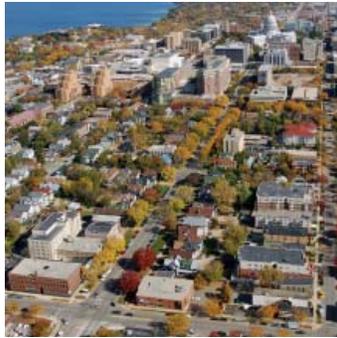


City of Madison Zoning Code Rewrite

Annotated Outline



September 9, 2008

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1. Introduction, Overall Approach, and Summary Outline

Introduction

The City of Madison has embarked upon a rewrite of its forty-year-old Zoning Code, approximately a two-year process. This annotated outline is the second major report presented to the City. It follows and supplements the Zoning Code Analysis report, published to the City's web site in July 2008. That report includes detailed information on issues to be addressed in the rewrite.

This outline summarizes the proposed organization, content and format of the revised Zoning Code. It also cross-references the existing code and identifies some of the issues and questions that will need to be addressed. The following should be noted:

- Many concepts in the existing Code are retained. However, text will be revised for clarity even where existing concepts are carried over into the new document.
- Where new concepts are included here, it is likely that these will be further refined during the drafting process, based on public comments and review by the Advisory Committee, Plan Commission and City staff.
- The new Zoning Code document will receive substantial public review prior to adoption. This outline is intended as a starting point for public comment, not as a final document.

Overall Approach

Format

The Zoning Code will remain “Chapter 28” of the City Code, and will need to conform to some of the City Code standards. Changes will include:

- Division of the Code into “Subchapters” and then into “Sections,” allowing us to create a larger number of divisions within the document than the current 13 sections.
- The current section numbering format will remain, but will be numbered by hundreds, to allow room for future additions.
- Page layout with headers and footers that identify subchapter titles, rather than number references alone.
- Tables to consolidate uses, dimensional standards and other elements.
- Addition of a “User’s Guide” at the beginning of the document.
- Addition of hyperlinks (electronic links between sections) in the City’s in-house version of the document.

Organization

The following summary outline shows how the proposed Code is organized. The “Existing” column indicates related sections of the current Code. One general organizational principle used in this outline is to place the most important sections – the district and use standards – toward the beginning of the document where they are most visible. Sections that are used for reference, such as definitions of terms, will be placed toward the end of the document.

Summary Outline

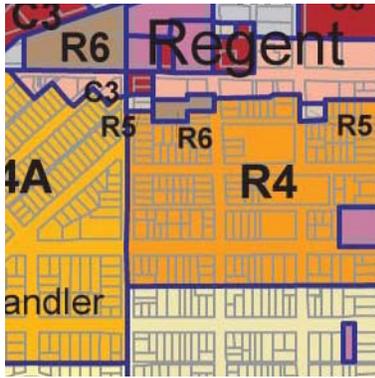
New	Existing	Description
<p>User’s Guide “How to Use This Document”</p> <p>100. Introduction</p> <p>Title</p> <p>Purpose</p> <p>Applicability</p> <p>200. General Provisions</p> <p>Districts</p> <p>Zoning Map</p> <p>Annexed Territory</p> <p>300. Neighborhood Districts</p> <p>400. Mixed Use and Commercial Districts</p> <p>500. Downtown Districts</p> <p>600. Employment Districts</p> <p>700. Special Districts</p> <p>Agricultural District</p> <p>Parks and Open Space District (NEW)</p> <p>Institutional Campus District (NEW)</p> <p>800. Overlay Districts</p> <p>Wellhead Protection Districts</p> <p>Floodplain Districts</p> <p>Neighborhood Conservation Districts</p> <p>Wetland District (NEW OVERLAY)</p> <p>Transit-Oriented Development District</p> <p>900. Planned Unit Development Standards</p>	<p><i>28.01 Title</i></p> <p><i>28.02 Intent and Purpose</i></p> <p><i>28.04(3) Scope of Regulations</i></p> <p><i>28.06 Zoning Districts and Zoning District Maps</i></p> <p><i>28.08 Residence Districts</i></p> <p><i>28.085 Office Districts</i></p> <p><i>28.09 Commercial Districts</i></p> <p><i>28.09 Commercial Districts (C4)</i></p> <p><i>28.08 Residence Districts (R5, R6)</i></p> <p><i>28.085 Office Districts</i></p> <p><i>28.10 Manufacturing Districts</i></p> <p><i>28.07 Special Districts</i></p> <p><i>28.107 Wellhead Protection Districts</i></p> <p><i>28.105 Flood Plain Districts</i></p> <p><i>28.108 Neighborhood Conservation Districts</i></p> <p><i>28.106 Historic District Suffixes</i></p> <p><i>28.07(4) Planned Community Development District</i></p> <p><i>28.07(5) Planned Community Mobile Home Park District</i></p> <p><i>28.07(6) Planned Unit Development District</i></p>	<p>This tells the reader how to find information in the document, whether searching by district, land use, or other parameter.</p> <p>Official title of code for convenient reference.</p> <p>Establishes the policies and findings that provide the basis for the Code.</p> <p>Interim placement in Ag District.</p> <p>See detailed district list, Section II.</p> <p>See detailed district list, Section II. May include Urban Design Districts.</p> <p>Combine PUD, PCD, as a separate subchapter; adds more specific standards.</p>

Summary Outline

New	Existing	Description
<p>1000. Development Standards</p> <p>Generally</p> <p>Building Design</p> <p>Landscaping and Screening</p> <p>Parking and Loading</p> <p>Site Design Standards</p> <p>1100. Procedures</p> <p>Generally</p> <p>Amendments and Rezoning</p> <p>Site Plans</p> <p>Special/Area Exceptions</p> <p>Conditional Uses</p> <p>Zoning Certificates</p> <p>Building Permits and Certificates of Occupancy</p> <p>Appeals</p> <p>Variances</p> <p>Enforcement</p> <p>1200. Supplemental Use Regulations</p> <p>1300. Nonconformities and Vested Rights</p> <p>Generally</p> <p>Nonconforming uses</p> <p>Nonconforming lots</p> <p>Nonconforming development</p> <p>Nonconforming structures</p> <p>Pending Permits</p> <p>1400. Agencies and Boards</p> <p>Zoning Administrator</p> <p>Plan Commission</p> <p>Common Council</p> <p>Zoning Board of Appeals</p>	<p><i>28.04(12) Screening and Vision Clearance</i></p> <p><i>28.11 Off-Street Parking and Loading Facilities</i></p> <p><i>28.12 Administration and Enforcement</i></p> <p><i>28.12(10)</i></p> <p><i>28.12(8) Area Exceptions</i></p> <p><i>28.12(5)</i></p> <p><i>28.12(6)</i></p> <p><i>28.12(7)</i></p> <p><i>28.12(9)</i></p> <p><i>28.12(13)</i></p> <p><i>28.04(16) Service stations, car washes</i></p> <p><i>28.04(23) Telecommunications facilities</i></p> <p><i>28.07(3)(c)7 Public utility and public service uses</i></p> <p><i>28.05 Nonconforming buildings and uses</i></p> <p><i>28.12(2)</i></p> <p><i>28.12(4)</i></p> <p><i>28.12(3)</i></p>	<p>Expand to include additional development standards.</p> <p>For use in site plan review.</p> <p>Eliminate 28.12(9)(d) Authorized Variances</p> <p>Consider strengthening enforcement penalties.</p> <p>Expand to include additional development uses (e.g., home occupations, secondary dwellings, adult entertainment uses, etc.).</p> <p>Expand and clarify standards consistent with state statute.</p>

Summary Outline

New	<i>Existing</i>	Description
<p>1500. Definitions and Rules of Construction Rules of Construction Definitions</p> <p>1600. Legal Provisions Coordination with Other Regulations Effective Date Severability</p> <p>Appendix A. Use Classifications</p> <p>Appendix B. Fees</p> <p>Appendix C. Plant List</p> <p>Index</p>	<p><i>28.03 Rules and Definitions</i></p> <p><i>28.04(3) Scope of Regulations</i></p> <p><i>28.04(2) Separability</i></p> <p><i>28.04(12)</i></p>	<p>Revise and clarify current definitions; add new terms as needed.</p> <p>Date at which regulations become legally effective</p>



2. Proposed Districts

Proposed Districts

One of the comments most frequently heard at public meetings is that “zoning doesn’t match what’s on the ground.” It is important to recognize that many of Madison’s most valued places predate any zoning controls, and that much of the city was developed prior to the 1966 zoning code. The mismatch between current zoning and the built environment creates difficulties in updating older buildings. In order to craft zoning standards that “fit” these areas, it is important to analyze both their dimensions and their character.

Zoning is one of many factors that shape the built environment. Among these factors are environmental conditions, transportation technologies, and historic settlement patterns. The “character” of neighborhoods, commercial or mixed-use corridors, waterfronts, or other special districts, may seem like a fuzzy term, but it can in fact be defined in terms of many shared or divergent qualities of buildings, streets and landscape. The following elements are typically found in most neighborhoods and districts:

<p>Buildings</p>	<ul style="list-style-type: none"> • Alignment of buildings on the lot – are setbacks consistent? • Spacing of buildings, width of facades • Building height and roof shape • Building style • Materials and details • Accessory buildings – size, placement, design
<p>Streets</p>	<ul style="list-style-type: none"> • Street layout, block length • Sidewalk width and placement • Terrace width and plantings • Curb cuts, driveway position • On-street parking • Street trees
<p>Landscape and site elements</p>	<ul style="list-style-type: none"> • Topography • Open space and its design • Fences, hedges, plantings on lot

Proposed Districts

A sampling of any neighborhood in Madison will show differences and commonalities in many of these elements. Each neighborhood or corridor will also show differing degrees of variety or diversity.

The following list of proposed zoning districts are based upon an analysis of community character, and the primary development patterns found within the City. Each district is designed with the intent of responding both to neighborhood character and to the goals and policies of the Comprehensive Plan and neighborhood plans.

Zoning districts, unlike comprehensive plan categories, need to provide for the continuance of existing uses while looking ahead toward community goals for new development, redevelopment, or other planned change. These districts attempt to strike a balance between preserving what currently exists and fostering new uses and development types. Some districts are oriented more towards preservation, others towards redevelopment. Some proposed districts closely match existing ones, while others are quite different. The district summaries include:

- A broad statement of intent for each zoning category
- Relationship to Comprehensive Plan objectives and policies

- Brief statements of intent for each proposed district
- Relationship of each district to Comprehensive Plan land use categories and to existing zoning districts. (Note that some new districts are very similar to existing districts, but the majority will not line up precisely.)
- Summary of primary and secondary land uses. Secondary land uses such as parks and schools would be allowed by right in most districts. Other secondary uses would be limited by means of a conditional use process or other required standards. These listings are preliminary at this point and are likely to change.

