

Zoning Code

Proposed Common Council Amendments

Amendment No. 1

Suburban Employment Center (SEC) Site Standards

Alds. Clausius and Clear

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(4) Site Standards.

- (a) In the design of any office or research park, consideration shall be given to pedestrian circulation, preservation and linkage of open space areas, location of future buildings, and the clustering of amenities to provide for a planned integrated development.
- (b) Parking Design. Access driveways and parking lots shall be separated from principal pedestrian walkways and recreational areas by pavement markings, curbs, planting areas, fences or other appropriate materials to ensure pedestrian safety.
 - 1. Off-street parking shall not be located within front or street side yard setbacks, but may be located within rear yard and interior side yard setbacks and the building envelope.
 - 2. Surface parking located in a side or rear yard setback shall be set back a minimum of twenty (20) feet from the boundary of a Residential or Special district.
- (c) All storage, except for storage of licensed operable vehicles, shall be within completely enclosed buildings or located to the rear of buildings and limited to a maximum of five percent (5%) of the total lot area. Outside storage shall be effectively screened with screening between six (6) and eight (8) feet in height. Storage shall not exceed the height of the screening. Storage and loading areas shall be screened from direct view from the street, including views down access driveways.

(5) Design Review.

All buildings constructed within an SEC district shall be reviewed and approved by an architectural review committee. The committee shall be established by the developer of the district and shall meet the following criteria:

- (a) The building design review criteria, design standards and guidelines, review procedures, categories of membership, and the language of any deed or plat restriction must be approved by the Urban Design Commission. ~~Design review shall not include Dimensional Requirements in (6) below.~~

Amendment No. 2

Idling

Sponsor: Ald. Schumacher

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- (c) Size of Spaces. A required off-street loading space shall be at least ten (10) feet wide by at least thirty-five (35) feet in length for structures less than twenty thousand (20,000) square feet in gross floor area, and at least ten (10) feet wide by fifty (50) feet in length for larger structures. The above areas shall be exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.
- (d) Shared Loading. Two or more uses on adjacent zoning lots may share a loading area.
- (e) Uses for which off-street facilities are otherwise required but which are located in structures of less than twenty thousand (20,000) square feet of floor area may use drive aisles or other suitable areas on the same lot for loading purposes.
- (f) Surfacing. All open off-street loading areas shall be paved with a bituminous pavement or Portland cement concrete pavement in accordance with City of Madison standards and specifications.
- ~~(g) Idling. Vehicles shall not have idling engines for more than five (5) minutes except when actively loading.~~

Amendment No. 3

Maximum Parking Requirements

Sponsor: Aids. Clausius and Clear

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Table 28I-3. Off-Street Parking Requirements

Use	Automobile Minimum	Automobile Maximum	Bicycle Minimum
Place of worship	1 per 10 seats or 15 lineal feet of seating area in the main worship space. If no fixed seats, 1 per 70 sq. ft. of floor area in main worship space	150% of minimum	1 per 50 seats or 75 lineal feet of seating area or 1 per 350 feet of floor area in main worship space
Public safety facilities	determined by Zoning Administrator	determined by Zoning Administrator	determined by Zoning Administrator
Schools, public and private Schools, arts, technical or trade	1 space per classroom + 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time	1 space per classroom + 1 space per 3 students of legal driving age based on the maximum number of students attending classes at any one time	1 space per 5 students

