mapping ordinances². The City of Madison Comprehensive Plan specifies that land use approvals should be consistent with the Comprehensive Plan, and that significant changes in land use or development intensity should also be consistent with the more-detailed recommendations in an adopted neighborhood plan. As a consequence, land use proposals that are not consistent with the Comprehensive Plan either should not be approved, or the Comprehensive Plan should be amended as needed to accommodate the proposal. Similarly, if recommendations in an adopted neighborhood plan are not generally consistent with the Comprehensive Plan, one or both of the plans should be amended so that there is consistency.

Subsequent planning activities and land use approvals since 2006 have resulted in at least a few situations where the recommendations in the Comprehensive Plan are no longer fully consistent with the most-current neighborhood plan, or with minor modifications to a neighborhood plan made as part development project approvals. In addition, several new development projects have been proposed, or are expected to be proposed, that could not currently be approved because they would be inconsistent with the adopted Comprehensive Plan. In these cases, considering a potential Comprehensive Plan amendment at the same time that the project itself is considered may also be appropriate.

¹ To avoid unnecessary repetition, the term "neighborhood plan" may also encompass "neighborhood development plans" and sometimes "special area plans" unless the context indicates otherwise.

² Legislation effective May 18, 2010 attempted to clarify the consistency requirement by stating that "consistent with" means "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan." While this definition only references the "objectives, goals and policies" identified in the comprehensive plan, it is not intended that other things included in the comprehensive plan be ignored, such as the future land use map, which graphically represents the application of the objectives, goals and policies in a geographic context.

In order to ensure that the Comprehensive Plan remains an accurate expression of community goals, a limited review and evaluation of the plan is proposed at this time to identify situations where the plan is no longer consistent with the current recommendations in an adopted neighborhood plan, or may be inconsistent with a proposed development project that the community may wish to support. Following the evaluation, amendments to the Comprehensive Plan may be proposed for consideration.

Scope of the Comprehensive Plan Review and Evaluation

The limited review will focus on the mapped land use recommendations found in the Land Use chapter of the Comprehensive Plan (Volume II, Chapter 2), including:

- Potential revisions to the Generalized Future Land Use Plan Map.
- Potential revisions to the definitions and recommendations for the land use districts used on that map. These include:
 - Location and design characteristics
 - Recommended land uses
 - Recommended development intensity/density
 - Recommended housing types
- Potential revisions or additions to the Land Use Plan Map Notes (Appendix 2-1).

Other content in the Comprehensive Plan, including background information in Volume I, general narrative text, and the goals, objectives, and policies in the Land Use and other chapters, are not proposed to be reviewed at this time.

Potential Sources of Proposed Map Amendments

There are three broad categories of potential map amendments that might be proposed for consideration as part of the 2010-2011 Comprehensive Plan review:

1. Technical corrections to the Comprehensive Plan maps

Technical corrections are amendments proposed to correct omissions or errors in the land use recommendations made for several small areas on the adopted Generalized Future Land Use Plan Map. These include changes in the land use designation assigned to developed areas to better-reflect existing land uses in situations where redevelopment to different uses is not recommended, and changes needed to be consistent with the recommendations in the adopted neighborhood plan for the area current at the time of Comprehensive Plan preparation.

Technical map amendments were identified by Planning Division staff either prior to, or as part of, the present Comprehensive Plan review process. They do *not* represent a policy change in the land use recommendations for the proposed amendment area, but rather a change to correct a map error. While perhaps not strictly necessary, these corrections are proposed as formal amendments since the original error was included in the adopted plan.

2. Comprehensive Plan amendments recommended in other adopted City plans

These amendments are proposed to maintain consistency between the Comprehensive Plan and other adopted City plans---either in response to a specific recommendation to amend the Comprehensive Plan included in another adopted plan, and/or to reflect the land use recommendations included in a subsequent more-detailed plan---including relatively minor modifications to the recommended land use pattern made as part of the approval of specific development projects. These include:

- Comprehensive Plan amendments specifically recommended in neighborhood plans or special area plans adopted or amended since January 2006 for areas within existing neighborhoods.

