

## **SUBCHAPTER 28A: INTRODUCTORY PROVISIONS**

### **28.001 TITLE**

This ordinance shall be known, cited and referred to as the Madison Zoning Code, or “this ordinance.” For purposes of this Section, the phrase “this ordinance” refers to this Chapter of the Madison General Ordinances (MGO) or any condition imposed pursuant to this Chapter.

### **28.002 INTENT AND PURPOSE**

This ordinance is adopted for the following purposes:

- (a) To promote land uses and development patterns that are consistent with the city’s comprehensive plan and of adopted neighborhood, corridor or special area plans.
- (b) To promote and protect the public health, safety and general welfare of the City.
- (c) To secure safety from fire, flooding, pollution, contamination and other dangers.
- (d) To maintain and promote safe pedestrian and vehicular circulation.
- (e) To minimize congestion in the public rights-of-way through the regulation of off-street parking, maneuvering, loading and signage;
- (f) To ensure the provision of adequate open space for light, air, fire safety and recreation.
- (g) To protect environmentally sensitive areas.
- (h) To address and mitigate the effects of climate change.
- (i) To remove obstacles and provide incentives for energy conservation and renewable energy.
- (j) To promote the conservation, protection, restoration and enhancement of historic resources.
- (k) To facilitate the adequate, efficient and cost-effective provision of infrastructure and other public services and facilities.
- (l) To preserve the natural scenic beauty of the City and to enhance the aesthetic desirability of the environment.
- (m) To encourage reinvestment in established urban neighborhoods while protecting their unique characteristics.
- (n) To stabilize and protect property values.
- (o) To preserve productive agricultural land and provide opportunities for local food production.
- (p) To encourage innovative project design in the city, including developments that incorporate mixed uses.

### **28.003 RELATIONSHIP TO COMPREHENSIVE PLAN**

The Madison Comprehensive Plan establishes the goals, objectives and strategies that serve as a basis for this zoning code. All regulations or amendments adopted pursuant to this ordinance shall be generally consistent with the Comprehensive Plan as adopted and revised or updated.

#### **28.004 INTERPRETATION**

This ordinance applies to all land and land development within the jurisdictional limits of the City of Madison, Wisconsin.

- (a) In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion and protection of the public health, safety, morals and general welfare.
- (b) Where the conditions imposed by any provision of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, statute, resolution or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall prevail, unless an exception to this provision is specifically noted.
- (c) This ordinance does not supersede any easement, covenant or other private agreement. However, this ordinance applies if it is more restrictive or imposes higher standards or requirements than an easement, covenant or other private agreement.
- (d) Any use, building, structure, or lot that is lawfully existing at the time of the adoption of this ordinance, or any subsequent amendment(s), may be continued, subject to the provisions in Subchapter 28N, Nonconformities.
- (e) A building, structure or use that was unlawful when this Chapter was adopted does not become lawful solely by reason of the adoption of this Chapter. To the extent that the unlawful building, structure or use conflicts with this Chapter, the building, structure or use remains unlawful under this Chapter.
- (f) In their interpretation and application, the provisions of this ordinance shall be liberally construed in favor of the City and shall not be deemed a limitation or repeal of any other powers granted by the Wisconsin Statutes. Where a provision of this ordinance is required by a standard in chapter NR 116 or NR 117, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the chapter NR 116 or NR 117 standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

#### **28.005 ZONING OF ANNEXED LAND**

Pursuant to Sec. 66.0217(8) Wis. Statutes, all property annexed to the City of Madison and previously not zoned under this ordinance shall be hereby declared to be in the temporary agriculture district until otherwise changed by amendment. Prior to the issuance of any permits for new construction, a permanent zoning district classification must be obtained pursuant to Sec. 28.182 of this ordinance. The following requirements also apply to annexed land:

- (a) The Dane County floodplain zoning provisions in effect on the date lands are annexed to the City of Madison shall remain in effect and shall be enforced for all annexed lands until the City adopts and enforces an ordinance that meets the requirements of NR 116, Wis. Adm. Code and the National Flood Insurance Program. County floodplain provisions are incorporated by reference for the purpose of administering this subdivision and are on file in the office of the Zoning Administrator.
- (b) All lands annexed to the City of Madison after May 7, 1982 shall be subject to the Dane County Shoreland Zoning Ordinance in effect at the time of annexation.

## **28.006 SCOPE OF REGULATIONS.**

All buildings erected hereafter, all uses of land or buildings established hereafter, all structural alteration or relocation of existing buildings occurring hereafter, and all enlargements of or additions to existing uses occurring hereafter shall be subject to all regulations of this ordinance which are applicable to the zoning districts in which such buildings, uses or land shall be located. (See Transition Rules below.)

- (a) All new building sites shall meet the requirements of this ordinance unless, prior to the effective date of this ordinance a building permit was issued and is still valid; and provided construction is begun within ninety (90) days of such effective date and diligently prosecuted to completion, said building may be:
  - 1. completed in accordance with the approved plans on the basis of which the building permit has been issued, and,
  - 2. may upon completion be occupied as approved in the building permit by the use for which it was originally designated.
- (b) Where the Zoning Administrator has issued a zoning approval pursuant to the provisions of this ordinance, the approval shall become null and void unless work thereon is substantially underway within six (6) months of the date of issuance of such approval.

## **28.007 SEPARABILITY.**

- (a) In the event that any section of this ordinance shall be declared or judged by a court of competent jurisdiction to be invalid or unconstitutional, such adjudication shall in no manner affect the other sections of this ordinance, which shall be in full force and effect as if the said section or said sections were not originally a part thereof.”
- (b) If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, building or structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

## **28.008 TRANSITION RULES.**

This section addresses the applicability of new substantive standards enacted by this ordinance to activities, actions, and other matters that are pending or occurring as of the effective date of this ordinance.

- (a) Any application that has been filed with the Department of Planning and Community and Economic Development or Building Inspection Division and has been determined to be fully complete by the City, prior to the effective date of this ordinance, shall be regulated by the terms and conditions of the ordinances and codes that were in place at the time of filing. However, all administrative procedures and penalties shall follow those set forth by this ordinance.
- (b) Except as noted otherwise, any application for a zoning map amendment that was filed, and has been determined to be fully complete by the City, prior to the effective date of this ordinance, shall continue through the process to completion pursuant to the terms and conditions of the ordinances and codes that were in place at the time of filing.
- (c) Planned development districts in force at the time of adoption of this ordinance shall continue to be controlled under the standards of the existing planned development district unless rezoned by Common Council. However, processes for approving or amending

adopted final development plans, plats, certified survey maps, or site plans, shall follow the procedures of this ordinance.

- (d) Zoning districts, use lists and definitions applicable to previously approved documents, including rezonings, planned development districts, easements, deed restrictions and similar agreements, shall remain in force but shall be interpreted by the Zoning Administrator for consistency with the rules, definitions and other provisions of this ordinance.
- (e) Any application before the Zoning Board of Appeals or any application that has been filed with the Department of Planning and Community and Economic Development or Inspections Division and is fully completed, prior to the effective date of this ordinance, shall continue the process pursuant to the terms and conditions of the ordinance that were in place at the time of filing.

#### **28.009 REPEAL OF CONFLICTING ORDINANCES AND EFFECTIVE DATE.**

All ordinances or parts of ordinances in conflict with this zoning ordinance, or inconsistent with the provisions of this chapter, are hereby repealed to the extent necessary to give this chapter full force and effect. This chapter shall become effective on \_\_\_\_\_.

## **SUBCHAPTER 28B: ZONING DISTRICTS AND MAP**

### **28.021 ESTABLISHMENT OF ZONING DISTRICTS.**

In order to carry out the purposes and provisions of this ordinance, the following zoning districts are hereby established:

(a) Residential Districts

1. SR-C1 Suburban Residential - Consistent District 1
2. SR-C2 Suburban Residential - Consistent District 2
3. SR-C3 Suburban Residential - Consistent District 3
4. SR-V1 Suburban Residential - Varied District 1
5. SR-V2 Suburban Residential - Varied District 2
6. TR-C1 Traditional Residential - Consistent District 1
7. TR-C2 Traditional Residential - Consistent District 2
8. TR-C3 Traditional Residential - Consistent District 3
9. TR-C4 Traditional Residential - Consistent District 4
9. TR-V1 Traditional Residential - Varied District 1
10. TR-V2 Traditional Residential - Varied District 2
11. TR-U1 Traditional Residential - Urban District 1
12. TR-U2 Traditional Residential - Urban District 2
13. TR-R Traditional Residential - Rustic District
14. TR-P Traditional Residential - Planned District

(b) Commercial and Mixed-Use Districts

1. NMX Neighborhood Mixed-Use District
2. TSS Traditional Shopping Street District
3. MXC Mixed-Use Center District
4. CC-T Commercial Corridor - Transitional District
5. CC Commercial Center District

(c) Employment Districts

1. TW Traditional Workplace District
2. SE Suburban Employment District
3. SEC Suburban Employment Center District
4. EC Employment Campus District
5. IL Industrial - Limited District
6. IG Industrial - General District

(d) Downtown and Urban Districts [TBD]

(e) Special Districts

1. A Agricultural District
2. UA Urban Agricultural District
3. C Conservancy District
4. AP Airport District
5. CI Campus Institutional District
6. PD Planned Development District
7. PMHP Planned Mobile Home Park District

(f) Overlay Districts

1. WP Wellhead Protection Overlay Districts
2. W Wetland Overlay District
3. TOD Transit Oriented Development Overlay District
4. NC Neighborhood Conservation Overlay Districts
5. HIST Historic Landmarks and Districts Overlay
6. UD Urban Design Overlay Districts
7. ADU Accessory Dwelling Unit Overlay Districts

(g) Floodplain Districts.