Colleges, universities	1 per classroom and 1 per 5 students based on the maximum number of students attending classes at any one time; or as established in campus Master Plan	1 per classroom and + 1 per 3 students based on the maximum number of students attending classes at any one time; or as established in Campus Master Plan	1 per classroom and 1 per 5 students, or as established in Campus Master Plan
Mixed Commercial-Residential Uses			
Live/work unit	1/d.u. +1 per 2 employees	2 outside	1 per dwelling
Mixed use	calculated based on separate components (see shared parking standards)	calculated based on separate components (see shared parking standards)	calculated based on separate components (see shared parking standards)
Office Uses			
Offices Artist, photographer studio, etc. Insurance office, real estate office, sales office	1 per 400 sq. ft. floor area	1 per 20050 sq. ft. floor area	1 per 2,000 sq. ft. floor area
Telecommunications center	1 per 2 employees	1 per employee	1 per 10 employees
Medical Facilities			
Clinic, medical, dental or optical Medical laboratory Physical, occupational or massage therapy Veterinary clinic, animal hospital	1 per 2-employees	1 per 20050 sq. ft. floor area	1 per 5 employees
Hospital	1 per 4 beds or based on a parking study or Campus Master Plan	determined by Zoning Administrator	1 per 2,000 sq. ft. floor area
Retail Sales and Services			
Animal daycare	1 per 15 clients	200% minimum	1 per 5,000 sq. ft. floor area

Amendment No. 4

Exceeding Maximum Parking Requirement

Ald. Rhodes-Conway

Pages 149-150

- (6) Parking in Excess of the Maximum Number of Spaces.
- (a) Underground or structured parking may exceed the maximum requirement in Table 28I-3 provided that the excess parking is underground or structured.
- (b) Surface parking exceeding the maximum may be allowed as follows:
a conditional use. In addition to the standards in Sec. 28.183, the Plan Commission shall consider the following:

1. For non-residential uses, the applicant may exceed the maximum parking requirement by the lesser of five (5) parking spaces or ten percent (10%) of the maximum parking requirement.
 2. An additional increase of up to twenty (20) spaces above the maximum requirement may be approved by the Zoning Administrator.
 3. In increase of more than twenty (20) parking spaces but not more than ten percent (10%) of the maximum parking requirement may be approved by the Director.
 4. An increase of more than twenty (20) parking spaces that is also more than ten percent (10%) of the maximum parking requirement may be approved by conditional use.
- (c) Approval of surface parking exceeding the maximum shall be granted only after considering the following:
1. Documentation regarding the actual parking demand for the proposed use.
 2. The impact of the proposed use on the parking and roadway facilities in the surrounding area.
 3. Whether the proposed use is located near a parking area that is available to the customers, occupants, employees and guests of the proposed use.
 4. The availability of alternative forms of transportation and actions being taken by the applicant to enhance or promote those alternatives.
 5. Structured parking, rain gardens or other bioretention facilities, additional landscaping, pervious pavement, or other mitigation measures may be required as conditions for an exception.
 6. Whether the proposed use is new or is an alteration, addition, or expansion of an existing use.
- (c) Zoning lots and uses that exceed maximum parking requirements as of the effective date of this ordinance may continue to maintain existing parking but shall not increase that parking without conditional use approval.

Amendment No. 5

Planned Development (PD) District Standards

Sponsor: Alds. Clausius and Clear

Pages 85-86

28.097 PLANNED DEVELOPMENT DISTRICT.

(1) Statement of Purpose.

The Planned Development District is established to provide a voluntary regulatory framework as a means to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations. In addition, the Planned Development District is intended to achieve one or more of the following objectives:

- (a) Promotion of green building technologies, low-impact development techniques for stormwater management, and other innovative measures that encourage sustainable development.
- (b) Promotion of integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas, with enhanced pedestrian, bicycle and transit connections and amenities.
- (c) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.
- (d) Preservation of historic buildings, structures, or landscape features through adaptive reuse of public or private preservation of land.
- (e) Provision of more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques.
- (f) Facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.

Because substantial flexibility is permitted in the base zoning districts, the PD option should rarely be used. It is intended that applicants use the PD option only for unique situations and where none of the base zoning districts address the type of development or site planning proposed. Examples include redevelopment, large-scale master planned developments, projects that create exceptional employment or economic development opportunities, or developments that include a variety of residential, commercial, and employment uses in a functionally integrated mixed use setting.