Note that in a few cases, Planning Division staff may recommend a Comprehensive Plan amendment that is slightly different from the amendment recommended in the neighborhood plan. In these cases, staff believe the land use designation proposed in the alternative amendment is more consistent with the overall planning context of the amendment area while remaining consistent with intent of the neighborhood plan recommendation.

- Comprehensive Plan amendments proposed to reflect the more-detailed land use recommendations included in new neighborhood development plans or special area plans adopted or amended since January 2006.

These may include amendments that reflect modifications made as part of the development approval process to the detailed and use and street pattern presented in a neighborhood development plan or special area plan as initially adopted. Because these plans are prepared for areas primarily consisting of undeveloped lands with few existing roadways, flexibility is provided in the exact alignment of future streets and the exact arrangement of specific land uses as the area is developed. The relatively-minor modifications that occur as these plans are implemented through plat and zoning approvals are also accepted as amendments to the underlying neighborhood plan (more substantive modifications to the recommended land use and street plan require a formal neighborhood plan amendment). Not all of these relatively-minor modifications necessarily require a corresponding Comprehensive Plan map amendment, but this may sometimes be warranted to maintain map clarity.

Proposed Comprehensive Plan map amendments specifically recommended in other adopted City plans and/or based on the land use recommendations contained in other adopted City plans, including land use recommendations reflecting the approval of specific development projects, were compiled by Planning Division staff from the relevant plans and approval documents. These proposed amendments also do *not* represent a policy change in the land uses recommended for the amendment area because the uses included in the proposed Comprehensive Plan amendments were previously approved by the Plan Commission and Common Council when the other plans were adopted, or when the development projects were approved. The Comprehensive Plan amendments are proposed to maintain consistency with these prior actions.

3. **Comprehensive Plan amendments requested to accommodate proposed projects that would not be consistent with the current Comprehensive Plan land use recommendations³**

These requested amendments to the Comprehensive Plan would be needed in order to grant approval of development projects or future land uses that have been, or are expected to be, proposed by a prospective developer or other advocate, since the uses or development intensity envisioned would not be consistent with the recommendations in the current adopted Plan.

In most cases, a corresponding amendment to the applicable neighborhood plan would also be required for the proposed project to be considered consistent with that plan.

Proposed Comprehensive Plan amendments to accommodate development that would not otherwise be considered consistent with the Plan must be specifically requested by a prospective developer or other individual. These requested amendments *would* represent a policy change in the land uses recommended for the amendment area since the proposed changes in recommended use have not been previously reviewed or approved by the Plan Commission or Common Council, and have not been through a public planning process. The Plan Commission shall review all requested amendments of this type and determine which, if any, of the requested amendments will be accepted for consideration as part of the present Comprehensive Plan review and evaluation process.

Comprehensive Plan Amendment Review and Evaluation Process

The process for reviewing, evaluating and considering proposed potential amendments to the Comprehensive Plan is a two-track process:

- **Track 1: Technical amendments and amendments recommended in other adopted plans (Sources 1 and 2)**

Because these proposed Comprehensive Plan amendments reflect either simple corrections or recommendations made or included in neighborhood or special area plans adopted within the past several years, corresponding amendments to other plans are not required. Since they are based on previous planning approvals and followed a process that included public participation in developing the recommendations, these amendments generally should not require a lot of discussion or additional public involvement, and are not expected to be controversial. In the few cases where Planning Division staff are recommending an amendment slightly different from the amendment recommended in the neighborhood plan, the proposed alternative is essentially a matter of choosing the most appropriate land use designation to implement the intent of the neighborhood plan.