1. F1 Floodway District.
2. F2 Flood Fringe District
3. F3 General Floodplain District
4. F4 Flood Storage District

## **28.022 INCORPORATION OF ZONING DISTRICT MAPS.**

The location and boundaries of the zoning districts are hereby established as shown on maps entitled “Zoning District Maps” on file in the office of the Zoning Administrator, including the official Wetland Zoning Maps titled “Wisconsin Wetland Inventory Maps.” The zoning district maps, together with all information shown thereon and all amendments thereto, shall be as much a part of this ordinance as if fully set forth and described herein.

(1) Location of District Boundaries.

The following rules shall apply with respect to the boundaries of the zoning districts as shown on the zoning district maps:

- (a) A boundary shown as following, or approximately following, a street, alley or railroad shall be construed as following the centerline of such feature.
- (b) A boundary line shown as following, or approximately following, a lot line, section line, survey or other property line, or municipal boundary shall be construed as following such line or boundary.
- (c) Streets or alleys which are shown on the zoning district maps and which were previously vacated, or which may be vacated in the future, shall be construed to be in the same zoning

district as the lots, pieces or parcels abutting both sides of the street or alley involved. If the lots, pieces or parcels abutting each side of the street or alley were located in different zoning districts before the said street or alley was vacated, the center line of such vacated street or alley shall be the boundary line of the respective zoning districts.

- (d) Where any uncertainty exists as to the exact location of zoning district boundary lines, the Zoning Board of Appeals, upon written application, shall determine the location of such boundary lines.

(2) Wetland Maps.

- (a) The Wetland Zoning Overlay District includes all wetlands greater than two (2) acres shown on the Wisconsin Wetland Inventory Maps that have been adopted and made a part of this ordinance.
- (b) Determinations of navigability and ordinary high-water mark shall initially be made by the Zoning Administrator. When questions arise, the Zoning Administrator shall contact the southern district office of the Department of Natural Resources for a final determination of navigability or ordinary high water mark.
- (c) When an apparent discrepancy exists between the Wetland District boundary shown on the official Wetland Zoning Maps and the actual field conditions at the time the maps were adopted, the Zoning Administrator shall contact the southern district office of the Department of Natural Resources to determine if the Wetland District boundary as mapped, is in error. If the Department staff concur with the Zoning Administrator that a particular area was incorrectly mapped as a wetland, the Zoning Administrator shall be responsible for initiating a wetland map amendment within a reasonable period.

(3) Floodplain Maps.

- (a) Incorporation of Floodplain Maps. The location and boundaries of the Floodway, Flood Fringe, and General Floodplain Districts are hereby established as shown on the Flood Boundary and Floodway Maps and the Flood Insurance Rate Maps, both dated as being effective on January 2, 2009, and prepared by the Federal Insurance Administration of the U. S. Federal Emergency Management Agency, together with other supplemental maps, including the revised Flood Insurance Rate Maps, provided by the Federal Emergency Management Agency, and shown on map panels 55025C0242G, 55025C0243G, 55025C0244G, 55025C0261G, 55025C0262G, 55025C0263G, 55025C0264G, 55025C0266G, 55025C0267G, 55025C0268G, 55025C0269G, 55025C0288G, 55025C0379G, 55025C0383G, 55025C0389G, 55025C0390G, 55025C0393G, 55025C0394G, 55025C0401G, 55025C0402G, 55025C0403G, 55025C0404G, 55025C0406G, 55025C0407G, 55025C0408G, 55025C0409G, 55025C0413G, 55025C0416G, 55025C0417G, 55025C0418G, 55025C0419G, 55025C0426G, 55025C0427G, 55025C0428G, 55025C0429G, 55025C0431G, 55025C0432G, 55025C0433G, 55025C0434G, 55025C0436G, 55025C0437G, 55025C0438G, 55025C0439G, 55025C0441G, 55025C0442G, 55025C0443G, 55025C0444G, 55025C0451G, 55025C0453G, 55025C0465G, 55025C0557G, 55025C0576G.
- (b) The above-mentioned maps with all information shown thereon, together with the accompanying Federal Insurance Administration's Flood Insurance Study for the City of Madison, Wisconsin, Numbers 55025CV001B and 55025CV002B, and in which are indicated floodway data and flood profiles, and all amendments thereto to such floodplain maps shall be as much a part of this ordinance as if fully set forth and described herein.

- (c) Any change to the base flood elevations in the Flood Insurance Study or on the Flood Insurance Rate Map must be reviewed and approved by the Department of Natural Resources and the Federal Emergency Management Agency (FEMA) before it is effective. No changes to regional elevations on non-FEMA maps shall be effective until approved by the Department of Natural Resources.

(4) Locating Floodplain Boundaries.

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved by the Zoning Administrator using the criteria in paragraphs (a) or (b) below. If a significant difference exists, the map shall be amended using the procedures established for zoning map amendments in Section 28.182. The Zoning Administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required.

The Zoning Administrator is responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the Zoning Administrator and an applicant over the location of the district boundary line shall be settled according to the appeals procedure in Sec. 28.205(5) of this ordinance and the criteria in (a) and (b) below.

- (a) Where flood profiles exist, the map scale and the profile elevations shall determine the district boundary line. Where a discrepancy exists between the map and actual field conditions, the regional flood elevations shall govern. The Zoning Administrator has authority to grant or deny a land use permit on the basis of a district boundary derived from the regional flood elevations, whether or not a map amendment is required.
- (b) Where flood profiles do not exist, the location of the district boundary line shall be determined by the map scale, visual on-site inspection and any available information provided by the Wisconsin Department of Natural Resources. Where there is a significant difference between the map and actual field conditions, the map shall be amended. Where a map amendment has been approved by the City, the Wisconsin Department of Natural Resources, and the Federal Emergency Management Agency, the Zoning Administrator shall have the authority to grant or deny a land use permit.



## SUBCHAPTER 28C: RESIDENTIAL DISTRICTS

### 28.031 GENERAL PROVISIONS FOR RESIDENTIAL DISTRICTS.

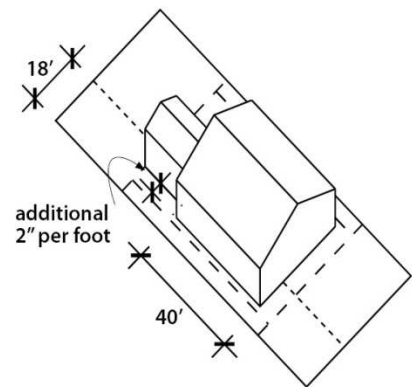
(1) Setback Averaging, Front Setback.

Where at least fifty percent (50%) of the front footage of any block is built up with principal structures, the minimum front yard setback for new structures shall be the average setback of the existing structures on the block face or the normal setback requirement in the district whichever is less, but no less than ten (10) feet. If a setback of an existing structure is greater than the required setback, then the required setback shall be counted toward the average. Setback averaging on lakefront lots is as specified in Section 28.138.

(2) Sidewall Offset.

In order to avoid the monotonous appearance of long unbroken building facades from streets or abutting properties, any portion of a building side wall located within eighteen (18) feet of the side lot line that exceeds forty (40) feet in depth shall be set back an additional two (2) inches from the side lot line for every foot over forty (40) feet in depth. This requirement applies to all new construction with the following exceptions:

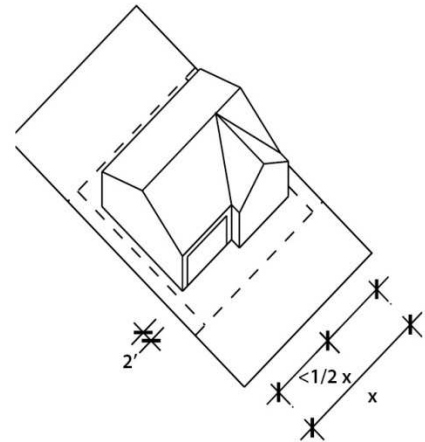
- (a) Within the TR-P and TR-C4 districts, alley-loaded residential buildings are exempt from this requirement as it applies to building side walls within interior side yards.
- (b) For nonresidential buildings within residential districts, any portion of a building side wall that exceeds forty (40) feet in depth shall be set back an additional two inches (2") from the side lot line for every foot over forty (40) feet in depth.
- (c) This requirement applies to above-ground structures. In cases where buildings are connected by an underground space, the buildings are considered detached.



Sidewall Offset

(3) Attached Garage Setback.

In new buildings constructed after the effective date of this code, in order to avoid the monotonous and pedestrian-unfriendly appearance of facades dominated by garage doors, any street-facing wall that contains an attached garage door may occupy no more than fifty percent (50%) of the width of that building façade, measured at grade. That portion of the façade that contains the garage door must be recessed at least two feet (2') behind the remainder of the façade. The Plan Commission may waive this requirement as part of the conditional use process in the case of lakefront lots where physical constraints make compliance infeasible.



Attached Garage Setback

(4) Nonresidential Buildings: Parking Location.

For new nonresidential buildings or additions that exceed the original building's gross floor area by more than fifty percent (50%), that are constructed after the effective date of this zoning code, surface parking shall not be permitted between the front façade of the building and the abutting street. This standard may be waived or modified through a conditional use process. In the case of a building addition, this standard applies to the addition, not to the original building.

**28.032. RESIDENTIAL DISTRICT USES.**

Table 28C-1 lists all permitted and conditional uses in the residential districts.

- (a) Uses marked as "P" are permitted in the districts where designated.
- (b) Uses marked with a "C" are allowed as conditional uses in the districts where designated, in compliance with all applicable standards.
- (c) Uses indicated as "P/C" may be permitted or conditional, depending on their size and scale, as specified.
- (d) Uses marked with an "A" are allowed when accessory to other allowed uses; A/C indicates an accessory use that may be permitted or conditional, depending on their size and scale, as specified.
- (e) A "Y" in the "Standards" column means that specific standards must be complied with, whether the use is permitted or conditional. Standards are included in Subchapter 28L, Supplemental Regulations.