Approval of a Planned Development District requires a zoning map amendment, and shall result in the creation of a new site-specific zoning district, with specific requirements and standards that are unique to that planned development.

(2) Standards for Approval of Zoning Map Amendment.

The standards for approval of a zoning map change to a PD District are as follows:

- (a) The applicant shall demonstrate that no other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved **unless the development also meets the objectives of (1) above.** Conditions under which planned development may be appropriate include:
 1. Site conditions such as steep topography or other unusual physical features; or
 2. Redevelopment of an existing area or use of an infill site that could not be reasonably developed under base zoning district requirements.
- (b) The PD District plan shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.
- (c) The PD District plan shall not adversely affect the economic health of the City or the area of the City where the development is proposed, including the cost of municipal services.
- (d) The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. A traffic demand management plan may be required as a way to resolve traffic and parking concerns.
- (e) The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses.

- (f) The PD district shall include suitable assurances that each phase could be completed in a manner that would not result in an adverse effect upon the community as a result of termination at that point.
- (3) Relationship to Other Applicable Regulations.
- (a) In General. A Planned Development shall comply with all standards, procedures, and regulations of this ordinance that are applicable to the individual uses within the development.
- (b) Subdivision Requirement. All land within a Planned Development District shall be platted into one or more lots in compliance with the requirements of the subdivision and platting regulations. The development plan for the Planned Development shall include the necessary information to serve as a preliminary plat.
- ~~(c) Downtown Height Regulations. All Planned Developments within the Downtown Districts shall comply with the height limits of those districts.~~
- (4) General Requirements.
The Planned Development agreement shall identify the following information:
- (a) All proposed land uses; these shall become permitted or conditional uses upon the approval of the Planned Development by the Common Council.

Amendment No. 6

Mixed-Use Buildings at Corner Locations in Residential Districts

Alds. Bidar-Sielaff and Cnare

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Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
Reuse of former public school or municipal buildings	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	Y
Schools, public and private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Retail, Service, Recreation and Other Uses																
Bed and breakfast establishments	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Building or structure with floor area exceeding 10,000 sq. ft. in floor area	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Counseling and community services					C						C					
Golf course	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Limited retail use of landmark site or building	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
<u>Mixed use building at corner location</u>		C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Offices for human service programs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y

Outdoor recreation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y	
Recreational, community, and neighborhood centers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Utility Uses																	
Electric power production and/or heating and cooling plant	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Electric substations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y	
Gas regulator stations, mixing and gate stations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y	
Railroad right-of-way	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Sewerage system lift stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y	
Telecommunications towers and transmission equipment buildings	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Water pumping stations, water reservoirs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Agriculture																	
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Market garden	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y	
Accessory Uses and Structures																	
Accessory building or structure	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y	
Accessory dwelling unit	Permitted as part of Overlay District															P	Y
Caretaker's dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y	
Composting	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Convent, monastery or similar residential group accessory to place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y	
Day care home, family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y	
Dependency living arrangement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y	
Emergency electric generator	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y	

Mixed Use Building at Corner Location in Residential Districts:

- (a) Buildings shall be located at least one quarter (1/4) mile from other mixed use buildings in residential districts.
- (b) The maximum building height is the maximum height in the district where the building is located.
- (c) The maximum lot area shall be no more than twice the minimum lot area of the district where the building is located.
- (d) The front setback shall be zero (0).
- (e) Buildings shall contain dwelling units.
- (f) The maximum number of dwelling units shall be the maximum number of dwelling units allowed in the district where the building is located.
- (g) All on site parking shall be screened from adjacent properties.
- (h) Other than residential use, the uses in these buildings are limited to the following:
 - 1. Artist, photographer studio, etc.
 - 2. Insurance, real estate or sales office.