The summaries do not include dimensional or design standards. These will be developed based on further analysis. The case studies in Section __ are the starting point for this analysis. The case studies include dimensional and design parameters, but these should be viewed as “test cases” rather than recommendations.

It is important to note that this is a preliminary list. The number and type of zoning districts are likely to change based on community feedback. For example, additional districts may be needed in both the “TN” category and the “Downtown” category in order to respond to specific conditions within neighborhoods and the downtown.

Traditional Neighborhood Districts

Traditional neighborhoods are mature neighborhoods where lots tend to be relatively narrow, early 20th-century architectural styles predominate and streets are at a pedestrian scale, with sidewalks and mature trees. Most garages are detached and placed in rear or side yards. Parks, parkways, schools, recreation centers and places of worship are integrated into the neighborhood fabric. Blocks are compact and streets and highly interconnected in a grid, radial or curvilinear pattern. Neighborhood shopping streets and small retail and service nodes are located within convenient walking distance. This development pattern is found throughout Madison's Isthmus and nearby neighborhoods, and is being recreated in some of the City's newer neighborhoods in outlying areas.

Intent

- Promote the preservation, development and redevelopment of traditional neighborhoods in a manner consistent with their distinct form and character.
- Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.
- Provide smooth transitions between traditional neighborhoods and adjacent shopping streets, commercial nodes, major institutions, high-traffic streets, and other more intense land uses.
- Facilitate the development or redevelopment goals of adopted neighborhood, corridor or special area plans.

Comprehensive Plan Relationship

Objectives and Policies for Established Neighborhoods:
Objectives 40, 41, 42.

Objectives and Policies for Future Neighborhoods:
Objectives 27-33.

Related Comp Plan Categories
LDR, MDR, HDR

Related Zoning Districts
R1-R6



Traditional Neighborhood Districts

TN - Consistent District (TN-C)

Most buildings are of a consistent scale and size; one-, two- and three-family houses predominate. Larger buildings, including attached units and multi-family buildings, occur in scattered locations.

Intent

Protect neighborhood character; encourage preservation and updating of historic and traditional buildings.

Primary land uses

Single to three-family dwellings.

Secondary land uses

Local institutions and parks, small (4-5 unit) multi-family and attached dwellings in limited numbers; accessory dwellings, commercial/office or live-work uses in existing storefronts.

Related Comp Plan Categories

LDR, MDR

Related Zoning Districts

R2, R3, R4, R4A



Traditional Neighborhood Districts

TN - Varied District (TN-V)

Larger buildings are interspersed with smaller ones, and multi-family buildings are interspersed with one- and two-family houses. Because of the higher densities, parking occupies a larger percentage of lots, including rear and side yards.

Intent

Protect neighborhood character; manage infill development and parking; encourage preservation and updating of historic and traditional buildings.

Primary land uses

Single-family to small multi-family and attached dwellings.

Secondary land uses

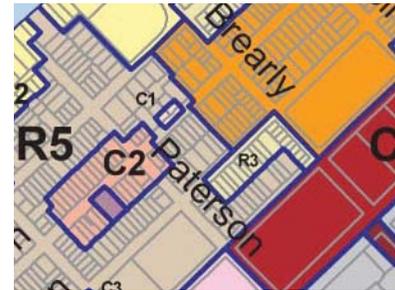
Local institutions and parks; larger multi-family buildings; residential to office or mixed-use conversions; re-use of existing storefronts, accessory dwellings. Consider relationship to current R4/R4A distinctions.

Related Comp Plan Categories

MDR

Related Zoning Districts

R3, R4, R4A



Traditional Neighborhood Districts

TN – Urban District (TN-U)

Larger buildings, including multifamily and congregate living arrangements, predominate, but smaller buildings, including one- and two-family houses, are concentrated in some areas. Many streets are wide and carry high traffic volumes. Urban neighborhoods are found within and adjacent to Downtown and around the University of Wisconsin campus. Trends toward more concentrated high-density student housing have left previous residential conversions of one- and two-family houses in need of rehab or redevelopment.

Intent

Enhance livability of neighborhoods, manage infill development and parking, encourage preservation and reuse of historic and traditional buildings.

Primary land uses

All dwelling types.

Secondary land uses

Local institutions and parks; mixed-use buildings at corner locations; live-work buildings; small-scale commercial/office within large multi-family buildings.

Related Comp Plan Categories
MDR, HDR

Related Zoning Districts
R4, R5, R6



Traditional Neighborhood Districts

TN – Estate District (TN-E)

Areas with large lot sizes, large single-family houses or house groupings, early 20th century architectural styles, mature landscaping and curvilinear streets that respond to topography.

Intent

Maintain neighborhood character; encourage preservation and updating of historic and traditional buildings.

Primary land uses

Single-family dwellings.

Secondary land uses

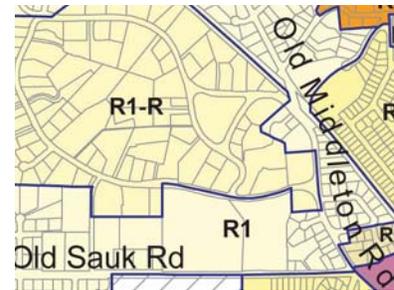
Local institutions and parks, accessory dwellings?

Related Comp Plan Categories

LDR

Related Zoning Districts

R1-R



Traditional Neighborhood Districts

TN – Planned District (TN-P)

New master-planned neighborhoods that include varying lot sizes, traditional architectural features such as porches, alley- or rear yard garages, with an interconnected street system and common open space. May also include neighborhood-serving commercial nodes and recreational amenities. Generally located in outlying areas or large redevelopment sites.

Intent

Encourage development of neighborhoods with the connectivity, pedestrian scale and mix of uses found in Madison’s historic neighborhoods.

Primary land uses

Single-family to small multi-family and attached dwellings, accessory dwellings.

Secondary land uses

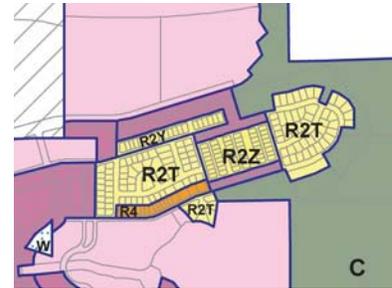
Local institutions and parks, live/work units, studios, small-scale commercial in neighborhood center.

Related Comp Plan Categories

NPA-TND

Related Zoning Districts

R2S, T, Y, Z, R3-R5, C1, Conservancy



Suburban Neighborhood Districts

Neighborhoods primarily developed from the post-war period up through the present, with a broad range of lot and street patterns. Most garages are attached and front-loaded. Lots and building facades are generally wider, and blocks are longer, than those found in traditional neighborhoods. Street patterns range from long blocks in a grid pattern to loops and cul-de-sacs. Street connections are fewer than in traditional neighborhoods. Sidewalks are found in some but not all areas. Parks, parkways, schools, recreation centers and places of worship are integrated into the neighborhood fabric. Commercial centers tend to be located beyond walking distance. This development pattern dominates in Madison's outlying neighborhoods.

Intent

- Protect the residential character and stability of established neighborhoods while promoting pedestrian accessibility and connectivity of sidewalks, trails and greenways.
- Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.
- Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.
- Facilitate the development or redevelopment goals of adopted neighborhood, corridor or special area plans.

Comprehensive Plan Relationship

Objectives and Policies for Established Neighborhoods:
Objectives 33, 36, 40, 41, 42, 46.

Related Comp Plan Categories
LDR, MDR

Related Zoning Districts
R1-R5, PUD



Suburban Neighborhood Districts

SN - Consistent District (SN-C)

Neighborhoods largely developed during the post-war era (mainly 1950s and 60s). House sizes are modest in comparison to lot size. Cape Cod and ranch / rambler housing styles predominate. Garages are detached in older areas, attached in more recent construction. Street pattern tends to feature long but interconnected blocks.

Intent

Protect neighborhood character; encourage preservation and updating of existing housing.

Primary land uses

Single-family dwellings.

Secondary land uses

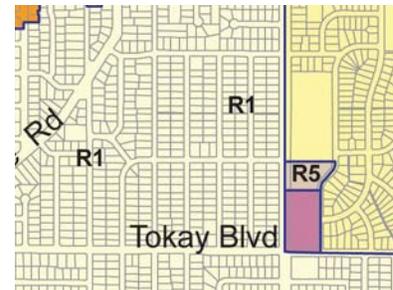
Local institutions and parks, accessory uses.

Related Comp Plan Categories

LDR

Related Zoning Districts

R1



Suburban Neighborhood Districts

SN - Varied District (SN-V)

Neighborhoods with mixed housing types and densities, i.e., multifamily buildings interspersed with one- and two-family dwellings within a single block. Multifamily buildings are typically more recent infill developments within a lower-density context.

Intent

Protect and enhance neighborhood character; encourage preservation and updating of existing housing.

Primary land uses

Single-family to small multi-family and attached dwellings.

Secondary land uses

Local institutions and parks, larger multi-family, accessory dwellings; limited commercial in existing storefronts.

Related Comp Plan Categories
MDR, HDR

Related Zoning Districts
R1, R3-R5, PRD



Suburban Neighborhood Districts

S - Planned Contemporary District (S-PC)

Includes many areas developed as master-planned communities (PUDs and PCDs) with a variety of housing types, internally-oriented street systems, common open space and common facilities or amenities. House sizes are larger in comparison to lot size.

Intent

Protect and enhance neighborhood character and connectivity; encourage preservation and updating of existing housing. Provide a district suitable for existing PUDs so that they can be incorporated in the new Code.

Primary land uses

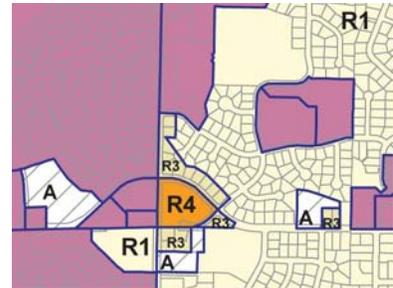
Single-family to small multi-family and attached dwellings.

Secondary land uses

Local institutions and parks, larger multi-family dwellings.

Related Comp Plan Categories
LDR, MDR, HDR

Related Zoning Districts
PUD, PCD, PRD



Suburban Neighborhood Districts

S - Multifamily District (S-M)

Includes concentrations of attached and multifamily housing, consisting of more than one building organized around shared open space and/or parking. Common facilities or amenities (pool, community room) may be included. Buildings are generally oriented inward, to courtyards or internal streets.

Intent

Encourage maintenance of older housing; encourage a variety of housing types serving large and small households, owners and renters. Improve connectivity and access to services.