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	Standards
Residential – Family Living																
Single-family detached dwellings	P	P	P	P	P	P	P	P	P	P	C	P	C	P	P	Y
Two-family dwelling – two-flat			P	P	P			P		P	C	P	C		P	Y
Two-family dwelling - twin			P	P	P					P	C	P	C		P	Y
Three-family dwelling - three-flat										P					P	Y
Single-family attached dwelling (3-8 dwelling units)			C		P						C	P	P		P	Y
Single-family attached dwelling (> 8 dwelling units)				C	C							C	C		P	Y
Multi-family dwelling (3-4 dwelling units)			P	P	P					P	P	P	P		P	Y
Multi-family dwelling (3-8 dwelling units)			C	C	P						C	P	P		P	Y
Multi-family dwelling (> 8 dwelling units)					C							C	C		P	Y
Multi-family building complex					C							C	C		C	Y
Caretaker’s dwelling (for nonresidential use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Accessory dwelling unit, attached or detached	permitted as part of Overlay District														P	Y
Residential – Group Living																
Adult family home meeting separation requirements	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Adult family home not meeting separation requirements	C	C	C	C	C	C	C	C	C	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	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Community living arrangement (9 or more residents)			P	P	P			P	P	P	P	P	P			Y
Housing cooperative				C	C			C		P/ C	P/ C	P/ C	P/ C		C	Y
Dormitory					C							C	C			Y
Lodging house, fraternity or sorority												C	C			Y
Assisted living, congregate care, nursing home				C	C					C	C	C	C			Y
Hostel												C	C			Y
Convent, monastery or similar residential group accessory to place of worship	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Civic and Institutional																
Adaptive 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
Cemetery	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Colleges and universities												C	C			Y
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Day care home, family	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Day care center in school or religious inst.	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	Y
Day care center, nursery school	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
Mission house in conjunction with religious institution	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	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 facilities (fire, police stations, etc.)	P	P	P	P	P	P	P	P	P	P	P	P	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	Standards
Schools, public and private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
<b>Retail, Service, Recreation and Other Uses</b>																
Bed and breakfast establishments	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Home occupation	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	Y
Market garden	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Golf course, public or private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Swimming and tennis clubs, private	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
Management office, restaurant, limited retail, recreation facilities within multi-family building					A						A	A	A			Y
Any structure with floor area exceeding 10,000 sq. ft.	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Lakefront development	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Bed and breakfast establishments	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
<b>Utility Uses</b>																
Electric substations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Gas regulator stations, mixing and gate stations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Telecommunications towers and transmission equipment buildings	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Sewerage system lift stations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Water pumping stations, water reservoirs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
<b>Accessory Uses and Structures</b>																
Emergency electric generator	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Accessory building or structure, not exceeding maximum size	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Accessory building or structure, exceeding maximum size	C	C	C	C	C	C	C	C	C	C	C	C	C		C	Y
Keeping of up to 4 chickens	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Lease of off-street parking space(s)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
Parking lot accessory to a nonresidential use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Parking lot exceeding minimum required parking	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Emergency electric generator	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y
<b>Temporary Uses</b>																
Dependency living arrangement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Real estate sales office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Portable storage units	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Temporary accessory apartment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Temporary buildings for storage of construction materials and equipment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y
Yard sales	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y

**28.033. SUBURBAN RESIDENTIAL - CONSISTENT DISTRICTS: STATEMENT OF PURPOSE.**

The SR-C Districts are established to stabilize and protect the essential characteristics of low- to moderate-density residential areas typically located in the outlying parts of the City, and to promote and encourage a suitable environment for family life. The districts are 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, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.
- (b) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.
- (c) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.
- (d) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

**28.034. SR-C1 DISTRICT.**

*[Residential neighborhoods within this district are characterized by single-family homes on generously-sized lots developed in compliance with the R1 standards of the 1966 zoning code]*

**(1) Permitted and Conditional Uses.**

See Table 28C-1 for a complete list of allowed uses within the residential districts.

**(2) Dimensional Standards, Permitted and Conditional Uses.**

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>SR-C1 District</b>		
Building Type	Single-family detached	Nonresidential building
Lot Area (sq. ft.)	8,000	8,000
Lot Width	60	60
Front Yard Setback	30	30
Side Yard Setback	One-story: 6	One-story: 6
Reversed Corner Side Yard Setback	15	30
Rear Yard Setback (see note a)	30% lot depth but no less than 35	Equal to building height but at least 35
Maximum height	2 stories/35	35
Maximum lot coverage	50%	50%
Maximum building coverage	n/a	50%
Usable open space (sq. ft. per d.u.)	1,300	n/a

- (a) If the existing principal structure and any additions to it, covers twenty percent (20%) or less of the lot area, the rear yard setback may be reduced by twenty-five percent (25%)

(3) **Building Forms.**

The following building forms are permitted in the SR-C1 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Civic/Institutional building

### **28.035. SR-C2 DISTRICT.**

*[Residential neighborhoods within this district are characterized by single-family homes on moderately sized lots developed in compliance with the R2 standards of the 1966 zoning code.]*

(1) **Permitted and Conditional Uses.**

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) **Dimensional Standards, Permitted and Conditional Uses.**

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>SR-C2 District</b>		
Building Type	Single-family detached	Nonresidential building
Lot Area (sq. ft.)	6,000	6,000
Lot Width	50	50
Front Yard Setback	30	30
Side Yard Setback	One-story: 6	One-story: 6
Reversed Corner Side Yard Setback	15	30
Rear Yard Setback (see note a)	30% lot depth but at least 35	Equal to building height but at least 35
Maximum height	2 stories/35	35
Maximum lot coverage	50%	50%
Usable open space (sq. ft. per d.u.)	1,000	n/a
Maximum building coverage	n/a	50%

- (a) If the existing principal structure and any additions to it, covers twenty percent (20%) or less of the lot area, the rear yard setback may be reduced by twenty-five percent (25%)

(3) **Building Forms.**

The following building forms are permitted in the SR-C2 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Civic/Institutional building

**28.036 SR-C3 DISTRICT.**

*[Residential neighborhoods within this district are typically characterized by two-family homes on moderately sized lots developed in compliance with the R3 standards of the 1966 zoning code.]*

**(1) Permitted and Conditional Uses.**

See Table 28C-1 for a complete list of allowed uses within the residential districts.

**(2) Dimensional Standards, Permitted and Conditional Uses.**

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>SR-C3 District</b>				
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Nonresidential building
Lot Area (sq. ft.)	6,000	8,000	4,000 (2 lots)	6,000
Lot Width	50	50	50	50
Front Yard Setback	25	25	25	25
Side Yard Setback	One-story: 5 Two-story: 6	Two-story: 6	One-story: 5 Two-story: 6 (one side only)	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	15	15	15	25
Rear Yard Setback (see note (b) below)	30% lot depth but at least 35	30% lot depth but at least 35	30% lot depth but at least 35	Equal to building height but at least 35
Maximum height	2 stories/35	2 stories/35	2 stories/35	35
Maximum lot coverage	60%	60%	60%	60%
Maximum building coverage	n/a	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)	750	750	750	n/a

(a) Dispersion requirement. A maximum of four two-family twin units (2 buildings) may be constructed within 300 feet of any other twin units, as measured around the perimeter of a block, unless a lesser distance is allowed by conditional use.

(b) If the existing principal structure and any additions to it, covers twenty percent (20%) or less of the lot area, the rear yard setback may be reduced by twenty-five percent (25%)

**(3) Building Forms.**

The following building forms are permitted in the SR-C3 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Two-family - two-flat
- (c) Two-family - twin
- (d) Civic/Institutional building

### 28.037 SUBURBAN RESIDENTIAL - VARIED DISTRICTS: STATEMENT OF PURPOSE.

The SR-V Districts are established to stabilize and protect the essential characteristics of residential areas of varying densities and housing types, typically located in the outlying parts of the City, and to promote and encourage a suitable environment for family life. The districts are 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, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.
- (b) Maintain and improve the viability of existing housing of all types, while encouraging the updating of older housing in a context-sensitive manner.
- (c) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.
- (d) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

### 28.038 SR-V1 DISTRICT.

*[Residential neighborhoods within this district are typically characterized by two-family, single-family attached and small multi-family homes on small to moderately sized lots developed in compliance with the R3, R4 and R5 standards of the 1966 zoning code.]*

(1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) Dimensional Standards, Permitted and Conditional Uses.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>SR-V1 District: Permitted Uses</b>				
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Three-four unit building
Lot Area (sq. ft.)	6,000	8,000	4,000/d.u.	2,000/d.u.
Lot Width	50	50	50	60
Front Yard Setback	25	25	25	25
Side Yard Setback	One-story: 5 Two-story: 6	Two-story: 6	One-story: 5 Two-story: 6 (one side only)	6/15 total
Reversed Corner Side Yard Setback	12	12	12	12
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30
Maximum height	2 stories/35	2 stories/35	2 stories/35	3 stories/40
Maximum lot coverage	60%	60%	60%	60%



<b>SR-V1 District: Permitted Uses</b>				
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Three-four unit building
Usable open space (sq. ft. per d.u.)	750	750	750	500

<b>SR-V1 District: Conditional and Nonresidential Uses</b>			
Building Type	Single-family attached (8 units max.)	Multi-family (8 units max.)	Nonresidential building
Lot Area (sq. ft.)	2,000/d.u.	2,000/d.u.	6,000
Lot Width	20/d.u.	60	50
Front Yard Setback	25	25	25
Side Yard Setback	6 (one side only)	<u>10</u>	One-story: 6 Two-story or more: 7
Reversed Corner Side Yard Setback	12	12	25
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	Equal to building height but at least 30
Maximum height	3 stories/ <u>40</u>	3 stories/ <u>40</u>	<u>40</u>
Maximum lot coverage	60%	60%	60%
Maximum building coverage	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)	500	500	n/a

- (a) Dispersion of dwellings: No building or group of twin, attached or multi-family buildings containing over four (4) dwelling units shall be constructed within three hundred (300) feet of any other twin, attached or multi-family building(s), as measured around the perimeter of a block, except by conditional use.