3. ~~General retail.~~
4. ~~Bank, financial institution.~~
5. ~~Business sales and services.~~
6. ~~Food and related goods sales.~~
7. ~~Service business.~~
8. ~~Small appliance repair.~~
9. ~~Sporting goods store, bait shop.~~
10. ~~Catering.~~
11. ~~Coffee shop, Tea House.~~
12. ~~Clinic – medical, dental, optical.~~
13. ~~Physical, occupational or massage therapy.~~
14. ~~General office.~~
15. ~~Furniture and household goods.~~
16. ~~Artisan workshop.~~
17. ~~Restaurant.~~
18. ~~Restaurant tavern.~~

Direct staff to provide for allowing mixed use buildings at corner locations in residential districts through rezoning rather than conditional use approval and include standards similar to those above.

Amendment No. 7

Accessory Building Height

Ald. Rummel

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28.131 ACCESSORY BUILDINGS AND STRUCTURES.

- (1) In All Districts.
 - (a) Time of construction. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
 - (b) Maximum Percentage of Rear Yard Setback. Accessory buildings may occupy a maximum of fifty percent (50%) of the area of the rear yard setback.
 - (c) Maximum Height. The height of the principal building ~~or fifteen seventeen (175)~~ feet, whichever is lower. The following are exempt from this requirement:
 1. Accessory dwelling units are exempt from this requirement; maximum height shall be determined by the district requirements for zoning districts where such units are allowed.
 2. Carriage houses within historic districts may be replaced at their original height.
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Amendment No. 8

Lakefront Development

Ald. Rummel

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- (5) Lakefront Zoning Lots Where the Principal Use is Other Than One (1) or Two (2) Family Residential or Public Park Land.
- (a) Lakefront Yard Setback. The yard that abuts the lake, typically the rear yard, shall be referred to as the “lakefront yard.” The yard opposite the lakefront yard shall be treated as the front yard. The minimum setback from the OHWM shall be seventy-five (75) feet, calculated using one of the following two (2) methods, provided that in no case, shall a new principal building be located closer to the OHWM than seventy five (75) feet or an addition to an existing principal building be located closer to the OHWM than the lakefront setback of the existing principal building.
1. The average setback of the principal buildings on the two (2) adjoining lots, provided that the setbacks of those buildings are within twenty (20) feet of one another, or
 2. The median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side, whichever is less, or thirty percent (30%) of lot depth, whichever number is greater.

Amendment No. 9

Accessory Dwelling Units

Ald. Rhodes-Conway

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Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
Reuse of former public school or municipal buildings	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	Y
Schools, public and private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Retail, Service, Recreation and Other Uses																
Bed and breakfast establishments	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Building or structure with floor area	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y

exceeding 10,000 sq. ft. in floor area																
Counseling and community services					C						C					
Golf course	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Limited retail use of landmark site or building	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Mixed-use building at corner location		C	C	C	C	C	C	C	C	C	C	C	C		C	Y
Offices for human service programs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Outdoor recreation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Recreational, community, and neighborhood centers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Utility Uses																
Electric power production and/or heating and cooling plant	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Electric substations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Gas regulator stations, mixing and gate stations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Railroad right-of-way	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Sewerage system lift stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Telecommunications towers and transmission equipment buildings	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Water pumping stations, water reservoirs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Agriculture																
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Market garden	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Accessory Uses and Structures																
Accessory building or structure	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Accessory dwelling unit	Permitted as part of Overlay District Conditional Use in all Districts														P	Y
Caretaker's dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Composting	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Convent, monastery or similar residential group accessory to place of worship	P															Y
Day care home, family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Dependency living arrangement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Emergency electric generator	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y