Primary land uses

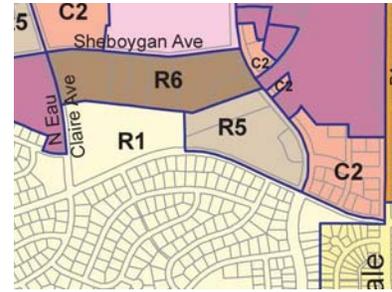
Multi-family and attached dwellings; multiple buildings.

Secondary land uses

Open space and recreational facilities, accessory uses, nonresidential support uses.

Related Comp Plan Categories
MDR, HDR

Related Zoning Districts
R5, PUD, PCD, PRD



Mixed-Use and Commercial Districts

These districts range from nodes and corridors designed with a pedestrian orientation, with buildings set at or close to the sidewalk, to newer commercial strips or large-format retail development oriented towards vehicular access and surface parking.

Intent

- Encourage the development of compact, mixed-use activity centers serving neighborhoods and larger areas, oriented toward pedestrian comfort and convenience.
- Encourage transit-oriented development at strategic locations that are or will be served by high-frequency transit.
- Facilitate the development or redevelopment goals of adopted neighborhood, corridor or special area plans.
- Encourage sustainable building and site design.

Comprehensive Plan Relationship

Objectives and Policies for Mixed-Use, Employment and Commercial Activity Centers: Objectives 59-60.

Objectives and Policies for Conventional Suburban-Style Commercial Development: Objectives 64-65.

Objectives and Policies for Land Use/Transportation Linkages: Objective 68.

Related Comp Plan Categories NMU-RMU, C1-C3

Related Zoning Districts C1-C3



Mixed-Use and Commercial Districts

Neighborhood Mixed-Use District (NMX)

A one- to two-block commercial node, centered on a cluster of free-standing or attached buildings. Character varies from more traditional (storefront or residential conversion) to suburban (strip mall). Parking may be rear, side or front.

Intent

Encourage diversification of uses to include residential, studio and office uses in addition to retail and service uses.

Primary land uses

Neighborhood-scale commercial, office, restaurant, mixed residential/nonresidential uses, art/artisan studios.

Secondary land uses

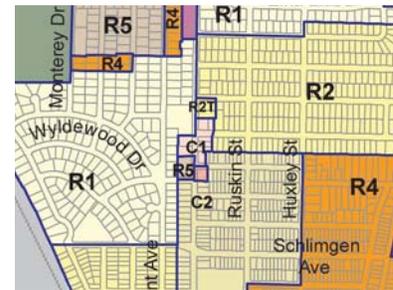
Residential (free-standing, single-family to small multi-family), limited entertainment, community facilities and institutions.

Related Comp Plan Categories

NMU

Related Zoning Districts

C1, C2



Mixed-Use and Commercial Districts

Traditional Shopping Street District (TSS)

A corridor with a pattern of storefronts, residential-commercial conversions, and office or mixed-use buildings, interspersed with residential buildings. Early 20th century commercial blocks are the dominant building types. Variety of uses may occur within the block or between blocks. Building scale varies from small (1-story) to medium (3-4 stories). Parking is primarily behind buildings, on the street, or (in newer developments) structured.

Intent

Recognize and strengthen this development pattern while maintaining the viability of existing residential uses within or adjacent to corridors.

Primary land uses

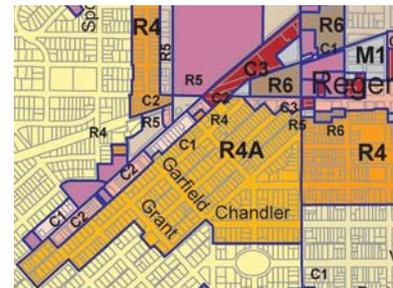
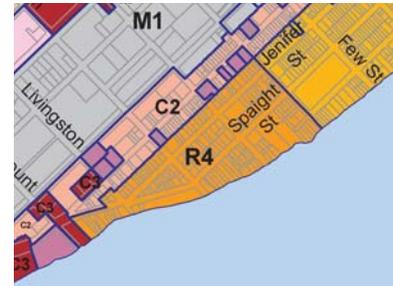
Neighborhood- and community-scale commercial, office, restaurant, mixed residential/nonresidential uses, single- to multi-family buildings.

Secondary land uses

Limited entertainment, community facilities and institutions.

Related Comp Plan Categories
NMU, CMU

Related Zoning Districts
C1, C2



Mixed-Use and Commercial Districts

Mixed-Use Center District (MXC)

Typically a planned development or redevelopment of a commercial center to include upper-story housing, offices, and/or live-work units with a pedestrian orientation.

Intent

Encourage this development pattern; encourage development that provides amenities and services to adjacent neighborhoods while protecting them from traffic and other impacts.

Primary land uses

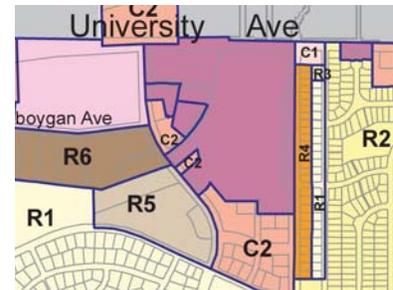
Mixed-use buildings combining residential, commercial, office, entertainment and related uses.

Secondary land uses

Outdoor seating or dining areas, multi-family and attached dwellings.

Related Comp Plan Categories
CMU

Related Zoning Districts
PUD, PCD



Mixed-Use and Commercial Districts

Commercial Corridor - Transitional District (CC-T)

Areas still occupied primarily by single-use commercial and office buildings, but planned for transition to greater diversity and mixed-use. May include residential-office conversions, and attached or multi-family infill.

Intent

Strengthen the pedestrian and transit orientation of these areas by bringing buildings closer to the street and applying design standards for building and site design.

Primary land uses

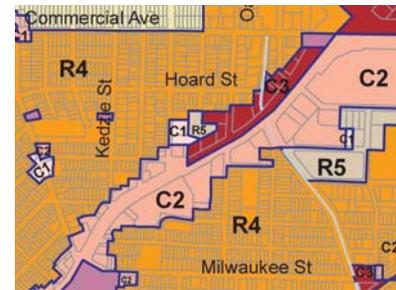
Free-standing commercial, office, entertainment and related uses; mixed-use buildings.

Secondary land uses

Outdoor seating or dining areas, multi-family and attached dwellings; limited production, wholesale, storage.

Related Comp Plan Categories
CMU, GC

Related Zoning Districts
C2, C3



Mixed-Use and Commercial Districts

Commercial Center District (CC)

Includes regional malls, large shopping centers, individual large-format retail stores, which remain oriented to surface parking, but may be planned for transition to greater diversity and mixed-use.

Intent

Strengthen the pedestrian and transit orientation of these areas by bringing buildings closer to the street and applying design standards for building and site design. Encourage transition to greater diversity and mixed-use.

Primary land uses

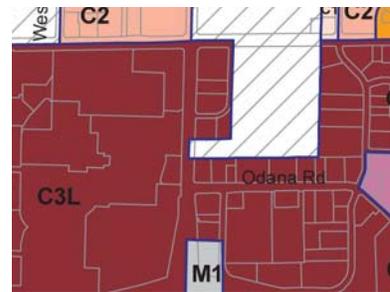
Free-standing commercial, office, entertainment and related uses; mixed-use buildings.

Secondary land uses

Outdoor seating or dining areas, multi-family and attached dwellings; institutional and civic uses.

Related Comp Plan Categories
RMU, GC

Related Zoning Districts
C3, C3L



Downtown Districts

The predominant activity center and community gathering place for the City and region, with a unique mix of government, office, retail, residential, arts, entertainment and cultural activities. Because of the ongoing Downtown Plan effort, the details of these districts or sub-districts will be established in conjunction with that effort. A Downtown Height map will likely be created as part of this section.

Intent

Recognize the downtown area as a unique and important City and regional center with unique planning and design features, including detailed guidance for building form and height. Encourage sustainable building and site design.

Comprehensive Plan Relationship

Objectives and Policies for the Downtown/Campus Area: Objectives 73-82.

Related Comp Plan Categories Downtown Districts

Related Zoning Districts C4, R5, R6, PUD



Downtown Districts

Downtown Core District (DT-C)

The area that exhibits the primary concentration of uses, activities and density. Most buildings are mid-rise and taller and placed at the sidewalk edge. Most parking is structured or on-street. Streetscapes are well-detailed, with continuous sidewalks, outdoor seating, public art and gathering places. Views of Capitol, other iconic buildings and lakes terminate many vistas.

Intent

Foster high-quality architecture and site design within the parameters established by the Downtown Plan.

Primary land uses

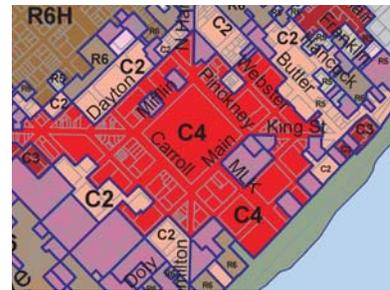
Government, office, retail, residential, arts, entertainment, lodging and related uses within mixed-use buildings.

Secondary land uses

Public open space, multi-family dwellings.

Related Comp Plan Categories
Downtown Core (approx.)

Related Zoning Districts
C4, R6, PUD



Downtown Districts

Downtown Transition District (DT-T)

That part of the downtown where residential uses are dominant, including large multi-family and mixed-use buildings, mid-sized multi-family buildings, two- and three-unit buildings and single-family conversions. Parking is on-street, structured and surface, and is located in some rear and side yards.

Intent

Manage the transitions in land use and intensity that occur within this area between residential and nonresidential uses and uses of differing size, height and intensity; manage parking and improve the pedestrian environment within the parameters established by the Downtown Plan.

Primary land uses

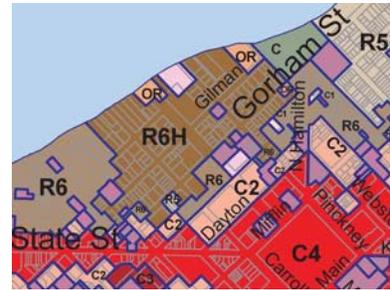
Residential (multi-family and attached), arts, office, lodging and related uses within mixed-use or single-use buildings.

Secondary land uses

Public open space, single- and two-family dwellings, limited retail and entertainment uses.

Related Comp Plan Categories
Other Downtown Districts

Related Zoning Districts
R5, R6, PUD



Workplace and Employment Districts

Employment centers ranging from the traditional to the contemporary and from single-use buildings to multiple use complexes that include significant commercial development. Activities include manufacturing, packaging, distribution, research and administration. Complementary uses include child care, recreation, eating places and services oriented toward the employee population.