(3) Building Forms.

The following building forms are permitted in the SR-V1 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Two-family - two-flat
- (c) Two-family - twin
- (d) Three-flat building
- (e) Single-family attached building
- (f) Small multi-family building
- (g) Civic/Institutional building

**28.039 SR-V2 DISTRICT.**

*[Residential neighborhoods within this district are typically characterized by multi-family complexes of multiple buildings, developed in compliance with the R4 and R5 standards of the 1966 zoning code. Some neighborhoods also include lower-density housing types]*

**(1) Permitted and Conditional Uses.**

See Table 28C-1 for a complete list of allowed uses within the residential districts.

**(2) Dimensional Standards, Permitted and Conditional Uses.**

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>SR-V2 District: Permitted Uses</b>					
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Single-family attached ( 8 units max.)	Multi-family (8 units max.)
Lot Area (sq. ft.)	6,000	6,000	4,000 (2 lots)	2,000/d.u.	2,000/d.u.
Lot Width	50	50	25/d.u.	20/d.u.	60
Front Yard Setback	25	25	25	25	25
Side Yard Setback	One-story: 5 Two-story: 6	Two-story: 6	One-story: 5 Two-story: 6 (one side only)	10 (end units)	<u>10</u>
Reversed Corner Side Yard Setback	12	12	12	12	12
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30
Maximum height	2 stories/35	2 stories/35	2 stories/35	3 stories/ <u>40</u>	3 stories/ <u>40</u>
Maximum lot coverage	60%	60%	60%	60%	60%
Usable open space (sq. ft. per d.u.)	500	500	500	500	500

<b>SR-V2 District: Conditional and Nonresidential Uses</b>			
Building Type	Single-family attached	Multi-family	Nonresidential building
Lot Area (sq. ft.)	2,000/d.u.	2,000/d.u.	6,000
Lot Width	20/d.u.	60	50
Front Yard Setback	25	25	25
Side Yard Setback	6 (end units)	<u>10</u>	One-story: 6 Two-story or more: 7

<b>SR-V2 District: Conditional and Nonresidential Uses</b>			
Building Type	Single-family attached	Multi-family	Nonresidential building
Reversed Corner Side Yard Setback	12	12	25
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	Equal to building height but at least 30
Maximum height	3 stories/ <u>40</u>	4 stories/ <u>52</u>	35
Maximum lot coverage	60%	60%	60%
Maximum building coverage	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)	500	500	n/a

(3) **Building Forms.**

The following building forms permitted in the SR-V2 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Two-family - two-flat
- (c) Two-family - twin
- (d) Three-flat
- (e) Single-family attached building
- (f) Small multi-family building
- (g) Large multi-family building, stacked flats
- (h) Civic/Institutional building

**28.040. TRADITIONAL RESIDENTIAL - CONSISTENT DISTRICTS: STATEMENT OF PURPOSE.**

The TR-C Districts are established to stabilize and protect the essential characteristics of mature residential areas typically located on the Isthmus, near East and near West portions of the City, and to promote and encourage a suitable environment for family life while accommodating a full range of life-cycle housing. The districts are also intended to:

- (a) Promote the preservation, development and redevelopment of traditional residential neighborhoods in a manner consistent with their distinct form and residential character.
- (b) 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.
- (c) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.

- (d) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.
- (e) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

#### **28C.041. TR-C1 DISTRICT.**

*[Residential neighborhoods within this district are characterized by modestly-sized, primarily single-family buildings on relatively narrow lots that were developed prior to the 1966 zoning code. Most garages are detached and placed in rear or side yards.]*

(1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) Dimensional Standards, Permitted and Conditional Uses.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-C1 District</b>		
Building Type	Single-family detached	Nonresidential building
Lot Area (sq. ft.)	6,000	6,000
Lot Width	50	50
Front Yard Setback	20	20
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	
Side Yard Setback	One-story: 6 Two-story: 7	10
Reversed Corner Side Yard Setback	15	15
Rear Yard Setback (see note a below)	30% lot depth but at least 35	Equal to building height but at least 35
Maximum height	2 stories/35	35
Maximum lot coverage	50%	50%
Usable open space (sq. ft. per d.u.)	1,000	n/a
Maximum building coverage	n/a	50%

- (a) If the existing principal structure and any additions to it, covers twenty percent (20%) or less of the lot area, the rear yard setback may be reduced by twenty-five percent (25%).

(3) Building Forms.

The following building forms are permitted in the TR-C1 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached building

- (b) Civic/Institutional building

## 28.042. TR-C2 DISTRICT.

*[Residential neighborhoods within this district are characterized by modestly-sized, primarily single-family buildings on relatively small and narrow lots that were developed prior to the 1966 zoning code. Most garages are detached and placed in rear or side yards. Because of lot sizes, building modifications can be challenging.]*

- (1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

- (2) Dimensional Standards, Permitted and Conditional Uses.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-C2 District</b>		
Building Type	Single-family detached	Nonresidential building
Lot Area (sq. ft.)	4,800	4,800
Lot Width	40	40
Front Yard Setback	20	20
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	
Side Yard Setback	One-story: 5 Two-story: 6 Lot width <40: 10% lot width	10
Reversed Corner Side Yard Setback	12	20
Rear Yard	30% lot depth but at least 30	Equal to building height but at least 30
Maximum height	2 stories/35	35
Maximum lot coverage	65%	65%
Usable open space (sq. ft. per d.u.)	750	n/a
Maximum building coverage	n/a	50%

- (3) Building Forms.

The following building forms are permitted in the TR-C2 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached building  
(b) Civic/Institutional building

**28.043. TR-C3 DISTRICT.**

*[Residential neighborhoods within this district are characterized by modestly-sized, primarily single-family and two-family buildings on relatively small and narrow lots that were developed prior to the 1966 zoning code. Most garages are detached and placed in rear or side yards. Because of lot sizes, building modifications can be challenging. The TR-C3 district is established to allow a mixture of single- and two-family dwellings while maintaining the occupancy limits of the current R4A district.]*

**(1) Permitted and Conditional Uses.**

See Table 28C-1 for a complete list of allowed uses within the residential districts.

**(2) Dimensional Standards, Permitted and Conditional Uses.**

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-C3 District</b>			
Building Type	Single-family detached	Two-family - Two-flat	Nonresidential building
Lot Area (sq. ft.)	4,800	4,800	4,800
Lot Width	40	40	40
Front Yard Setback	20	20	20
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	n/a
Side Yard Setback	One-story: 5 Two-story: 6 Lot width < 40: 10% lot width	Two-story: 6 Lot width < 40: 10% lot width	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	12	12	20
Rear Yard	30% lot depth but at least 30	30% lot depth but at least 30	Equal to building height but at least 30
Maximum height	2 stories/35	2 stories/35	35
Maximum lot coverage	65%	65%	65%
Maximum building coverage	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)	750	750	n/a

**(3) Building Forms.**

The following building forms are permitted in the TR-C3 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached building
- (b) Two-flat building
- (c) Civic/Institutional building

**28.044. TR-C4 DISTRICT**

*[This new district is designed to allow infill and redevelopment that is consistent with the City's smallest single-family residential lots. Such lots are found in small areas within older neighborhoods, often zoned R2 but nonconforming as to lot area and bulk requirements. The TR-C4 District may also be appropriate for portions of new traditional neighborhoods in outlying areas, which may include alley-accessed garages. The TR-C4 district will maintain the occupancy limits of the current R2 district.]*

(1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) Dimensional Standards, Permitted and Conditional Uses.

tandards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-C4 District</b>		
Building Type	Single-family detached	Nonresidential building
Lot Area (sq. ft.)	3,500	4,000
Lot Width	35	40
Front Yard Setback	15	15
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	n/a
Side Yard Setback	5 Lot width < 40: 10% lot width	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	8 (10 for garage)	15
Rear Yard	street-accessed: 20 alley-accessed: 2*	Equal to building height but at least 20
Maximum height	2 stories/35	35
Maximum lot coverage	75%	75%
Maximum building coverage	n/a	65%
Usable open space (sq. ft. per d.u.)	500	n/a
* "Alley-accessed" refers to developments in which the garage or parking area is accessed from an alley.		

(3) Building Forms.

The following building forms are permitted in the TR-C4 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached building
- (b) Civic/Institutional building

**28.045. TRADITIONAL RESIDENTIAL - VARIED DISTRICTS: STATEMENT OF PURPOSE.**

The TR-V Districts are established to stabilize and protect the essential characteristics of mature residential areas typically located on the Isthmus, near Downtown and near the University of Wisconsin campus, and to accommodate a full range of life-cycle housing while encouraging a suitable environment for family life. The districts are also intended to:

- (a) Promote the preservation, development and redevelopment of traditional residential neighborhoods in a manner consistent with their distinct form and residential character.
- (b) 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.
- (c) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.
- (d) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.
- (e) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

**28.046. TR-V1 DISTRICT.**

*[Residential neighborhoods within this district are typically characterized by a mixture of single-family, two-family and three-family homes on small to moderately sized lots, developed prior to the 1966 zoning code and frequently zoned R3 or R4 under that code.]*

(1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) Dimensional Standards, Permitted and Conditional Uses.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-V1 District: Permitted Uses</b>				
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Three-flat building
Lot Area (sq. ft.)	6,000	8,000	4,000/d.u.	8,000
Lot Width	50	50	25/d.u.	50
Front Yard Setback	20	20	20	20
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.
Side Yard Setback	One-story: 5 Two-story: 6	Two-story: 6	One-story: 5 Two-story: 6	One-story: 5 Two-story or



			(one side only)	more: 6
Reversed Corner Side Yard Setback	12	12	12	12
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30
Maximum height	2 stories/35	2 stories/35	2 stories/35	3 stories/35
Maximum lot coverage	65%	65%	65%	65%
Usable open space (sq. ft. per d.u.)	500	500	500	500

- (a) Dispersion requirement. No two-family or three-flat building shall be constructed within 300 feet of any other two-family three-flat, attached or multi-family building located within the same block, as measured around the perimeter of the block.