Mixed-Use and Commercial Districts						
	NMX	TSS	MXC	CC-T	CC	Supplemental Regulations
Accessory Uses and Structures						
Accessory building or structure	P/C	P/C	P/C	P/C	P/C	Y
Accessory dwelling unit, attached or detached	As part of ADU Overlay District	C		C		Y
Caretaker's dwelling (nonresidential uses)	C	C	C	C	C	Y
Composting	P	P	P	P	P	
Convent, monastery or similar religious community	P	P		P		Y
Day care center in school or religious inst.	P	P	P	P	P	Y
Day care home, family	P	P	P	P		Y
Dependency living arrangements	P	P	P	P	P	
Emergency electric generator	C	C	C	C	C	Y
Home occupation	P/C	P/C	P/C	P/C	P/C	Y
Keeping of chickens	P	P	P	P		Y
Lease of off-street parking facility accessory to nonresidential use to non-users of principal use	P	P	P	P	P	Y
Management office, restaurant, limited retail, recreation facilities within multi-family building		P	P	P	P	Y
Mission house	P	P	P	P	P	Y
Outdoor display	C	C	C	C	C	Y
Outdoor eating area associated with food & beverage establishment	C	C	P	C	P	Y
Outdoor storage		C	C	C	C	Y
Portable storage units	P	P	P	P	P	Y
Real estate sales office	P	P	P	P	P	Y
Solar energy systems	P	P	P	P	P	Y
Temporary buildings for storage of construction materials and equipment	P	P	P	P	P	Y
Temporary outdoor events	P/C	P/C	P/C	P/C	P/C	Y
Towing and wrecking service business	P	P	P	P	P	Y
Vehicle access sales and services windows			C	C	C	Y
Vending machines	P	P	P	P	P	Y
Walk-up service windows	P/C	P/C	P/C	P/C	P/C	Y
Wind energy systems	C	C	C	C	C	Y
Yard sales	P	P	P	P	P	Y

28.108 ACCESSORY DWELLING UNIT OVERLAY DISTRICTS.

- (1) ~~Statement of Purpose.~~

The ADU Overlay District is created to enable the establishment of accessory dwelling units within all residential districts. Accessory dwelling units give neighborhoods the opportunity to provide affordable housing opportunities, to provide housing opportunities for elderly or other family members, and to utilize their land base more efficiently. The district is also intended to:

 - (a) ~~Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, proportions, building materials, landscaping and similar design features.~~
 - (b) ~~Protect the private environment of rear yards and maintain neighborhood character.~~
- (2) ~~Applicability.~~
 - (a) ~~The requirements of the ADU Overlay District 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 ADU Overlay District and the underlying primary zoning district, the provisions of the ADU Overlay District shall apply.~~
- (3) ~~Minimum Area Required.~~