Intent

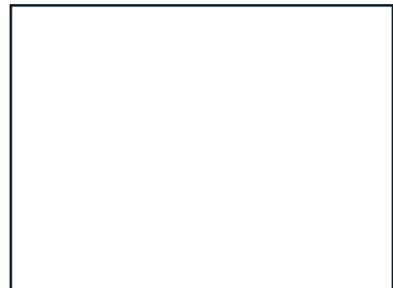
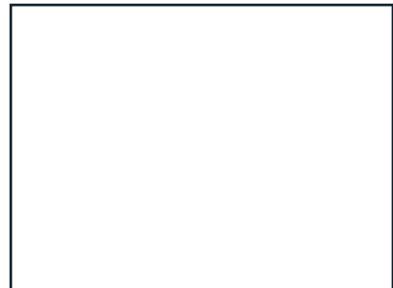
- Ensure that sufficient land is available for maintenance and growth of industrial and other employment uses.
- Encourage the design of employment centers that are well-connected to transit, bike and pedestrian corridors, regional highways, and nearby housing, civic, commercial and recreational uses.
- Encourage sustainable building and site design.
- Provide adequate buffering and screening for land uses adjoining industrial or other employment uses.
- Provide adequate screening of outdoor activities and storage from primary streets.

Comprehensive Plan Relationship

Objectives and Policies for Employment Centers: Objectives 61-63.

Related Comp Plan Categories
E, I

Related Zoning Districts
C3L, O1-O4, M1, M2, SM, RPSM, RDC



Workplace and Employment Districts

Traditional Workplace District (TW)

Areas originally developed as industrial corridors typically located along rail lines, now containing a mix of office, warehouse and industrial uses. Some rail corridors are now converted to recreational and commuter trails; others may support transit in the future. Features include multi-story buildings with window openings for daylighting, entrances oriented toward the street; surface parking to side or rear of buildings, and a limited amount of outdoor storage.

Intent

Encourage continued use or adaptive re-use of industrial buildings for a variety of purposes; maintain/enhance employment base.

Primary land uses

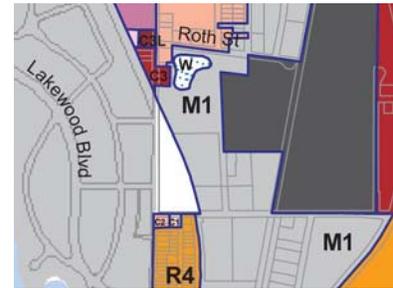
Limited production, office and other employment, live/work units, art and artisan studios.

Secondary land uses

Parks, recreation, multi-family dwellings, retail, services and entertainment as part of mixed-use buildings, medical, health care facilities.

Related Comp Plan Categories
E, I

Related Zoning Districts
M1



Workplace and Employment Districts

Suburban Employment District (SE)

Largely free-standing buildings or building complexes used for office, office-showroom and limited industrial uses, interspersed with free-standing commercial buildings. Buildings are typically oriented toward parking areas, and parking is located in front, side, and/or rear yards. Degree of landscaping and amenities varies from site to site.

Intent

Encourage shared access, improved landscaping and site design, integration of complementary uses, bicycle and pedestrian facilities. Discourage the proliferation of highway-oriented commercial uses.

Primary land uses

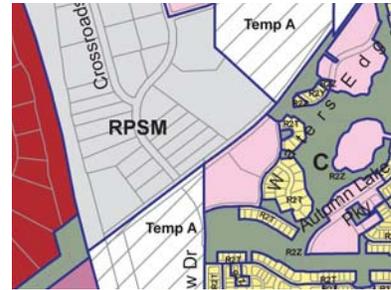
Office and other employment, limited production, storage, shipping.

Secondary land uses

Open space and recreational facilities, multi-family dwellings, limited retail and services accessory to primary uses, medical offices, mixed-use buildings combining primary and secondary uses.

Related Comp Plan Categories
E

Related Zoning Districts
C3, M1, O1, O2



Workplace and Employment Districts

Employment Campus District (EC)

Includes corporate campuses and research parks that are designed according to a master plan, with common landscape design, coordinated signage, stormwater management, and often with a trail system and other amenities for employees. Road networks are curvilinear and building entrances are typically oriented toward parking (structured or surface).

Intent

Improve access to services; improve pedestrian and bike connections where these are limited; use land efficiently, encourage complementary services within or close to campus.

Primary land uses

Office, research and development uses.

Secondary land uses

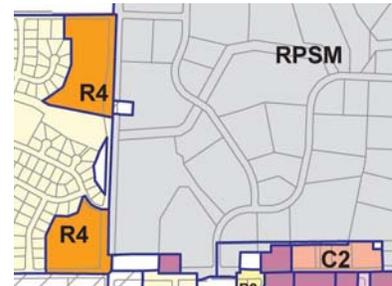
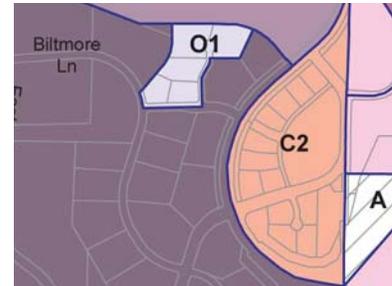
Open space and recreational facilities, limited production, storage, shipping, limited retail and services accessory to primary uses.

Related Comp Plan Categories

E

Related Zoning Districts

RPSM, O3, O4



Workplace and Employment Districts

Production and Distribution Center District (PDC)

Areas designed for manufacturing, warehousing, storage and distribution, with access to major highways, air and/or rail transport. Buildings are generally single-story with large floorplates, loading docks and some outdoor storage. May include “heavy” industrial uses. May include limited retail or service uses.

Intent

Improve access to services; improve pedestrian and bike connections, improve landscaping and screening.

Primary land uses

Manufacturing, warehousing, storage and distribution, office uses.

Secondary land uses

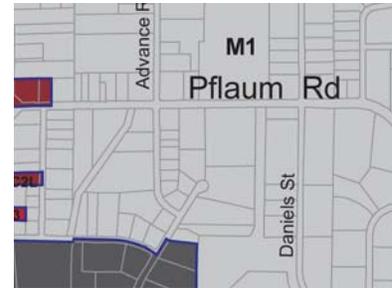
Limited retail and service uses, open space and recreational facilities.

Related Comp Plan Categories

|

Related Zoning Districts

M1, M2, C3L



Special Districts

Rural and Agricultural District (RA)

A district that acts as a temporary holding zone for lands annexed into the City, and that also recognizes existing permanent or semi-permanent agricultural or rural uses. Note that many agricultural activities will be allowed in other districts. Should generally not apply to undeveloped land already planned for other uses.

Intent

Provide for continuation of agricultural, rural and large-scale land uses, manage transitions from agriculture to other uses.

Primary land uses

Agriculture (limited animal agriculture), horticulture, large-lot residential, parks, open space and recreational facilities, private golf courses.

Secondary land uses

Limited sales of farm products.

Related Comp Plan Categories Ag/Rural

Related Zoning Districts A



Special Districts

Institutional Campus District (IC)

Major educational and health care institutions that combine many functions, from employment to education and recreation. Most have master plans that govern the arrangement of buildings, uses and facilities. The relationship with surrounding neighborhoods and districts often requires negotiating issues of expansion versus protection.

Intent

Recognize master plans of institutions while addressing issues of compatibility, parking management, and impacts on neighborhoods.

Comprehensive Plan Relationship

Objectives and Policies for the Downtown/Campus Area: Objective 83.

Primary land uses

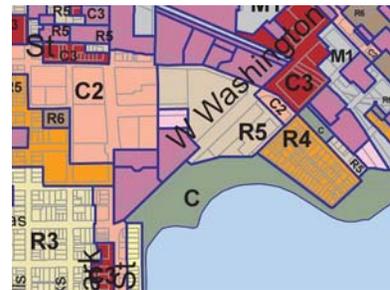
Institutional buildings and facilities, including administrative, office, educational, health care, research and other functions, group living, etc.

Secondary land uses

Retail and service uses accessory to the primary use, residential and other uses independent of the primary institution.

Related Comp Plan Categories
IC

Related Zoning Districts
None



Special Districts

Parks and Open Space District (P-OS)

A district that would encompass public parks and other publicly-owned open space areas, including University-owned facilities such as the Arboretum. (It may be more expedient to include small neighborhood parks and playgrounds in residential districts, however.) May include privately-owned land permanently restricted from development via easement.

Intent

To recognize and preserve City parkland and permanently protected open space as a unique land use type.

Primary land uses

Public parks, arboreta, nature preserves (including public golf courses).

Secondary land uses

Public buildings and retail/service facilities related to primary use (i.e. boat rentals, concessions).

Related Comp Plan Categories
Parks and Open Space

Related Zoning Districts
C



Airport (AP)

A district that recognizes the specific and unique land uses and facilities of the Dane County Regional Airport, including passenger and freight terminals, aircraft and airport operations, maintenance and storage facilities, parking, car rental and lodging facilities. This district might reference or include County airport height overlay standards.

Related Comp Plan Categories
Airport

Related Zoning Districts
None



Overlay Districts

Wetland District (W)

An overlay district will replace the current mapped district, allowing wetland delineations to be updated as needed.

Related Comp Plan Categories
N/A

Related Zoning Districts
Wetland (mapped)

Wellhead Protection District (WP)

Maintains current wellhead protection districts.

Related Comp Plan Categories
N/A

Related Zoning Districts
Wellhead Protection (mapped)

Flood Plain District (FP)

Incorporates current floodplain standards, which essentially function as an overlay (at least in the Flood Fringe). Some updating of uses may be needed.

Related Comp Plan Categories
N/A

Related Zoning Districts
Flood Plain (mapped)

Open Space/Natural Resource District (NR)

Could apply to sensitive natural areas that are not wetland or floodplain and are privately owned, and for other privately-owned open space. Development would not be prohibited, but would need to meet some additional standards.

Related Comp Plan Categories
N/A

Related Zoning Districts
None

Lakefront District (L)

This type may be considered as an overlay, to acknowledge unique development factors. Primary facades are typically oriented toward lakefront; accessory buildings include boathouses; setbacks are measured from shoreline.

Related Comp Plan Categories
LDR, MDR

Related Zoning Districts
None

Intent

Encourage preservation of neighborhood character, context-sensitive additions and new construction, maintenance of open space, native vegetation, and appropriate setbacks from shorelines.

Overlay Districts

Transit-Oriented Development District (TOD)

An overlay that could be applied as transit routes and station locations are defined. (Could also be applied as a primary district through rezoning in selected locations.)