<b>TR-V1: Nonresidential (permitted or conditional)</b>	
Building Type	Nonresidential building
Lot Area (sq. ft.)	6,000
Lot Width	50
Front Yard Setback	20
Side Yard Setback	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	20
Rear Yard	Equal to building height but at least 30
Maximum Height	35
Maximum Lot Coverage	65%
Maximum Building Coverage	50%

(3) Building Forms.

The following building forms are permitted in the TR-V1 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached building
- (b) Two-flat building
- (c) Three-flat building
- (d) Civic/Institutional building

**28.047. TR-V2 DISTRICT.**

*[Residential neighborhoods within this district are typically characterized by small multi-family buildings, including multi-family conversions of single-family buildings, interspersed with single-, two- and three-family buildings. These neighborhoods were developed prior to the 1966 zoning code and frequently zoned R4 under that code.]*

(1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) Dimensional Standards, Permitted and Conditional Uses.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-V2 District: Permitted Uses</b>				
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Three-four unit building
Lot Area (sq. ft.)	4,800	4,800	4,800/d.u.	3,000/d.u.
Lot Width	40	40	20/d.u.	60
Front Yard Setback	20	20	20	20
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.
Side Yard Setback	One-story: 5 Two-story: 6	Two-story: 6	One-story: 5 Two-story: 6 (one side only)	6/15 total
Reversed Corner Side Yard Setback	12	12	12	12
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30
Maximum height	2 stories/35	2 stories/35	2 stories/35	3 stories/ <u>40</u>
Maximum lot coverage	65%	65%	65%	65%
Usable open space (sq. ft. per d.u.)	500	500	500	500

<b>TR-V2 District: Conditional and Nonresidential Uses</b>			
Building Type	Single-family attached (8 units max.)	Multi-family (8 units max.)	Nonresidential building (permitted or conditional)
Lot Area (sq. ft.)	2,000/d.u.	2,000/d.u.	6,000
Lot Width	20/d.u.	60	50

<b>TR-V2 District: Conditional and Nonresidential Uses</b>			
Building Type	Single-family attached (8 units max.)	Multi-family (8 units max.)	Nonresidential building (permitted or conditional)
Front Yard Setback	20	20	20
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.
Side Yard Setback	Two-story: 6	<u>10</u>	One-story: 6 Two-story or more: 7
Reversed Corner Side Yard Setback	12	12	20
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	Equal to building height but at least 30
Maximum height	3 stories/ <u>40</u>	3 stories/ <u>40</u>	<u>40</u>
Maximum lot coverage	65%	65%	65%
Maximum building coverage	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)	500	500	n/a

(3) Building Forms.

The following building forms are permitted in the TR-V2 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Two-family - two-flat
- (c) Two-family - twin
- (d) Single-family attached building
- (e) Small multi-family building
- (f) Large multi-family building, stacked flats
- (g) Civic/Institutional building

## **28.048. TRADITIONAL RESIDENTIAL - URBAN DISTRICTS: STATEMENT OF PURPOSE.**

The TR-U Districts are established to stabilize and protect the essential characteristics of high-density residential area typically located near Downtown and near the University of Wisconsin campus, and to accommodate a full range of life-cycle housing. The districts are 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, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.
- (b) Promote the preservation of historic buildings and districts within or close to concentrations of high-density housing.

- (c) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.
- (d) Encourage restoration of single-family dwellings previously converted to multi-family units back to single- or two-family dwellings.
- (e) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.
- (f) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

#### **28.049. TR-U1 DISTRICT.**

*[Residential neighborhoods within this district are typically characterized by large and small low-rise multi-family buildings, including multi-family conversions of single-family buildings, interspersed with single-, two- and three-family buildings. These neighborhoods were developed prior to the 1966 zoning code and frequently zoned R5 under that code.]*

(1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) Dimensional Standards, Permitted and Conditional Uses.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-U1 District: Permitted Uses</b>					
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Single-family attached (max. 8 units)	Multi-family (max. 8 units)
Lot Area (sq. ft.)	6,000	8,000	4,000/d.u.	1,000/d.u.	1,000/d.u. + 300 per bedroom >2
Lot Width	50	50	25/d.u.	20/d.u.	50
Front Yard Setback	15	15	15	15	15
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.
Side Yard Setback	One-story: 5 Two-story: 6	Two-story: 6	One-story: 5 Two-story: 6 (one side only)	8 (end units)	<u>10</u>
Reversed Corner Side Yard Setback	12	12	12	12	12
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30
Maximum height	2 stories/35	2 stories/35	2 stories/35	3 stories/ <u>40</u>	3 stories/ <u>40</u>

<b>TR-U1 District: Permitted Uses</b>					
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Single-family attached (max. 8 units)	Multi-family (max. 8 units)
Maximum lot coverage	65%	65%	65%	70%	70%
Usable open space (sq. ft. per d.u.)*	320	320	320	320	320

\* Up to 75% of required usable open space may be located on balconies or roof decks meeting the standards in 28J.0810.

<b>TR-U1 District: Conditional and Nonresidential Uses</b>			
Building Type	Single-family attached	Multi-family	Nonresidential building
Lot Area (sq. ft.)	1,000/d.u.	1,000/d.u. + 300 per bedroom >2	6,000
Lot Width	20/d.u.	50	50
Front Yard Setback	15 or avg.	15 or avg.	15 or avg.
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	n/a
Side Yard Setback	8 (end units)	<u>10</u>	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	12	12	15
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	Equal to building height but at least 30
Maximum height	3 stories/ <u>40</u>	5 stories/ <u>65</u>	<u>40</u>
Maximum lot coverage	70%	70%	70%
Maximum building coverage	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)*	320	320	n/a

\* Up to 75% of required usable open space may be located on balconies or roof decks meeting the standards in Section 28J.0810.

(3) **Building Forms.**

The following building forms are permitted in the TR-U1 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Two-family - two-flat
- (c) Two-family - twin
- (d) Single-family attached building
- (e) Small multi-family building
- (f) Large multi-family building, stacked flats
- (g) Civic/Institutional building

**28.050. TR-U2 DISTRICT.**

*[Residential neighborhoods within this district are typically characterized by large multi-story multi-family buildings, interspersed with multi-family conversions of single-family buildings, and single, two- and three-family buildings. These neighborhoods were developed prior to the 1966 zoning code and frequently zoned R5 and R6 under that code. This district may also be used in new development or redevelopment as part of a traditional neighborhood pattern.*

*This draft suggests a maximum height of 6 stories/78 feet. (Current R6 has no height limit but it does have a floor area ratio maximum of 2.0.)*

(1) **Permitted and Conditional Uses.**

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) **Dimensional Standards, Permitted and Conditional Uses.**

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-U2 District: Permitted Uses</b>					
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Single-family attached (max. 8 units)	Multi-family (max. 8 units)
Lot Area (sq. ft.)	6,000	8,000	4,000/d.u.	800/d.u.	600/d.u. + 300 per bedroom >2
Lot Width	50	50	25/d.u.	20/d.u.	50
Front Yard Setback	15	15	15	15	15
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.
Side Yard Setback	One-story: 5	Two-story: 6	One-story: 5	8 (end units)	<u>10</u>

	Two-story: 6		Two-story: 6 (one side only)		
Reversed Corner Side Yard Setback	12	12	12	12	12
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30	25% lot depth but at least 30
Maximum height	<u>3</u> stories/35	<u>3</u> stories/35	<u>3</u> stories/35	3 stories/ <u>40</u>	4 stories/ <u>52</u>
Maximum lot coverage	65%	65%	65%	75%	75%
Usable open space (sq. ft. per d.u.)*	320	320	320	140	140

\* Up to 75% of required usable open space may be located on balconies or roof decks meeting the standards in Section 28.140.

<b>TR-U2 District: Conditional and Nonresidential Uses</b>			
Building Type	Single-family attached	Multi-family	Nonresidential building
Lot Area (sq. ft.)	800/d.u.	600/d.u. + 300 per bedroom >2	6,000
Lot Width	20/d.u.	50	50
Front Yard Setback	15	15	15
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	n/a
Side Yard Setback	8 (end units)	<u>10</u>	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	12	12	15
Rear Yard	25% lot depth but at least 30	25% lot depth but at least 30	Equal to building height but at least 30
Maximum height	3 stories/ <u>40</u>	<u>6 stories/78</u>	<u>40</u>
Maximum lot coverage	75%	80%	75%
Maximum building coverage	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)*	140/d.u.	140/d.u.	n/a

\* Up to 75% of required usable open space may be located on balconies or roof decks meeting the standards in Section 28.140.

(3) **Building Forms.**

The following building forms are permitted in the TR-U2 District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Two-family - two-flat
- (c) Two-family - twin
- (d) Single-family attached building
- (e) Small multi-family building
- (f) Large multi-family building, stacked flats
- (g) Civic/Institutional building

## **28.051. TRADITIONAL RESIDENTIAL - RUSTIC (TR-R) DISTRICT.**

*[This district is intended to essentially mirror the R1-R Rustic Residence District, with a few minor updates. It may be applicable to other large-lot areas as well.]*

- *Note: there is currently no minimum lot width in the R-1R District; a 65' width would be a new requirement that is consistent with the existing development pattern.*
- *Maximum height in R1-R is currently "3 stories" with no limit in feet. We are suggesting 40 feet*
- *"Lot coverage" in R1-R is currently defined to mean total floor area of new construction. The proposed new definition of lot coverage for all districts is building and impervious surface coverage]*

(1) **Statement of Purpose.**

The TR-R District is established to stabilize and protect the natural beauty, historic character and park-like setting of certain heavily wooded low-density residential neighborhoods. The district is also intended to promote the preservation of the neighborhood's historic buildings, tree cover and landscape plan.