To be considered for designation as an ADU Overlay District, an area must include at least eight (8) contiguous block faces or two thousand, six hundred forty (2,640) lineal feet of contiguous street frontage.
- (4) ~~Designation Process.~~
 - (a) ~~All requests for creation of an ADU Overlay District shall be initiated by a resident, owner, or a registered neighborhood association, 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 standards in Subsection 3 above.~~
 - (c) ~~If the proposed area is consistent with the standards in Subsection 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.~~
 1. ~~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 an ADU District Study may be introduced to the Common Council and referred to the Plan Commission. If authorized by a resolution adopted by the Common Council, a study shall be undertaken.
 - (g) An ADU District Study shall explore the feasibility and potential benefits of establishing an ADU Overlay 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. This study could also be incorporated into a larger neighborhood planning process or neighborhood plan update process.
 - (h) The ADU District Study shall include the following:
 1. Maps indicating the proposed overlay district boundaries.
 2. Design guidelines for accessory dwelling units. Design requirements may be based on the suggested requirements in Subsection (6) or may be more or less restrictive.
 3. Parking requirements, including a determination of whether additional off street parking shall be required.
 - (i) Creation of an ADU Overlay District. If an ADU Overlay District is proposed following the completion of the study, it shall include the geographic boundaries and the specific requirements to be used in reviewing development proposals. An ADU Overlay District ordinance shall be considered pursuant to the procedures in Sec. 28.182.
 - (j) The Director of the Department of Planning and Community and Economic Development shall review an ADU Overlay District twenty (20) years after its creation to determine whether it is consistent with the Statement of Purpose in Section 28.108(1) and shall report its determination to the Plan Commission.
- (5) ADU Requirements.
The following requirements shall apply within all ADU Overlay Districts.
- (a) The principal dwelling or the accessory dwelling unit must be owner-occupied (temporary absences of up to six (6) months may be allowed).
 - (b) The principal dwelling must be a single family detached dwelling.
 - (c) The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals.
 - (d) The accessory dwelling unit shall not be sold separately from the principal dwelling.
 - (e) The maximum height of a detached building containing an accessory dwelling unit, including one built above a garage, shall be twenty five (25) feet.
 - (f) The maximum size of an accessory dwelling unit shall be seventy five percent (75%) of the principal dwelling's floor area, up to a maximum size of seven hundred (700) square feet.
 - (g) The minimum setback requirements shall be those for accessory building or structures of the underlying zoning district.
- (6) Suggested Design Requirements.
The following may become requirements for individual ADU Districts, as determined when such districts are created.
- (a) No additional usable open space shall be required for an accessory dwelling unit.
 - (b) On corner lots, primary entrances to accessory dwelling units shall be placed on the facade parallel to the side street.
 - (c) Accessory dwelling unit entry ways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.
 - (d) The appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a single family dwelling.

- ~~(e) Entrances for attached accessory dwelling units, shall not be added to the front elevation of an existing building, but may be added to side or rear elevations.~~
- ~~(f) The exterior finish material of an accessory dwelling unit shall match the type, size and placement of exterior finish material of the principal dwelling.~~
- ~~(g) The roof pitch shall match the predominant roof pitch of the principal dwelling.~~
- ~~(h) Trim and projecting eaves shall match those of the principal dwelling.~~
- ~~(i) Windows shall match those in the principal dwelling in proportion (relationship of width to height) and orientation (horizontal or vertical).~~

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Accessory Dwelling Unit in the TR-P District. Accessory dwelling units within the TR-P District shall meet the following standards:

- (a) No more than one (1) accessory dwelling unit may be located on a lot.
- (b) The lot shall be a corner lot or abut an alley.
- (c) The lot shall have a minimum area of five thousand (5,000) square feet.
- (d) The lot shall have a minimum width of fifty (50) feet for corner lots and sixty (60) feet for interior lots.
- (e) An attached accessory dwelling unit shall be part of the single family dwelling on the same lot for the purpose of the bulk requirements of the district. Any secondary dwelling unit connected to the single-family dwelling is considered attached.
- (f) A detached accessory dwelling unit shall be located only above a detached garage of the single-family dwelling on the same lot.
- (g) A detached accessory dwelling unit shall be located a minimum of five (5) feet from a side or rear lot line, unless the lot is adjacent to an alley, in which case it shall be located a minimum of two (2) feet from the rear lot line.
- (h) The height, lot area per dwelling unit, and usable open space requirements for detached accessory dwelling units shall be as specified for the district.
- (i) The usable open space requirements for a detached accessory dwelling unit shall be fifty percent (50%) of the usable open space requirement in the district.
- (j) The single-family dwelling on the lot shall be owner-occupied.
- (k) The entryway to the accessory dwelling unit shall be connected to a street frontage with a paved walkway.
- (l) The accessory dwelling unit shall have a separate entrance from the single-family dwelling.

Accessory Dwelling Unit in Districts other than the TR-P District.