Standards would differ depending on transit mode and station type, but would generally include:

- Minimum densities or intensities in station areas.
- Prohibition of auto-oriented uses in station areas.
- Limitations on surface parking, or on all parking.
- Standards for pedestrian and bike connections.

Related Comp Plan Categories
TOD

Related Zoning Districts
None

Urban Design District (UD)

Potential incorporation of the current Urban Design Districts as overlay districts, with the UDC retaining initial review authority. (Issues to consider: how to incorporate the highly specific standards in UD Districts 7 and 8.)

Related Comp Plan Categories
N/A

Related Zoning Districts
N/A

Historic District (H)

Local historic districts and landmarks are currently identified with an “H” suffix (28.106), which effectively creates an overlay district where the standards of Chapter 33.19 are applied. It would clarify the status of these districts if they were identified as overlays.

Related Comp Plan Categories
N/A

Related Zoning Districts
Historic District Suffixes

Neighborhood Conservation District (NC)

Retains current enabling standards for creation of NC districts. As these are created, a method for incorporating them into the Code should be considered.

Related Comp Plan Categories
N/A

Related Zoning Districts
NC



3. Detailed Outline

Detailed Outline

100. Introduction

Title

The official title of the ordinance, “Madison Zoning Code”

Purpose

The purpose statement needs updating to refer to the City’s current policies, including compact growth, livability, sustainability principles, and other recent policies. This section does not need to be long or exhaustive, but should reference the Comprehensive Plan as the basis for the Code.

Applicability

States that the Code applies to all new development or redevelopment, all changes in land use, etc.

Cross-References

Section 28.04(3), Scope of Regulations

200. General Provisions

Districts

Establishes all zoning districts, including overlay districts.

Zoning Map

Incorporates the Zoning Map and any related maps as part of the Code (floodplain, wetland, overlay districts, etc.). Describes how the map is interpreted along district boundaries.

Section 28.06

Annexed Territory

States that when land is annexed into the City it is placed in the Agriculture district as an interim classification. This section should reference the need for planning for these areas, through Neighborhood Development Plans and Comprehensive Plan amendments, prior to rezoning.

Section 28.04(6)(e)4

District Subchapters and Use Classifications

Similar to the current Zoning Code, each group of related districts will be treated as a separate subchapter, with a general statement of intent, references to the Comprehensive Plan, and other common elements.

One of the most important elements of the new Zoning Code will be the establishment of a consistent list of uses. As discussed in our previous *Zoning Code Analysis Report*, uses should be comparable across similar districts, specific enough to encompass the typical uses found within the City, and general enough to allow new but similar types of uses to emerge. Appendix A provides a sample of uses, organized into broad categories, with cross-references to two comprehensive on-line databases: the Land-Based Classification Standards developed by the American Planning Association, and the North American Industrial Classification System, developed by the U.S. Department of Commerce (a successor to the Standard Industrial Classification system). The cross-references provide a standard set of definitions of uses and building types, allowing the definitions in the Code to be shorter and simpler.

Detailed Outline (Continued)

300. Neighborhood (Residential) Districts

This subchapter will combine all residential districts, with revised nomenclature, as listed in the previous section. It will include:

- A table of conditional and permitted uses by district (see discussion above on Uses).
- Statement of purpose for each district.
- Dimensional standards for each district.
- Form-based standards for each district (see Case Studies examples), combining standards for building placement, parking placement, building types and other elements.
- Standards for accessory buildings (may be incorporated into the form-based standards).
- References to related standards in the Code, such as parking, landscaping, site plan review.

400. Mixed Use and Commercial Districts

This subchapter will combine mixed use and commercial districts, based upon the idea that all commercial districts are ultimately designated in the Comprehensive Plan for some degree of mixed use. See discussion in the previous section.

500. Downtown Districts

Downtown districts are effectively “mixed use,” but warrant their own subchapter, given their more detailed height and urban design parameters. See discussion in the previous section.

600. Employment Districts

This subchapter will combine the current office and industrial districts, which already overlap to some degree. See discussion in the previous section.

700. Special Districts

These districts include a Rural and Agricultural District (similar to the present Agriculture District), Parks and Open Space (similar to Conservancy), and two districts identified in the Comprehensive Plan: Institutional Campus and Airport.

Cross-References

Section 28.08 Residence Districts

Section 28.085 Office Districts

Section 28.09 Commercial Districts

Section 28.09 Commercial Districts (C4)

Section 28.08 Residence Districts (R5, R6)

Section 28.10 Manufacturing Districts

Section 28.085 Office Districts

Section 28.07 Special Districts

Detailed Outline (Continued)

800. Overlay Districts

Overlay districts apply across a variety of primary or “base” districts, allowing different land uses to continue in compliance with the more specific standards provided by the overlay. This subchapter will include a range of existing districts, such as Floodplain and Wetland (converted to an overlay) and some potential new ones, such as Transit Oriented Development and Urban Design. Local historic districts (now identified with a “HIST” suffix) may also be integrated into this section as overlays.

900. Planned Unit Development Standards

This subchapter will consolidate the various types of master-planned development, including PUDs and PCDs (planned community developments). One goal for this section is to establish more definitive standards for PUDs, setting the bar higher in order to ensure a higher quality of development. Revisions may include:

- Establishing a minimum area for a PUD, with exceptions for unique circumstances;
- Requirement that a specified percentage of the site should be designated as protected open space;
- Street layout; requirements for internal and external connections;
- Provision of transit, pedestrian and bicycle facilities where appropriate;
- Requirements to meet sustainability benchmarks such as green building design, or low-impact stormwater management.

The application and review process for PUDs would be included in this subchapter.

Cross-References

Section 28.107 Wellhead Protection Districts

Section 28.105 Flood Plain Districts

Section 28.108 Neighborhood Conservation Districts

Section 28.07(4) Planned Community Development District

Section 28.07(5) Planned Comm. Mobile Home Park District

Section 28.07(6) Planned Unit Development District

Detailed Outline (Continued)

1000. Development Standards

This subchapter includes standards that apply to multiple uses and development activities across multiple zoning districts, such as the following topics:

- Standards for protection of natural features such as steep slopes, habitats of threatened or endangered species, or significant plant communities.
- Exceptions to height limits, such as steeples, towers, antennas
- Fence location and height for residential and nonresidential properties
- Temporary uses such as yard sales, construction site activities, special events and promotions. Typically these uses are allowed for limited time periods and some require permits.
- Landscaping requirements, including preservation of existing trees and landscape materials, landscaping of yards and parking areas, screening between incompatible uses. The current point systems used for landscaping should be simplified
- Off-street parking and loading. This fairly lengthy section could constitute its own subchapter or be included in this subchapter. It will include:
 - Revised standards for automobile parking, including standards for “spec” uses and standards based on square footage rather than number of employees. The standard list of uses allowed within zoning districts will be used for parking requirements as well.
 - Revised bicycle parking schedule
 - Standards for moped parking
 - Parking design and maintenance standards, including pervious parking standards
 - Standards for shared parking and for parking reduction or reservation of future parking
 - Revised standards for loading facilities to exempt smaller buildings

Some related topics are found within other chapters of the City Code, such as:

- Outdoor lighting: Sec. 10.085 deals with outdoor lighting on private property, including parking areas; Sec. 10.35 deals with street-lighting, and specific lighting standards are also included in Chapter 33 for historic and urban design districts.
- Street Graphics Ordinance, Chapter 31, deals with all signage and other street graphics.
- Private swimming pools: enclosure is specified in the Building Code, Section 29.30.
- Erosion and stormwater runoff management are covered by Chapter 37.

Cross-References

Section 28.04(12) Screening and Vision Clearance

Section 28.11 Off-Street Parking and Loading Facilities

Section 28.11 Off-Street Parking and Loading Facilities

Sections 10.085, 10.35, Chapter 33

Chapter 31

Section 29.30

Chapter 37

Detailed Outline (Continued)

1100. Procedures

This section describes how the development approval process works from start to finish. It describes the nature of each process, how applications are filed, how decisions are made, and what each permit or order allows the applicant to do.

Generally

Expands on the existing section by providing a common format and general requirements for zoning actions. This includes general provisions for completeness review, notice, and public participation.

Amendments and Rezonings

This establishes the procedures for processing text amendments and map amendments (rezonings).

Site Plans

Establishes an administrative process for review of changes in use, alterations, and designated districts or development types.

Special/Area Exceptions

Establishes procedures for initiation and processing of special exceptions. Carries forward the current area exception process for certain zoning districts.

Conditional Uses

Carries forward procedures for initiating and processing conditional use permits.

Zoning Certificates

Carries forward existing certification process that is required for issuance of a building permit. This will clarify the status of the approval and that any change in building use must comply with all current requirements (landscaping, handicapped and bike parking, etc) requirements.

Building Permits and Certificates of Occupancy

Clarifies relationship between formal approvals under the building code and zoning certification by the Zoning Administrator.

Appeals

Provides for appeal of zoning decisions to the Zoning Board of Appeals. Establishes time limits for filing, contents of application, and processing procedures.

Variances

Provides for variances granted by Zoning Board of Appeals. Establishes applicability, contents of application, and processing procedures.

Enforcement

Establishes procedures for gaining compliance, including notification and penalties. Zoning penalties are established by state statute, and are fairly broad. Fines are set at \$500 per day, and can accumulate for each day the violation remains in effect. Retroactive liens are not allowed. Non-monetary penalties may include raze orders, injunctions, and imprisonment. There are creative ways to achieve compliance, such as periodic reporting of conditions, citizen complaints, and ticketing systems. Effective approaches are also achievable without amending the zoning regulations, such as targeted staffing, citizen involvement, and public education.

Cross-References

Section 28.12 Administration and Enforcement

Section 28.12(10)

Section 28.12(8)

Section 28.12(11)

Section 28.12(5)

Section 28.12(6)

Section 28.12(7)

Section 28.12(9)

Section 28.12(13)

Detailed Outline (Continued)

1200. Supplemental Use Regulations

This section will provide a common format for regulations that pertain to a particular use, whether that use is allowed by right or conditionally. This may include a summary of the districts where the uses are permitted, applicability, definitions, standards, and any special procedural requirements. The following uses will be included. Additional uses may be added after further public discussion.