(2) **Permitted and Conditional Uses.**

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(3) **Dimensional Standards, Permitted and Conditional Uses.**

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-R District: Permitted and Conditional Uses</b>		
Building Type	Single-family detached	Nonresidential building
Lot Area (sq. ft.)	0.6 acres (26,136 sq. ft.)	0.6 acres (26,136 sq. ft.)
Lot Width	65	65
Front Yard Setback	50	50
Side Yard Setback	30	30



Reversed Corner Side Yard Setback	30	30
Rear Yard	40	40
Maximum height	3 stories/40	40
Maximum lot coverage	15%	15%
Maximum area accessory building (see below)	800 sq. ft.	as determined by CUP

- (a) Detached Garage Replacement. New detached garages are not permitted. Detached garages existing as of January 1, 1989 may be replaced with a structure no larger than 800 square feet or the size of the principal building, whichever is less.

(4) **Building Forms.**

The following building forms are permitted in the TR-R District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Civic/Institutional building

## **28.052. TRADITIONAL RESIDENTIAL - PLANNED (TR-P) DISTRICT.**

*[This district was originally intended to incorporate the standards of the R2-S, T, Y and Z Districts in a single mixed-density residential district. Based on additional comments received, we have restructured the district as essentially the residential portion of a Traditional Neighborhood Development, with a broad range of housing types and a master-planning process for large projects. This draft combines elements from the two previous drafts, with specific dimensional standards plus more specific requirements for the master plan.]*

(1) **Statement of Purpose.**

The TR-P District is established to encourage the development of new traditional neighborhoods in close-in or outlying parts of the City that incorporate the characteristics of existing traditional neighborhoods. Features include a variety of lot sizes and integrated housing types, detached or alley-loaded garages, traditional architectural features such as porches, an interconnected street system and the creation of a high-quality public realm.

A large-scale TR-P development will be designed through a master planning process. Where a TR-P District is developed in conjunction with or in proximity to an existing or planned mixed use or higher-density district (for example, a Neighborhood Mixed-Use District, Traditional Shopping Street District, or Traditional Residential-Urban District) the TR-P District is also intended to meet the goals of traditional neighborhood development as established by the State of Wisconsin and Dane County. These goals include the following:

- (a) Reduce public costs by making more efficient use of infrastructure;
- (b) Protect the environment through reduced land consumption, preservation of on-site environmental features, and reduced automobile travel;
- (c) Increase public safety and welfare through street design that results in slower driver speeds and reduced accidents, injuries and fatalities;
- (d) Promote the reinvestment in existing developed areas;

- (e) Foster community through attractive streets and public spaces that create opportunities for encounters and gatherings.

(2) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(3) Required Mix of Building Types.

After the effective date of this ordinance, development sites or projects within the TR-P District that are ten (10) acres or more in size or that include fifty (50) or more dwelling units shall meet the following standards:

- (a) A minimum of three (3) residential building types from the following categories shall be included within the site:
1. Single-family detached dwellings with street-accessed garages;
  2. Single-family detached dwellings with alley-accessed garages;
  3. Two-family and single-family attached buildings;
  4. Accessory dwelling units;
  5. Multi-family dwellings (3 units and up), including senior housing;
  6. Special-needs housing such as community living arrangements and assisted living facilities.
- (b) A minimum of twenty percent (20%) of the units on the site shall be in two-family, attached or multi-family residential dwelling types.
- (c) For infill development, the required mix of residential uses may be satisfied by existing adjacent residential uses within a one-quarter ( ¼ ) mile radius.
- (d) All residential lots shall be located within one-quarter (¼) mile of existing or planned public or common open space.

(4) Dimensional Standards, Permitted and Conditional Uses.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>TR-P District: Permitted Uses</b>				
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Single-family accessory dwelling
Lot Area (sq. ft.)	3,500	2,500/d.u.	2,500/d.u.	5,000 (per lot)
Lot Width	<u>37</u>	40	25/d.u.	50
Front Yard Setback	15	15	15	n/a
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.
Side Yard Setback	5	5	5	5

<b>TR-P District: Permitted Uses</b>				
Building Type	Single-family detached	Two-family - Two-flat	Two-family - Twin	Single-family accessory dwelling
Reversed Corner Side Yard Setback	8 (10 for garage)	8 (10 for garage)	8 (10 for garage)	8 (10 for garage)
Rear Yard	street-accessed: 20 alley-accessed: 2*	street-accessed: 20 alley-accessed: 2*	street-accessed: 20 alley-accessed: 2*	street-accessed: 20 alley-accessed: 2*
Maximum height	<u>3</u> stories/35	<u>3</u> stories/35	<u>3</u> stories/35	2 stories, no greater than height of principal structure
Maximum lot coverage	<u>75</u> %	<u>75</u> %	<u>75</u> %	<u>80</u> % (per lot)
Usable open space (sq. ft. per d.u.)	500	500	500	800 (per lot)
* “Alley-accessed” refers to developments in which the garage or parking area is accessed from an alley.				

<b>TR-P District: Permitted and Nonresidential Uses (permitted or conditional)</b>			
Building Type	Single-family attached	Multi-family (3 units and up)	Nonresidential
Lot Area (sq. ft.)	2,000/d.u.	600/d.u. + 300 per bedroom >2	5,000
Lot Width	20	50	50
Front Yard Setback	15	15	15
Maximum Front Yard Setback	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.	no more than 20% greater than block average, up to 30 max.
Side Yard Setback	8 (end units)	<u>10</u>	5
Reversed Corner Side Yard Setback	8 (10 for garage)	12 (10 for garage)	15
Rear Yard	street-accessed: 20 alley-accessed: 2*	street-accessed: 20 alley-accessed: 2*	equal to building height but at least 20
Maximum height	3 stories/ <u>40</u>	4 stories/ <u>52</u> (see <u>A below</u> )	3 stories/ <u>40</u>
Maximum lot	75%	75%	70%

<b>TR-P District: Permitted and Nonresidential Uses (permitted or conditional)</b>			
coverage			
Usable open space (sq. ft. per d.u.)	320	140	n/a
* “Alley-accessed” refers to developments in which the garage or parking area is accessed from an alley.			

(a) Heights exceeding the maximum may be allowed with conditional use approval.

(5) Building Forms.

The following building forms are permitted in the TR-P District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Single-family detached
- (b) Two-family - two-flat
- (c) Two-family - twin
- (d) Single-family attached building
- (e) Small multi-family building
- (f) Large multi-family building, stacked flats
- (g) Civic/Institutional building

(6) Design Standards.

- (a) Open space. Open space must be available to the residents of the district for recreational purposes or similar benefit. Land reserved for stormwater management and other required site improvements shall not be applied to this requirement, unless designed as open space that will meet resident needs.
  - 1. Open space shall be designed to meet the needs of residents of the district and the surrounding neighborhoods to the extent practicable for parks, playgrounds, playing fields, and other recreational facilities.
  - 2. A diversity of open spaces shall be provided within the TR-P district, including but not limited to community parks, neighborhood squares and commons, and playgrounds.
  - 3. Open spaces included with the subdivision shall be dispersed throughout the development and walkable from most areas within the subdivision.
  - 4. Land donated for any public purpose, which is accepted by the City, may be credited towards the open space requirement at the discretion of the Common Council.
- (b) Street layout. A TR-P site development plan shall maintain the existing street grid where present and restore the street grid where it has been disrupted. In newly developing areas, streets shall be designed to maximize connectivity in each cardinal direction, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at an environmentally sensitive area, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.

- (c) Street design. Flexibility in street design may be allowed within a TR-P District in order to create a safe and pleasant environment for residents, emphasizing pedestrian and bicycle circulation.
  - (d) Non-residential uses. Non-residential land uses, including but not limited to schools, places of worship and neighborhood-serving commercial uses located within a subdivision zoned TR-P, shall be designed in a compact fashion and reflect the design of other uses within the master-planned development. Parking for such uses shall be located in the side or rear yards and shall be well screened to preserve the continuity of the public realm.
- (7) Submittal Requirements.
- (a) After the effective date of this ordinance, a master plan shall be required for all TR-P projects that are proposed to be ten (10) acres or larger in size or those that will include fifty (50) dwelling units or more. All TR-P master plans shall include each of the following elements:
    - 1. A map of the proposed development that identifies all of the lots and outlots to be contained in the proposed development and which contains all of the information required for preliminary plats in Sec. 16.23 (7)(a). The map shall identify each of the following items:
      - a. The use of each lot or outlot, including any spaces to be dedicated to the public;
      - b. The number of dwelling units to be provided on each lot;
      - c. The number of floors of all buildings to be constructed on a lot – minimum and maximum;
      - d. The orientation of buildings in relation to all streets;
      - e. The yards and building setbacks for each developable lot;
      - f. Stormwater management, including proposed treatments at the lot, block and subdivision level.
    - 2. A phasing plan for the implementation of the master planned development.
    - 3. Design standards for the proposed development, to be recorded in the covenants, conditions and restrictions for the subdivision. The design standards shall include:
      - a. Standards and guidelines for buildings, including massing and composition of structures, orientation of windows and entries; doors and other elements of the facade, and primary facade materials and colors;
      - b. A process for the application of such design standards, through an architectural review committee or similar review body.
    - 4. A detailed letter of intent for the project that outlines the specific goals and objectives for the master planned development.
  - (b) Standards for Approval of Master Plans.
    - 1. The proposed TR-P master plan shall be consistent with the recommendations of the Comprehensive Plan and any adopted neighborhood plan, including the objectives established for traditional neighborhood development in the Comprehensive Plan.
    - 2. The proposed TR-P master plan shall contain a highly connective circulation pattern and shall be conducive to multiple forms of transportation.