The time needed for review and adoption of the Track 1 amendments could be relatively short, as illustrated in the attached schedule. These amendments could either be formally considered for adoption separately and prior to consideration of the more-complex Track 2 amendments; or consideration of the Track 1 amendments could be delayed until all the potential amendments can be considered together. Because there are a large number Track 1 amendments (most of the potential Comprehensive Plan amendments are within this grouping), we are recommending that these be adopted before taking up the potentially more problematic Track 2 amendments.

³ Potential proposed amendments include all Comprehensive Plan amendments advanced for consideration, and might include proposals that are not necessarily recommended by City staff or the Plan Commission.

Track 2: Amendments requested to accommodate specific proposed development projects or types of future development not consistent with the current Comprehensive Plan (Source 3)

These amendments would potentially accommodate types of development that are not recommended or anticipated in the current adopted Comprehensive Plan, or in the applicable neighborhood, neighborhood development or special area plan if one exists. For this reason, the review process for the Track 2 amendments needs to be more rigorous and include a greater degree of public participation.

These potential Comprehensive Plan amendments are not the result of a public planning process or a staff recommendation, but are essentially being proposed by prospective developers or others to accommodate a specific development project or a desired type of future land use that otherwise would be inconsistent with the plan. To clarify the origin of the request for these Comprehensive Plan map amendments, it is recommended that individuals or organizations seeking an amendment submit a written request to the Plan Commission. A preliminary review of these requests will be made by the Plan Commission, who will determine which, if any, of the proposed amendments will be included in the formal review and adoption process. Inclusion of a requested Comprehensive Plan amendment on the final list of potential amendments that will be considered does not necessarily indicate that City staff, the Plan Commission or the Common Council will support the amendment, but only that the proposed changes in recommended land uses will be formally evaluated and considered.

In areas covered by an adopted neighborhood, neighborhood development or special area plan, a corresponding amendment to that plan would also be required in most cases. Review of the neighborhood plan and consideration of alternative possible neighborhood plan amendments can provide a good vehicle for a thorough evaluation of the requested Comprehensive Plan amendment, as well as a process for public involvement and participation. In some cases, it may be appropriate to consider additional changes to the neighborhood plan beyond the immediate site for which the Comprehensive Plan amendment was requested. Some proposed amendments may have potential impacts that could affect land uses or traffic conditions in other parts of the neighborhood, for example.

Because neighborhood plan recommendations are typically more detailed than the broad Comprehensive Plan land use designations, it is recommended that potential amendments to the neighborhood plans be developed and evaluated first, and considered for adoption either prior to, or concurrently with, the corresponding proposed Comprehensive Plan amendment.

Some Comprehensive Plan amendments have been requested only to accommodate a specific proposed development project, and neither the requested Comprehensive Plan amendment or the corresponding neighborhood plan amendment would necessarily be considered at all if they were not needed to facilitate that specific project. In these cases, it may be appropriate to consider the proposed project, the neighborhood plan amendment needed to accommodate the project, and perhaps the corresponding Comprehensive Plan amendment, concurrently.

Drafting Responsibility

In general, map revisions, map note revisions, and narrative revisions (if any) proposed for formal consideration as amendments to the Comprehensive Plan will be drafted by Planning Division staff, regardless of the source of the proposed amendment.

Public Participation

The following approaches will be used to involve the public in the amendment process:

- **Comprehensive Plan Website**

The Comprehensive Plan website will be updated to provide public information about the plan review and amendment process, including:

- Description and proposed schedule for the plan review and amendment process.
- Notices and agendas of meetings where Comprehensive Plan amendments will be discussed or considered.
- All materials presented or produced at Comprehensive Plan meetings.
- All proposed amendments.
- Staff analyses or other information provided regarding proposed amendments.
- Information on how to submit comments on a proposed amendment.
- All comments received regarding proposed amendments.
- Staff contact information.

- **Plan Commission Meetings**

The Plan Commission will be the lead commissions for the review of the proposed Comprehensive Plan amendments, and may discuss and provide direction on proposed plan amendments at their regular meetings as an agenda item. Plan Commission meetings where the Comprehensive Plan will be discussed will also be noticed on the Comprehensive Plan website.