- **Accessory Buildings:** Establishes standards for location, bulk and design of accessory buildings.
- **Adult Uses:** Establishes location and use standards for adult uses, consistent with state and federal constitutional limits.
- **Amateur Radio Antennas:** Establishes regulations consistent with W.S. § 62.23(7)(hf).
- **Antenna Facilities:** See W.S. § 66.23(7)(he). This section addresses small antennas (<2' diameter), while cell towers are governed by "Telecommunications Facilities," below.
- **Assemblies:** Includes a broad range of institutional uses, including social clubs, and other assembly type uses.
- **Convenience Stores / Service Stations / Gas Stations:** More conventional standards replace current distinction between automobile laundries and service stations.
- **Community Living Arrangements** (including foster homes, adult family homes, and family care homes): Provides standards and procedures consistent with W.S. § 66.23(7)(i) and other state and federal law. Allows family care homes in single family districts consistent with W.S. § 66.1017, 46.043, and related statutes.
- **Correctional Facilities:** Recognizes correctional facilities that are exempt from local zoning (W.S. § 301.046 (Community Residential Confinement), 938.533 (Type 2 juvenile)).
- **Day Care:** Establishes regulations consistent with W.S. § 66.1017 (family day care).
- **Home Occupations:** Addresses various types of home-based businesses. The regulations will separate more intensive businesses that require a conditional use permit, from those permitted by right or "no impact" businesses that require no specific review.
- **Junkyards:** Establishes regulations consistent with W.S. § 84.31.
- **Manufactured or Mobile Home Communities:** Establishes regulations consistent with W.S. § 66.0435.
- **Multi-family Dwellings:** Establishes design standards for apartments and other multi-family building forms in various settings.
- **Solar Panels:** W.S. § 66.0403 authorizes permitting systems for solar or wind systems. This will incorporate provisions currently underway.
- **Telecommunications Facilities:** Carries forward current standards. Telecommunications facility regulations must be consistent with the federal Telecommunications Act.
- **Utility Uses:** Establishes regulations consistent with W.S. § 196.491.
- **Waterfront Lots:** Addresses bulk and size issues for waterfront homes.

Cross-References

Section 28.04(5)

Section 28.04(16)(a-b)

Section 28.04(27)

Section 28.04(23)

Section 28.04(19)

Detailed Outline (Continued)

1300. Nonconformities and Vested Rights

This section establishes standards and procedures for continuation of nonconformities consistent with W.S. § 66.23(7)(h), -(hc), & -(hg).

Generally

The introductory section introduces the concept of nonconformities, and defines different types of nonconforming situations.

Nonconforming Uses

Allows the continuation and restricts expansion and re-establishment of nonconforming uses as required by statute.

Nonconforming Lots

Allows undersized lots to continue, and allows certain uses subject to standards and review procedures.

Nonconforming Development

Allows the continuation of situations that do not comply with certain development standards (such as parking, landscaping, etc.) subject to review procedures and standards.

Nonconforming Structures

Addresses structural nonconformities such as height, bulk and setback encroachments.

Pending Permits

Provides grandfathering and sunset provisions for projects that are in process when the new regulations are enacted. This may include a process for applications to seek an administrative determination of vested rights.

1400. Agencies and Boards

Zoning Administrator

Establishes the office and duties of the Zoning Administrator, who is the staff position responsible for administering and enforcing the zoning regulations.

Plan Commission

Establishes the office and duties of the Plan Commission, which recommends zoning amendments and may provide other discretionary review functions. (This section is currently located in Chapter 16, City Code.)

Common Council

Lists the duties of the Council relating to policy, rezoning, and related matters.

Zoning Board of Appeals

Establishes the Zoning Board of Appeals, and lists their review functions (i.e., appeals, variances and special exceptions). By statute, some procedural matters are addressed in the Board's rules rather than the zoning regulations (such as time limits for filing appeals).

Cross-References

Section 28.05 Nonconforming Buildings and Uses

Section 28.05 Nonconforming Buildings and Uses

Section 28.12(2)

Section 28.12(4)

Section 28.12(3)

Detailed Outline (Continued)

1500. Definitions and Rules of Construction

This section establishes general rules for interpreting the regulations. Specific terms of art are defined. It may include cross-references to terms that are defined in specific sections, and that are used in those sections only.

Cross-References

Section 28.03 Rules and Definitions

1600. Legal

Coordination with Other Regulations.

This describes how the zoning regulations relate to other City Code or statutory requirements that impact the use or development of property. Generally, the stricter standard applies.

Section 28.04(3) Scope of Regulations

Effective Date.

This establishes the point at which the regulations become legally effective.

Severability.

This is a standard legal provision that allows the rest of the regulations to stand if a regulation is invalidated in court.

Section 28.04(3) Separability

Appendix A. Use Classifications

This section establishes a “taxonomy” of use categories based on their function or building type. Typical categories include residential, group living, mixed use, commercial, industrial, institutional, utility, and agricultural.

Appendix B. Fees

Establishes review fees to offset the City’s costs incurred in processing applications.

Section 28.04(12)

Appendix C. Submittal Requirements

Includes submittal requirements and checklists for applications.

Appendix D. Plant List



4. Case Studies

Introduction and Approach

The purpose of the following case studies is to illustrate the potential application of the proposed zoning districts at representative locations within the City. The case study sites are:

- **Mineral Point Road and Speedway Road:** This small commercial node is used to illustrate the application of the proposed Neighborhood Mixed Use District.
- **Williamson Street and Dickinson Street:** This East Isthmus location is used to illustrate the application of the proposed Traditional Shopping Street District, as well as potential districts for adjacent neighborhoods.
- **University Avenue and Whitney Way:** This site is used to illustrate a potential Transit-Oriented Development Overlay around a proposed light rail transit station. (TO BE ADDED)
- **Stoughton Road:** This segment of Stoughton Road is used to illustrate the evolution of a commercial corridor. (TO BE ADDED)



Case Study Sites

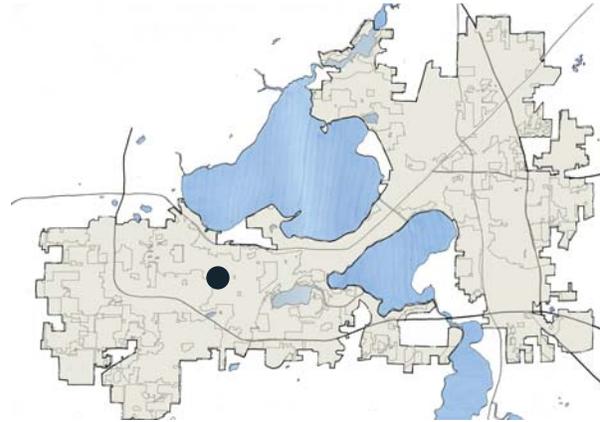
Each case study is organized to illustrate the following conditions and concepts:

- Existing built environment and zoning.
- Proposed zoning district boundary. District boundaries are approximate and preliminary – a more detailed analysis of existing land use citywide will be completed as part of the Zoning Map phase.
- The built environment that the Comprehensive Plan or neighborhood plans would suggest – for example, location of buildings closer to the street and improved landscaping of parking areas to create a more pedestrian-oriented environment.
- A suggested map showing form-based elements that would apply along the principal street frontages. The elements are:
 - **Principal building frontage:** a build-to line, generally at corner locations, where building facades are located at or close to the sidewalk.
 - **Flexible frontage:** a dashed line indicating a range of setbacks and building facades, generally at mid-block locations.
 - **Primary entrance:** this symbol indicates street frontages where primary entrances should be located – it does not indicate exact locations.
 - **Parking location:** parking is recessed behind the frontage lines and screened on all sides.

The form-based elements are intended to apply primarily along mixed-use corridors and central districts such as downtown. The residential districts will also include design standards that respond to the existing built environment and mix of housing types.

Case Study Site #1: Mineral Point / Speedway

The Mineral Point/Speedway intersection is typical of many small commercial crossroads in the City, with a traditional tavern, a service station, and a variety of small free-standing commercial or office buildings on a primary east-west thoroughfare. It is designated as Neighborhood Mixed Use in the Comprehensive Plan, and is designated here as “NMX” – an equivalent type of zoning district. The “suggested built environment” sketch indicates a more consistent building frontage along the primary street, with an emphasis on buildings that “hold the corner.” Mid-block and secondary street locations have a “flexible frontage” line – that is, buildings may be set further back from the street (typically appropriate for residential building types) or closer to the street (typically appropriate for a storefront or office building design).