3. The proposed master planned development shall include a variety of integrated residential dwelling unit types. Segregation of dwelling units types shall be avoided.
4. The proposed TR-P master plan shall be consistent with the statement of purpose of this section.
5. The TR-P master plan shall also comply with all of the requirements for preliminary plats in Section 16.23(5)(c) MGO.

(8) Review Procedures.

A master plan for a TR-P district will be reviewed as part of the zoning map amendment and subdivision plat.

## CHAPTER 28D: MIXED-USE AND COMMERCIAL DISTRICTS

### 28.060. GENERAL PROVISIONS FOR MIXED-USE AND COMMERCIAL DISTRICTS.

(1) General Statement of Purpose.

Mixed use and commercial districts are established to provide a range of district types, from the small neighborhood center to regional-level retail centers, while fostering high-quality building and site design and pedestrian, bicycle and transit as well as automobile circulation.

(2) Design Standards.

The following design standards are applicable after the effective date of this code to all new buildings and major expansions (fifty percent (50%) or more of building floor area). Design standards shall apply only to the portion of the building or site that is undergoing alteration. Any design standard may be waived by the Plan Commission, following review by the Urban Design Commission, if the constraints of the existing sites and structure(s) make compliance infeasible.

- (a) Entrance Orientation (see figure A). Primary building entrances on all new buildings shall be oriented to the primary abutting public street. The entrance shall have a functional door. Additional secondary entrances may be oriented to a secondary street or parking area. Entries shall be clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.



A. Entrance orientation

- (b) Facade articulation. Consistent with the design of traditional storefront buildings, new buildings of more than forty (40) feet in width shall be divided into smaller increments, between twenty (20) and forty (40) feet in width, through articulation of the facade. This can be achieved through combinations of the following techniques, and others that may meet the intent of this section.



B1. Facade articulation

1. Facade modulation (see figure B1) - stepping back or extending forward a portion of the facade.
2. Vertical divisions using different textures or materials (although materials shall be drawn from a common palette).
3. Division into storefronts, with separate display windows and entrances.
4. Variation in roof lines by alternating dormers, stepped roofs, gables, or other roof elements to



B2. Variation in roof lines

reinforce the modulation or articulation interval (see figure B2).

5. Arcades, awnings, window bays, arched windows and balconies at intervals equal to the articulation interval.
- (c) Design of street-facing facades. No blank walls shall be permitted to face the public street, sidewalks, or other public spaces such as plazas. Elements such as windows, doors, columns, changes in material, and similar details shall be used to add visual interest.
- (d) Door and window openings. For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade.

A minimum of twenty percent (20%) of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of 20% of the upper-story wall area.

1. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Views shall not be blocked by equipment, etc. Spandrel glass may be used on service areas of the building.
2. Window shape, size and patterns shall emphasize the intended organization of the facade and the definition of the building.
3. Displays may be placed within windows. Equipment within buildings shall be placed a minimum of five (5) feet behind windows.
- (e) Equipment and service area screening. If an outdoor storage, service or loading area is visible from adjacent residential uses or an abutting public street or public walkway, it shall be screened by a decorative fence, wall or screen of plant material at least six (6) feet in height. Fences and walls shall be architecturally compatible with the primary structure.
- (f) Screening of rooftop equipment. All rooftop equipment, with the exception of solar and wind equipment, shall be screened from view from adjacent streets and public rights-of-way. Rooftop equipment shall be screened from view from adjacent buildings to the extent possible.
  1. The equipment shall be grouped within a single enclosure. This structure shall be set back a distance of one and one-half (1½) times its height from any primary facade fronting a public street.
    - a. Screens shall be of durable, permanent materials (not including wood) that are compatible with the primary building materials.
    - b. Screening shall be constructed to a height of at least one (1) foot above the height of the equipment.
  2. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.
- (g) Materials. Nonresidential or mixed-use buildings shall be constructed of durable, high-quality materials such as brick, stone, textured cast stone, or tinted masonry units. Table 28D-1 below lists allowable building materials. When applying these requirements,



consideration shall be given to the use, amount, placement and relationship of each material as part of a comprehensive palette of building materials. All building facades visible from a public street or public walkway should employ materials and design features similar to or complementary to those of the front facade.

**Table 28D-1.**

Building Materials	Allowable for use as/at:				
	Trim/Accent Material	Top of Building	Middle of Building	Base/ Bottom of Building	Standards (see footnotes)
Brick (Face/Veneer)	Y	Y	Y	Y	Y
Smooth-Face/ Split-Face Block	Y	Y	Y	Y	A
Wood/ Wood Composite	Y	Y	Y	N	
Fiber-Cement Siding/ Panels	Y	Y	Y	N	
Concrete Panels, Tilt-up or Precast	Y	Y	Y	Y	B
EIFS/ Synthetic Stucco	Y	Y	N	N	C
Stone/ Stone Veneer	Y	Y	Y	Y	
Metal Panels	Y	Y	Y	N	D
Hand-Laid Stucco	Y	Y	N	N	C
Vinyl Siding	Y	Y	N	N	E
Glass Curtain Wall System	Y	Y	Y	Y	
Reflective Glass/ Spandrel	Y	N	N	N	F
Glass (Storefront)	Y	Y	Y	Y	

A – Shall be used in conjunction with a palette of materials and shall not comprise more than 33% of any building wall adjacent to a public street or walkway.

B – Shall incorporate horizontal and vertical articulation and modulation, including but not limited to changes in color and texture, or as part of a palette of materials.

C – Shall not be within three feet of the ground or used in heavily trafficked pedestrian areas or where high pedestrian traffic is anticipated.

D – Shall be used in conjunction with a palette of materials; shall be a heavy gauge metal, and; shall be non-reflective.

E – Shall be used in limited quantities due to its limited durability.

F – Shall be used in limited quantities as an accent material.

(3) Design Guidelines.

The following guidelines are considered advisory. New development shall comply with the guidelines to the extent feasible, given the physical constraints of each site. Alternative ways of achieving the intent of each guideline may be considered.

- (a) Compatibility with Traditional Buildings. (see figure A): New development should relate to the design of identified traditional or historic buildings adjacent to the site, where present, in scale and character. This can be achieved by maintaining similar setbacks, facade divisions, roof lines, rhythm and proportions of openings, building materials



A. Compatibility with traditional buildings

and colors. Historic architectural styles need not be replicated.

- (b) Building Alignment (see figure B): Buildings should be placed at or close to the sidewalk to the extent practical. At intersections, buildings should “hold the corner,” that is, have front and side facades aligned at or near the sidewalks of both streets.
  - 1. Front yard setback areas, where provided, should be designed to provide amenities such as outdoor seating and landscaping that will enhance the visual and pedestrian character of the street.
  - 2. Buildings should be aligned with facades parallel with the street to create a well-defined street edge.
  - 3. Additions to existing buildings should bring the building closer to the street, to the extent practical
- (c) Vertical articulation. Buildings should be designed with a base, a middle and a top, created by variations in detailing, color and materials.
  - 1. Articulated tops should be considered in the design of all new buildings. This articulation might consist of pitched roofs, dormers, gable ends, cornice detailing, stepbacks of upper stories, etc.
  - 2. The base of the building should include elements that relate to the human scale, including doors and windows, texture, projections, awnings and canopies, ornament, etc.
- (d) Ground-floor residential uses. Ground-floor residential uses fronting a public street or walkway, where present, should generally be separated from the street by landscaping, steps, porches, grade changes, and low ornamental fences or walls in order to create a private yard area between the sidewalk and the front door.
- (e) Parking structure design. The ground floor of any parking structure abutting a public street or walkway should be designed and architecturally detailed in a manner consistent with new commercial or mixed-use buildings.
  - 1. Upper floors should be designed so that sloped floors typical of parking structures do not dominate the appearance of the façade.
  - 2. Windows or openings should be provided that echo those of surrounding buildings.



B. Building alignment



C. Vertical articulation



D. Ground floor residential uses



3. Entrance drives to structured or underground parking should be located and designed to minimize interference with pedestrian movement. Entrances should be on secondary streets where feasible.

## 28.061 MIXED-USE AND COMMERCIAL DISTRICT USES

Table 28D-2 lists all permitted and conditional uses in the mixed-use and commercial districts.

- (a) Uses marked as “P” are permitted in the districts where designated.
- (b) Uses marked with a “C” are allowed as conditional uses in the districts where designated, in compliance with all applicable standards.
- (c) Uses indicated as “P/C” may be permitted or conditional, depending on their size and scale, as specified.
- (d) Uses marked with an “A” are allowed when accessory to another allowed use. Some accessory uses are also conditional, depending on their size and scale, as indicated in the table by “A/C”.
- (e) A “Y” in the “Standards” column means that specific standards must be complied with, whether the use is permitted or conditional. Standards are included in [Subchapter 28K](#), Supplemental Regulations.