- **Public Hearings on Proposed Amendments**

Both the Plan Commission and the Common Council will hold a public hearing on proposed Comprehensive Plan amendments. Notices of the public hearings will be sent at least 30 days before the hearings to neighborhood and community groups and organizations, as well as to adjacent municipalities, with copies to the District Alder.

- **Neighborhood Meeting(s)**

In the event that Comprehensive Plan map amendments are proposed that were not previously considered as part of a neighborhood planning process, and/or if a corresponding amendment to the neighborhood plan should be considered, or if no neighborhood plan exists for area, a neighborhood meeting in the area affected by the amendment will be held to hear comments and concerns.

General Format for Proposed Amendments

Proposed Comprehensive Plan map amendments presented for consideration will be prepared by Planning Division staff (regardless of the origin of the proposal) and will include the following information:

- A locator map and description indicating the location of the proposed change.
- A description of the proposed change or changes to the land use designations.
- An excerpt from the Generalized Future Land Use Plan Map showing the recommended land use districts currently and after the proposed change.
- A statement of the reason for the proposed change.
- An analysis and evaluation of the effect of the proposed change.

Amendment Evaluation Criteria

The following criteria will be used by the Plan Commission as a basis for considering the adoption of proposed Comprehensive Plan map amendments.

- **The proposed change would correct an inaccuracy in the original Generalized Future Land Use Plan Map as adopted in January 2006.**

The most obvious cases would include a missing land use district designation or boundary line, or a boundary between recommended uses that seems inappropriate considering the actual pattern of existing land uses or zoning in the area.

- **The proposed change would be more consistent with the recommendations of an adopted neighborhood plan, special area plan or neighborhood development plan.**

Because they are more-detailed, and are created through a process that typically has a higher level of local participation, the Comprehensive Plan generally seeks to encompass and reflect neighborhood plan recommendations, except when that plan is no longer considered a reasonably-current statement of neighborhood objectives.

Neighborhood plans adopted or revised since the adoption or most-recent revision of the Comprehensive Plan that include land use recommendations not consistent with the Comprehensive Plan should include a recommendation for a corresponding amendment to the Comprehensive Plan so that consistency is maintained. But even if they do not, such an amendment should be included for consideration during the next Comprehensive Plan evaluation cycle.

Note that not all neighborhood plans include clear land use recommendations for specific locations. In addition, the recommended land use classifications used in some neighborhood plans do not always fit neatly within the broader Comprehensive Plan land use categories. In these cases, the Comprehensive Plan seeks to apply the land use designations that best reflect the general objectives of the neighborhood plan.

Note also that in cases where a neighborhood plan was considered particularly outdated, the Comprehensive Plan sometimes included recommendations different from the neighborhood plan. The best practice is for the Comprehensive Plan and the neighborhood plans to remain consistent. As neighborhood plans are periodically adopted, reviewed and revised, either the neighborhood plan and/or the Comprehensive Plan should be amended to maintain consistency between them.

- **The proposed change would be more consistent with the Comprehensive Plan's overall goals, objectives and policies as applied in the context of the amendment area.**

When there is no current neighborhood plan for an area, the Comprehensive Plan recommendation usually reflects general Comprehensive Plan recommendations as modified by existing land uses, zoning, or other attributes that provide a local context and basis for assumptions about preferred uses.

If a proposed Comprehensive Plan amendment would represent a significant change in recommended land use or development intensity, there should be a corresponding amendment to the adopted neighborhood plan, if one exists. If a neighborhood plan does not exist, the proposed Comprehensive Plan amendment review should include neighborhood participation similar to that which occurs as part of neighborhood planning.

- **The proposed change would better fit with the predominant uses and development pattern in the surrounding area.**
- **Conditions in the area have changed sufficiently to warrant the proposed amendment.**

This could include changes resulting from recent development trends and physical improvements in the area, as well as changes in public interest, objectives, and expectations regarding future potential of the area.

Prepared by:

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