Location in City



Aerial Photograph



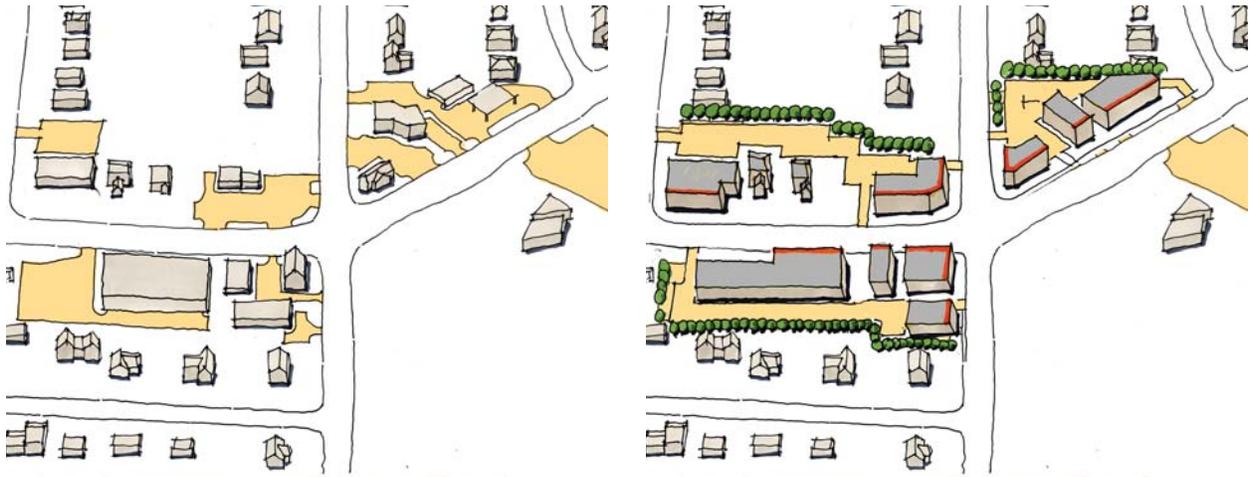
Mineral Point Road



Existing Zoning: PUD, R4, C1, C2, R2

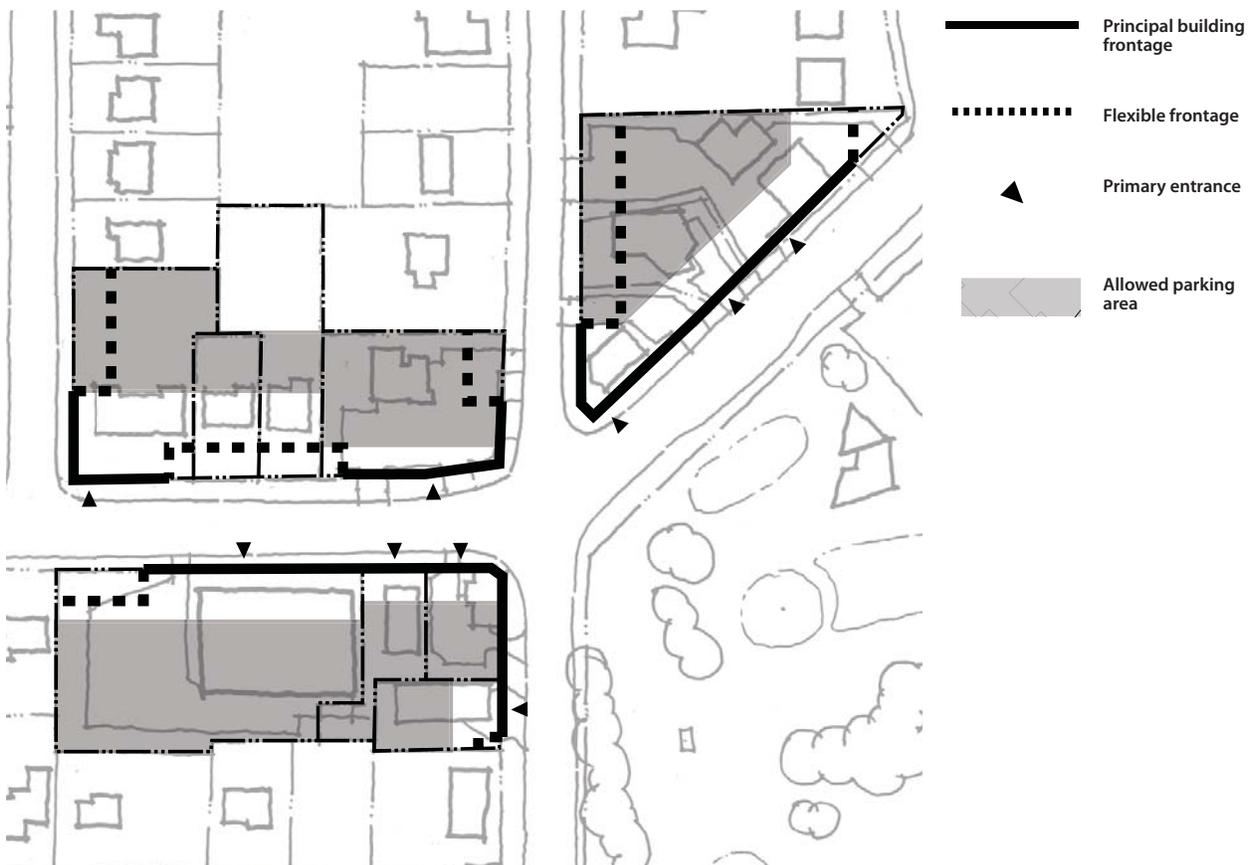


Proposed Zoning: NMX



Existing Built Environment

Suggested Built Environment



Suggested Form-Based Zoning Map

Case Study Site 2: Williamson/Dickinson Streets

Williamson Street at Dickinson exemplifies the mix of uses and building types found along this and other “Traditional Shopping Streets.” It is identified as Neighborhood and Community Mixed-Use and High-Density Residential in the Comprehensive Plan. Several neighborhood plans are in place. Storefront and other commercial building types tend to be located at corners, while mid-block locations are typically residential or conversions of residential buildings to other uses. The primary and flexible frontage lines on the final graphic attempt to codify this pattern and sustain the street’s character. Adjacent neighborhoods, currently zoned R4 and R4A, are proposed for several “Traditional Neighborhood” categories.



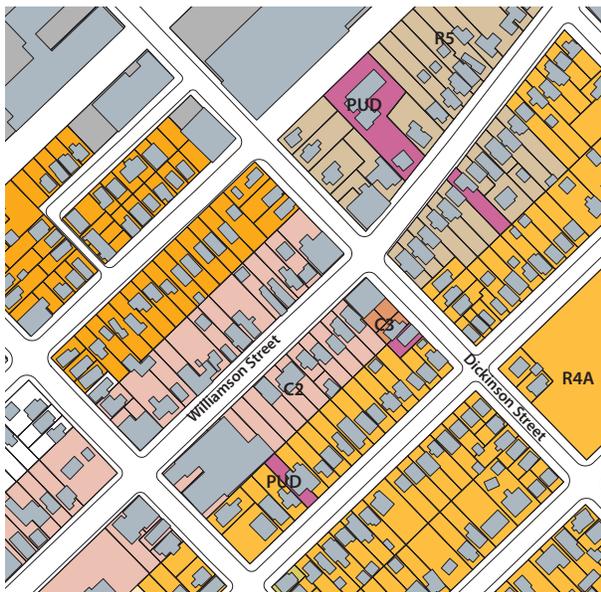
Location in City



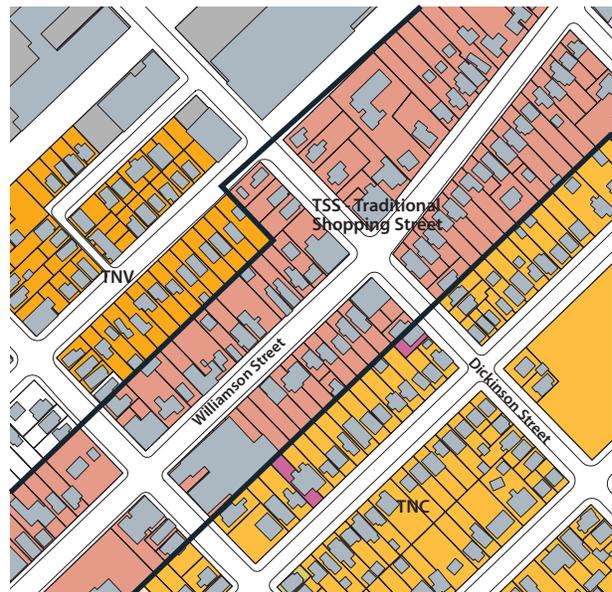
Aerial Photograph



Williamson Street



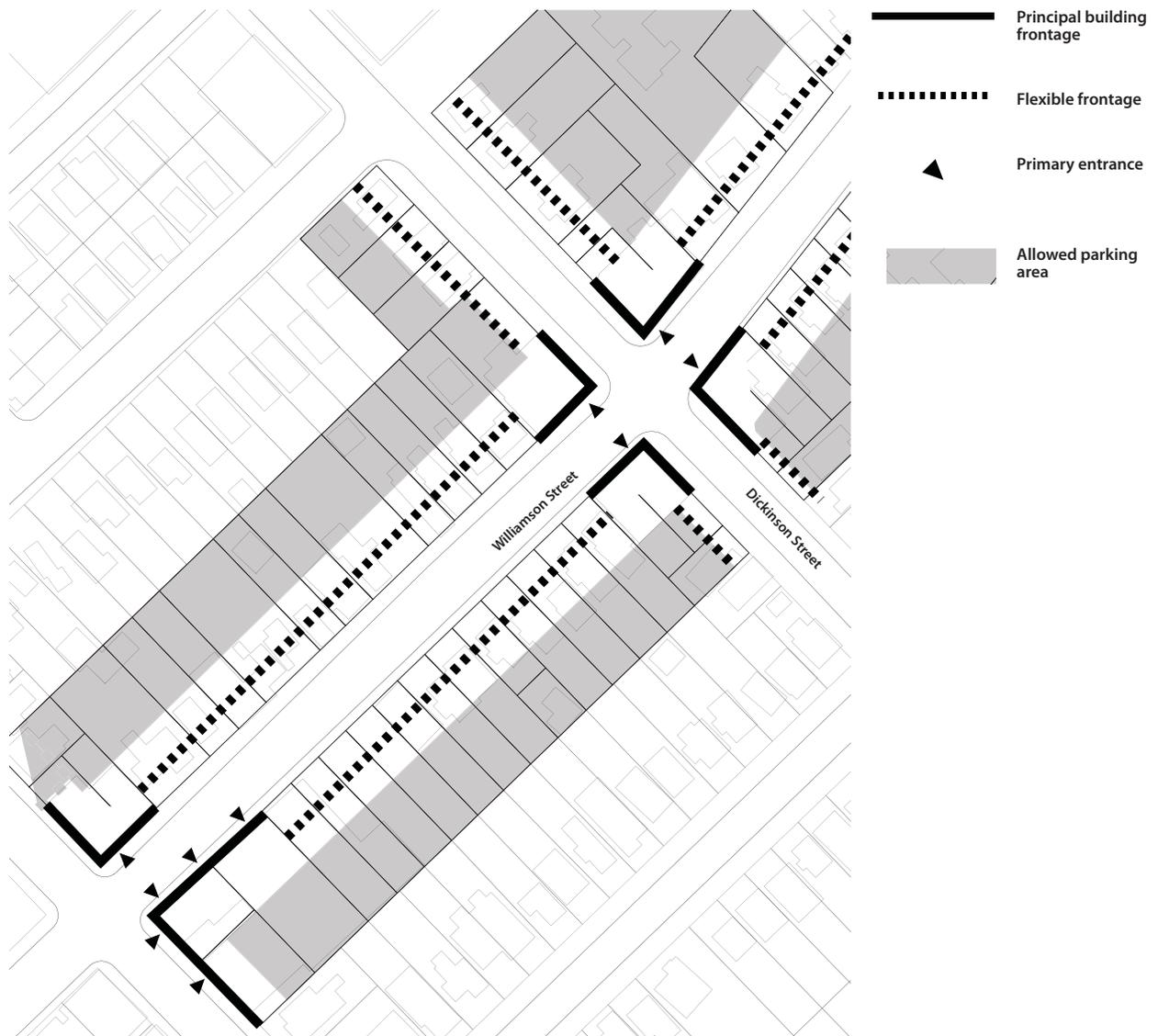
Existing Zoning: C2, C3, R4, R4A,



Proposed Zoning Districts: Traditional Shopping Street, Traditional Neighborhood - Consistent and Varied



Williamson Street: Willy Street has a unique collection of urban commercial and residential buildings that provide the basis for the Traditional Shopping Street District



Suggested Form-Based Zoning Map: Traditional Shopping Street



5. Principles of Sustainability

Zoning Code and Natural Step

The Natural Step creates a framework and direction for implementing and achieving sustainability. Madison is at the leading edge of many sustainability initiatives including Mpowering Madison, MadiSun Grant, the Zero Waste Initiative and the requirement of LEED guidelines for all new/remodeled public buildings.

The Zoning Code Rewrite is another significant effort that can continue to move Madison forward toward achieving high levels of sustainability. A key to the new code will be to remove obstacles, identify incentives and define standards/regulations that encourage, promote and require sustainable results.