- (5) ADU Requirements.
The following requirements shall apply within all ADU Overlay Districts.
 - (a) The principal dwelling or the accessory dwelling unit must be owner-occupied except that a temporary absence of up to six (6) months is may be allowed.
 - (b) The principal dwelling must be a single-family detached dwelling.
 - (c) No more than one (1) accessory dwelling unit may be located on a lot.
 - ~~(d)~~ The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals.
 - ~~(e)~~ The accessory dwelling unit shall not be sold separately from the principal dwelling.
 - (f) The maximum height of a detached building containing an accessory dwelling unit, including one built above a garage, shall be twenty-five (25) feet. Height shall be measured as a principal building pursuant to Sec. 28.134(1)(b).

- (gf) The maximum size of an accessory dwelling unit shall be seventy-five percent (75%) of the principal dwelling's floor area, up to a maximum size of seven hundred (700) square feet.
- (hg) The minimum setback requirements shall be those for accessory building or structures of the underlying zoning district.

(6) Suggested Design Requirements:

The following may become requirements for individual ADU Districts, as determined when such districts are created.

- (a) No additional usable open space shall be required for an accessory dwelling unit.
- (b) On corner lots, primary entrances to accessory dwelling units shall be placed on the facade parallel to the side street.
- (ie) Accessory dwelling unit entry ways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.
- (d) The appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a single family dwelling.
- (e) Entrances for attached accessory dwelling units, shall not be added to the front elevation of an existing building, but may be added to side or rear elevations.
- (jf) The exterior finish material of an accessory dwelling unit shall match the type, size and placement of exterior finish material of the principal dwelling.
- (kg) The roof pitch shall match the predominant roof pitch of the principal dwelling.
- (lh) Trim and projecting eaves shall match those of the principal dwelling.
- (mi) Windows shall match those in the principal dwelling in proportion (relationship of width to height) and orientation (horizontal or vertical).

Amendment No. 10

Housing Cooperatives

Ald. Kerr

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Table 28C-1

Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
Residential – Family Living																
Multi-family building complex					C						C	C	C		C	Y
Multi-family dwelling (4 dwelling units)				P	P					P	P	P	P		P	
Multi-family dwelling (5-8 dwelling units)				C	P						C	P	P		P	
Multi-family dwelling (> 8 dwelling units)					C						C	C	C		P	
Single-family attached dwelling (3-8				C	P						C	P	P		P	

Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
dwelling units)																
Single-family attached dwelling (> 8 dwelling units)					C							C	C		P	
Single-family detached dwellings	P	P	P	P	P	P	P	P	P	P	C	P	C	P	P	
Three-family dwelling - three-unit				P	P			P		P	P	P	P		P	
Two-family dwelling - twin			P	P	P					P	C	P	C		P	Y
Two-family dwelling – two unit			P	P	P			P	P	P	C	P	C		P	
Residential – Group Living																
Adult family home	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Assisted living-facility				C	C					C	C	C	C			Y
Cohousing community	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Community living arrangement (up to 8 residents)	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Community living arrangement (9-15 residents)	C	C	P/ C	P/ C	P/ C	C	C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	C	C	Y
Community living arrangement (>15 residents)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Congregate care facility				C	C					C	C	C	C			Y
Dormitory					C							C	C			Y
Hostel												C	C			
Housing cooperative			P/ C	P/ C	P/ C			C		P/ C	P/ C	P/ C	P/ C		C	Y
Lodging house, fraternity or sorority												C	C			Y
Skilled nursing facility				C	C					C	C	C	C			Y
Civic and Institutional																
Cemetery	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Colleges and universities												C	C			Y
Day care center in school or place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	Y
Day care center	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Library, museum	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Parks and playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Place of worship	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y

Housing Cooperative.