Sustainability at the land use and zoning level begins with asking the question “where.” The “where” of sustainability is the first and most important question as it relates directly to the larger urban pattern of growth and development. Such patterns can reinforce pedestrian, transit-friendly communities or can allow growth to develop further out into the hinterlands in single-use, disconnected development.

Fortunately, the recently (2006) updated Comprehensive Plan provides a **regulating framework** for where new development should occur, where redevelopment and new investment can be made, and where transit-oriented development (TOD) opportunities may be realized. This adopted public policy is the first step in meeting and achieving sustainability goals as guided by Natural Step principles.

Where

The “where” begins with aligning the new zoning code with the policy recommendations of the Comprehensive Plan, specifically, how the code can directly accommodate the following types of development.

TND

Traditional Neighborhood Development is patterned and organized according to the established (and historic) neighborhoods of Madison that were built with a design toward mixed-use, walkable places, multi-modal streets that easily and safely accommodated public transit, and a physical emphasis on a prominent public realm of parks, open spaces and public gathering areas. A new TND zoning district as well as new districts that recognize and preserve existing neighborhoods will allow for more connected, compact development.

TOD

Transit-Oriented Development is designed to accommodate more transit-friendly development patterns organized within a safe, convenient distance from planned or proposed transit stops/stations. TODs are specifically more intense areas that allow for greater density and choice within walking distance of transit stations. This district will also put more emphasis on the qualities of place (public gathering areas, smaller urban parks, and reduced parking requirements) while incorporating a variety of uses and housing choices.

Corridors

Accommodating additional, appropriate development within underutilized corridors will also respond to the Natural Step principles by allowing a greater live-work-shop pattern. Many corridors are (e.g. E. Washington Avenue) are conveniently located to existing shops, services, workplaces and residential areas, and already include strategic public transit operations.

Edge

The edge of the developing pattern is addressed with a variety of techniques including agricultural preservation and natural resources conservation, transfer of development rights, and coordinated annexation agreements.

What

The “what” of sustainability typically gets the most attention as this often addresses building design and construction. Programs like LEED, LEED H and LEED ND have helped to communicate healthy and sustainable building practices. For the zoning code the what may address building types (such as mixed-use) associated with sustainable patterns (like TND or TOD districts). This may also include additional density by right for accessory unit buildings and alternative housing types, smaller lot sizes, and reduced parking standards in appropriate districts. A form-based approach greatly enhances the ability of the code to clearly define and communicate desired built environments.

Other components that may be addressed by the code include solar orientation and access for development, permitting wind energy conversion units in appropriate urban areas, consideration for building design that is oriented to natural daylighting, the potential for urban agriculture, and the use of green roofs as measurable open space. Street design will also play a significant role with the “what” of sustainability and may be addressed in specific districts and/or the subdivision ordinance.

The “what” of zoning may also include a number of programs and incentives that will facilitate sustainable patterns and performance, much like many other programs the City is operating now.

Summary

- Accessory dwelling units and elderly cottages by-right in wider range of districts.
- Allow wider range of districts to accept mixed-use buildings.
- Flexibility with permitting duplex units in wider range of districts.
- Wider range of shared parking allowances.
- Reduced parking requirements for TOD overlay districts.
- Minimum density requirements in certain districts (e.g. TOD).
- Incorporate “complete street” standards that accommodate walking and biking.
- Green roofs as open space credits.
- Accommodate greater flexibility for solar access and orientation.
- Allow wind energy conversion (WEC) units exception to height requirements & roof-top screening.
- Allow smaller wind turbines in wider range of districts.



6. Recommendations for Related Ordinances

Recommendations for Related Ordinances

Zoning is not the City's only tool for regulating land use, nor is it the only determinant of urban form. Other chapters within the City Code are used to regulate design of streets, size and location of signs, and many historic preservation and urban design issues. The Zoning Code Rewrite project, of course, focuses on the Zoning Code, but also must provide recommendations for revisions to these related ordinances.

The **Urban Design Commission** (UDC) is established and given review authority by Article 33.24 of the City Code. Its authority includes proposing the establishment of Urban Design Districts and the review and approval of all projects within those districts. As of 2008, seven Urban Design Districts have been established, primarily along major road corridors, and an eighth district is in process. In addition, the UDC is authorized to review various other types of development, often in an advisory role to the Plan Commission:

- Large commercial developments (40,000 square feet or greater in gross floor area on a single zoning lot).
- Rowhouse (single-family attached) development.
- Planned Unit Developments (PUDs), Planned Community Development Districts (PCDs) and projects in the C4 downtown zoning district.
- Planned Commercial Sites and Planned Residential Developments (conditional uses).
- All local public buildings (UDC approval authority).

The standards established for the Urban Design Districts generally cover issues of grading and drainage, landscaping, building placement and design, lighting, signs, utility placement, and parking and service area screening. Beyond these elements, some of the more recent Urban Design Districts address issues such as building setbacks, massing, height, façade “stepbacks” and other dimensional standards that would typically be included in the Zoning Code. Decisions of the UDC regarding projects in Urban Design Districts may be appealed to the Plan Commission.

This overlap between Zoning and Urban Design standards can create difficulties in navigating the development review process and conflicts in the substance and interpretation of both codes. How best to clarify this relationship is one of the key issues the Zoning Code Rewrite should address.

One goal for this process would be to establish more “baseline” design standards as part of the Zoning Code, so that the Urban Design Commission is able to concentrate on refining the “last ten percent” of the design. For example, design standards for large

commercial developments and single-family attached dwellings should be incorporated into the Zoning Code. Standards for PUDs and similar master-planned developments should also be refined in the Code, providing more guidance to the UDC.

One potential change mentioned in Section II, Proposed New Districts, would be to incorporate the Urban Design Districts as zoning overlay districts. This would provide an explicit linkage between planning and urban design review processes, resulting in improved coordination at staff and Commission level. The highly detailed standards for building design and placement found in Districts 7 and planned District 8 could be integrated into the form-based standards planned for the new Zoning Code.

A related goal would be the consolidation and simplification of the Urban Design Districts' design standards. Many of the seven districts have almost identical standards regarding placement of parking to the side and rear of buildings, screening of mechanical equipment, design of street graphics, and lighting design. These similar standards could be consolidated and established as “general urban design standards,” while the more specific standards would remain in the individual districts. In addition, some of the general standards will likely be included in the Zoning Code as requirements for specific land uses or districts. Duplicate or redundant standards could be dropped from the Urban Design Districts or replaced with cross-references.

The **Landmarks Commission** is established by Article 33.19 of the City Code and is authorized to establish landmark buildings, sites and historic districts and to regulate demolition, alterations and improvements to buildings or sites or within districts. The relationship between Landmarks Commission authority and the Zoning Code is most evident within the local historic districts established in Article 33.19. (National Register historic districts are not regulated by the Landmarks Commission). The ordinance establishes general criteria for historic district guidelines, stating that height, volume, proportions, rhythm, materials, and other elements should be visually compatible with adjacent buildings. Specific guidelines have been established for five historic districts:

- Mansion Hill
- Third Lake Ridge
- University Heights
- Marquette Bungalows
- First Settlement

Recommendations for Related Ordinances

Most of these guidelines establish criteria for the review of additions, exterior alterations, repairs, signage and new construction. The Third Lake Ridge Historic District standards vary by zoning category: manufacturing, commercial or residential. The University Heights Historic District guidelines specify maximum heights for new construction by zoning district and limit the area of front facades to no more than 25% greater than the average of related buildings.

Currently, a suffix is used as part of the zoning code classifications to identify designated landmark properties or properties within local historic districts (for example, “HIST-MH” for the Mansion Hill Historic District). As noted in the previous section, “Proposed Zoning Districts,” the historic districts essentially function as overlay zoning districts, and should probably be defined as such in the Zoning Code. The individual landmark buildings or structures cannot be considered as “districts” but should retain the “suffix” indicator to link the two ordinances.

The individual historic district guidelines are generally more detailed and stringent than the Urban Design District guidelines – for example, standards for roofing and siding materials. It is therefore appropriate for these standards to remain in their current location. However, where the guidelines refer to particular zoning districts, any changes to district nomenclature or organization will need to be cross-referenced.

The **Land Subdivision Regulations** (Article 16.23 of the City Code) “regulate and control the subdivision of land within the corporate limits and the extraterritorial plat approval jurisdiction of the City of Madison.” The majority of new subdivisions occur on the City’s developing fringe, and the City uses its extraterritorial plat approval authority to prevent premature subdivision of lands outside City boundaries.

Subdivisions are evaluated based upon their consistency with adopted City plans and their location relative to existing developed land and urban services, including transportation, stormwater management, sewer and water service, fire and police protection, parks and open space, and school facilities.

There are several areas in which the subdivision ordinance affects or overlaps with the regulations of the Zoning Code. Most importantly, the ordinance includes standards for the design of streets and alleys. The street standards include several innovative provisions:

- Cul-de-sac streets are prohibited “unless topography or other unique physical feature of a development makes cul-de-sacs the only, or most logical, street layout.”

- Streets must be oriented in an east-west direction to facilitate solar access where feasible.

Other provisions may conflict with some of the goals of the Comprehensive Plan as reflected in the Zoning Code:

- The subdivision ordinance was amended to permit alleys in residential districts, where they were previously prohibited. However, the ordinance still include conflicting language prohibiting residential alleys (16.23(8)5). Alleys are considered a desirable feature of Traditional Neighborhood Development, and alleys have been used in new R2Y and R2Z developments.
- Minimum street width for local streets is 32 feet, with certain exceptions. The exceptions allow street widths of 28 feet in relatively low-density residential areas, or where additional off-street parking is provided.

Street widths and street design standards should be re-evaluated in light of current trends. Current subdivision practice in many communities often allows narrower street widths in conjunction with on-street parking and alleys as a way to improve the appearance and pedestrian character of local streets, calm traffic, and manage service functions such as parking at the rear of the lot. Narrower streets are often linked to the presence of alleys and sidewalks, rather than to larger lot sizes and lower densities.

Other inconsistencies between the ordinances include the use of terms such as “cluster development” in the Subdivision Regulations, which are not mentioned in the Zoning Code. Definitions and terminology should be reconciled where possible.

The **Street Graphics Control Ordinance**, Chapter 31 of the City Code, regulates signs and other street graphics. The Urban Design Commission has primary review authority, with limited review by the Plan Commission. The Director of the Neighborhood Inspection and Preservation Division issues most permits for street graphics. A new Street Graphics Control ordinance is under development. No issues have been raised to date regarding the relationship between it and the Zoning Code. However, standards for area, height and placement of street graphics are currently defined in terms of zoning districts. Any change in the nomenclature or organization of zoning districts would therefore require changes to the street graphics standards.