- (a) In the SR-C3 District, buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than fourteen (14) requires conditional use approval.
- (b) In the SR-V1, SR-V2, TR-C3 and TR-P, TR-V1, TR-V2, NMX, TSS, and CC-T Districts, buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperatives shall not have an occupancy greater than five (5) persons, if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than twenty (20) requires conditional use approval.
- (be) In the TR-V1, TR-V2, TR-U1, TR-U2, NMX, TSS, and CC-T Districts, a Housing Cooperatives with an occupancy greater than five (5) persons require conditional use approval. may locate in a single family dwelling with conditional use approval.
- (d) In the TR-U1 and TR-U2 Districts, Housing Cooperatives may locate in any single-family dwelling or convert a building with more than one (1) dwelling unit if the occupancy equals the number of legal bedrooms prior to a change in use to a Housing Cooperative. Occupancy greater than the legal number of bedrooms prior to a change in use requires conditional use approval.
- (ce) When Housing Cooperatives are established within single-family dwellings, the single-family appearance and function of the building shall not be altered through the addition of entrances or kitchens.
- (df) When two-family, three-family and multi-family buildings are converted into Housing Cooperatives, the entire building must remain a Housing Cooperative while any portion of it is so occupied.

Amendment No. 11

Housing Cooperatives

Ald. Rummel

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Table 28C-1

	Residential Districts														Supplemental Regulations	
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R		TR-P
Residential – Family Living																
Multi-family building complex					C						C	C	C		C	Y
Multi-family dwelling (4 dwelling units)				P	P					P	P	P	P		P	
Multi-family dwelling (5-8 dwelling units)				C	P						C	P	P		P	

Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
units)																
Multi-family dwelling (> 8 dwelling units)					C						C	C	C		P	
Single-family attached dwelling (3-8 dwelling units)				C	P						C	P	P		P	
Single-family attached dwelling (> 8 dwelling units)					C							C	C		P	
Single-family detached dwellings	P	P	P	P	P	P	P	P	P	P	C	P	C	P	P	
Three-family dwelling - three-unit				P	P			P		P	P	P	P		P	
Two-family dwelling - twin			P	P	P					P	C	P	C		P	Y
Two-family dwelling – two unit			P	P	P			P	P	P	C	P	C		P	
Residential – Group Living																
Adult family home	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Assisted living-facility				C	C					C	C	C	C			Y
Cohousing community	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Community living arrangement (up to 8 residents)	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Community living arrangement (9-15 residents)	C	C	P/ C	P/ C	P/ C	C	C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	C	C	Y
Community living arrangement (>15 residents)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Congregate care facility				C	C					C	C	C	C			Y
Dormitory					C							C	C			Y
Hostel												C	C			
Housing cooperative			P/ C	P/ C	P/ C			P/ C		P/ C	P/ C	P/ C	P/ C			Y
Lodging house, fraternity or sorority												C	C			Y
Skilled nursing facility				C	C					C	C	C	C			Y
Civic and Institutional																
Cemetery	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Colleges and universities												C	C			Y
Day care center in school or place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	Y
Day care center	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Library, museum	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Parks and playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Place of worship	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C	Y
Public safety or service facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Housing Cooperative.

- (c) In the SR-C3 and TR-C3 Districts, buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than fourteen (14) requires conditional use approval.
- (d) In the SR-V1, SR-V2, TR-V1, TR-V2, NMX, TSS, and CC-T Districts, buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than twenty (20) requires conditional use approval.
- (c) In the SR-V1, SR-V2, SR-C3, TR-C3, TR-V1, TR-V2, NMX, TSS, and CC-T Districts, a Housing Cooperative may locate in a single-family dwelling with conditional use approval.
- (d) In the TR-U1 and TR-U2 Districts, Housing Cooperatives may locate in any single-family dwelling or convert a building with more than one (1) dwelling unit if the occupancy equals the number of legal bedrooms prior to a change in use to a Housing Cooperative. Occupancy greater than the legal number of bedrooms prior to a change in use requires conditional use approval.
- (e) When Housing Cooperatives are established within single-family dwellings, the single-family appearance and function of the building shall not be altered through the addition of entrances or kitchens.
- (f) When two-family, three-family and multi-family buildings are converted into Housing Cooperatives, the entire building must remain a Housing Cooperative while any portion of it is so occupied.