### Key to Table:

NMX Neighborhood Mixed Use  
TSS Traditional Shopping Street  
MXC Mixed Use Center  
CC-T Commercial Corridor -  
Transitional  
CC Commercial Center

**Table 28D-2**

Mixed-Use and Commercial Districts						
	NMX	TSS	MXC	CC-T	CC	Stand
<b>Offices</b>						
Artist, photographer studio, etc.	P	P	P	P	P	
Insurance office, real estate office, sales office	P	P	P	P	P	
General office	P	P	P	P	P	
<b>Medical Facilities</b>						
Clinic, medical, dental or optical	P	P	P	P	P	
Hospital			C	C	C	Y
Medical laboratory			P	C	C	
Physical, occupational or massage therapy	P	P	P	P	P	
Veterinary clinic	P	P	P	P	P	Y
<b>Retail Sales and Services</b>						
General retail <sup>a</sup>	P	P	P	P	P	
Animal boarding, kennel				C	C	Y
Animal grooming	P	P	P	P	P	
Auction rooms		P	P	P	P	
Bank, financial institution	P	P	P	P	P	

<b>Mixed-Use and Commercial Districts</b>						
	<b>NMX</b>	<b>TSS</b>	<b>MXC</b>	<b>CC-T</b>	<b>CC</b>	<b>Standards</b>
Business sales and services	P	P	P	P	P	
Drive-through sales and services			A/C	A/C	A/C	Y
Dry cleaning plant, commercial laundry				P	P	
Farmers' market	P/C	P	P	P	P	Y
Food and related goods sales <sup>b</sup>	P	P	P	P	P	
Furniture and household goods sales	C	P	P	P	P	
Garden center	C	C	P	P	P	
Greenhouse, nursery	C	C	P	P	P	
Home occupation	P/C	P/C	P/C	P/C	P/C	Y
Laundromat, self-service	P	P	P	P	P	
Liquor store	P	P	P	P	P	
Mortuary, funeral home	P	P	P	P	P	
Outdoor uses, commercial				C	C	Y
Package delivery service				P	P	
Payday loan business, auto title loan business				C	C	Y
Pet day care	C	C	C	C	P	Y
Photocopying	P	P	P	P	P	
Post office	P	P	P	P	P	
Secondhand goods sales	C	C	P	P	P	
Service business <sup>c</sup>	P	P	P	P	P	
Service business with showroom or workshop		C	C	P	P	Y
Small appliance repair	P	P	P	P	P	
Small engine repair		C	C	C	C	
Sporting goods store, bait shop	P	P	P	P	P	Y
Tattoo shop	P	P	P	P	P	
Tobacco shop	P	P	P	P	P	
<b>Food and Beverages</b>						
Catering	C	P	P	P	P	
Coffee shop, tea house	P	P	P	P	P	
Restaurant (including carry-out, deli)	P	P	P	P	P	
Restaurant-tavern	C	P	P	P	P	Y
Outdoor eating area associated with food & beverage establishment	A/C	A/C	A	A/C	A	Y
Tavern (liquor sales >50% gross receipts), brewpub	C	P	P	P	P	Y
<b>Commercial Recreation, Entertainment and Lodging</b>						
Bed and breakfast establishment	P	P	P	P	P	Y
Health/sports club	P	P	P	P	P	
Hostel	C	P	P	P	P	
Hotel, inn, motel	C	P	P	P	P	

<b>Mixed-Use and Commercial Districts</b>						
	<b>NMX</b>	<b>TSS</b>	<b>MXC</b>	<b>CC-T</b>	<b>CC</b>	<b>Standards</b>
Indoor recreation	C	C	C	P	P	Y
Lodge, private club, reception hall	P	P	P	P	P	
Management office, restaurant, limited retail, recreation facilities within multi-family building		A	A	A	A	Y
Outdoor recreation (i.e., mini-golf, driving range, etc.)				C	C	Y
Theater, assembly hall, concert hall		P	P	P	P	
<b>Adult Entertainment</b>						
Adult entertainment tavern				P		Y
<b>Automobile Services</b>						
Auto body shop	C	C	C	C	C	Y
Auto service station, convenience market	C	C	C	C	C	Y
Auto repair station	C	C	C	C	C	Y
Auto sales and rental				C	C	Y
Car wash		C	C	C	C	Y
<b>Parking, Storage and Display Facilities</b>						
Parking facility, public	P	P	P	P	P	Y
Parking facility, commercial, principal use	C	C	C	C	C	Y
Lease of off-street parking spaces	P	P	P	P	P	
Parking lot exceeding maximum required parking	C	C	C	C	C	Y
Outdoor storage		A/C	A/C	A/C	A/C	Y
Outdoor display		A/C	A/C	A/C	A/C	Y
<b>Transportation</b>						
Bus or railroad passenger depot		C	P	P	P	
Railroad right-of-way	P	P	P	P	P	
Taxicab or limousine business				C		Y
Transit stop or station	P	P	P	P	P	
<b>Limited Production, Processing and Storage</b>						
Artisan workshop	P	P	P	P	P	Y
Bakery, wholesale				C	C	
Laboratory, research and development		C	C	C	C	
Limited production and processing <sup>d</sup>				C	C	Y
Mail order house				C	C	
Printing and publishing	P	P	P	P	P	
Warehousing and storage					C	Y
Wholesale establishment			C	C	C	Y
<b>Residential - Family Living</b>						
Single-family detached dwellings <sup>e</sup>	C	P		C		
Two-family dwelling – two-flat <sup>e</sup>	C	P		C		
Two-family dwelling - twin <sup>e</sup>	C	P		C		

Mixed-Use and Commercial Districts						
	NMX	TSS	MXC	CC-T	CC	Standards
Three-family dwelling - three-flat	C	P		C		
Single-family attached dwelling (3-8 dwelling units)	C	C	P	C	C	
Single-family attached dwelling (> 8 dwelling units)	C	C	P	C	C	
Dwelling units in mixed-use buildings (retail or other nonres. required at corners)	P	P	P	P	C	Y
Multi-family dwelling (3-4 dwelling units)	P	C	P	C	C	
Multi-family dwelling (3-8 dwelling units)	C	C	P	C	C	
Multi-family dwelling (> 8 dwelling units)		C	C	C	C	
Multi-family building complex				C	C	
Caretaker’s dwelling (nonresidential uses)	A/C	A/C	A/C	A/C	A/C	Y
Accessory dwelling unit, attached or detached	as part of ADU Overlay District					Y
Residential - Group Living						
Adult family home meeting separation requirements	P	P		P		Y
Adult family home not meeting separation requirements	C	C		C		Y
Cohousing community	P/C	P/C	P/C	P/C	P/C	Y
Community living arrangement (up to 8 residents)	P	P		P		Y
Community living arrangement (9-15 residents)	C	C		C		Y
Dormitory				C		
Housing cooperative	P/C	P/C		P/C		Y
Lodging house, fraternity or sorority				C		Y
Assisted living, congregate care, nursing home			C	C	C	Y
Convent, monastery or similar religious community	P	P		P		Y
Civic and Institutional						
Cemetery	C	C	C	C	C	
Community garden	P	P	P	P	P	Y
Counseling, community services organization	C	C		C		
Day care home, children or adults	P	P	P	P		Y
Day care center in school or religious inst.	P	P	P	P	P	Y
Day care center, nursery school	P	P	P	P	P	Y
Library, museum	P	P	P	P	P	
Market garden	C	C	C	C	C	Y
Mission house in conjunction with religious institution	P	P	P	P	P	
Parks and playgrounds	P	P	P	P	P	
Place of worship	P	P	P	P	P	
Public safety facilities (fire, police stations, etc.)	P	P	P	P	P	
Schools, public and private	P	P	P	P	P	
Schools, arts, technical or trade	C	P	P	P	P	
Public Utility and Public Service Uses						

<b>Mixed-Use and Commercial Districts</b>						
	<b>NMX</b>	<b>TSS</b>	<b>MXC</b>	<b>CC-T</b>	<b>CC</b>	<b>Standards</b>
Electric substations	C	C	C	C	C	
Gas regulator stations, mixing and gate stations	C	C	C	C	C	
Gas regulator stations, mixing and gate stations	C	C	C	C	C	
Telecommunications towers and transmission equipment buildings	C	C	C	C	C	
Sewerage system lift stations	C	C	C	C	C	Y
Water pumping stations, water reservoirs	C	C	C	C	C	Y
<b>Accessory Structures</b>						
Emergency electric generator	P	P	P	P	P	
Garage, workshop, not exceeding maximum size	P	P	P	P	P	
Garage, workshop, exceeding maximum size	C	C	C	C	C	
Keeping of up to 4 chickens	P	P	P	P		Y
<b>Temporary Uses</b>						
Dependency living arrangements	P	P	P	P	P	
Real estate sales office	P	P	P	P	P	
Temporary buildings for storage of construction materials and equipment	P	P	P	P	P	
Yard sales (max. 4 per year)	P	P	P	P	P	

- a. See definition, general retail uses, Subchapter 28P.
- b. See definition, food and related goods sales, Subchapter 28P.
- c. See definition, service uses, Subchapter 28P.
- d. See definition, limited production uses, Subchapter 28P.
- e. Single-family and two-family dwellings existing as of the date of adoption of this ordinance shall be considered as permitted uses.

**Key to Table:***NMX Neighborhood Mixed Use**TSS Traditional Shopping Street**MXC Mixed Use Center**CC-T Commercial Corridor -  
Transitional**CC Commercial Center***28.062 NEIGHBORHOOD MIXED-USE DISTRICT****(1) Statement of Purpose.**

The NMX District is established to encourage and sustain the viability of commercial nodes that serve the shopping needs of residents in adjacent neighborhoods. The district is also intended to:

- (a) Encourage pedestrian, bicycle and transit use as a means of accessing these commercial areas.
- (b) Encourage diversification of uses, including residential and civic uses, in order to enhance the vitality and appeal of these areas.
- (c) Facilitate the development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

**(2) Permitted and Conditional Uses.**

See Table 28D-2 for a complete list of allowed uses within the mixed-use and commercial districts.

(3) Building Standards.

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

- (a) Maximum size: Buildings shall not exceed five thousand (5,000) square feet of gross floor area for an individual establishment or ten thousand (10,000) square feet gross floor area for a building containing two or more uses. Buildings exceeding this size may be allowed as conditional uses.
- (b) Parking shall not be placed between the front façade of a building and the abutting street. Parking shall be located to rear or side of principal building; parking abutting the primary street frontage is limited to seventy (70) feet in width or fifty percent (50%) of lot frontage, whichever is less.
- (c) No outdoor storage or display of goods shall be allowed except for the following:
  - 1. Outdoor dining accessory to restaurants, taverns and coffee shops.
  - 2. Incidental accessory structures at automotive service and repair establishments, such as donation drop-off boxes, ice machines and soda machines.
  - 3. Automatic teller machines accessory to banks.
  - 4. Supplies clearly incidental to the conduct of the business may be displayed outside during business hours.
  - 5. Periodic "sidewalk sales" may be allowed as a temporary use.
- (d) No drive-in or drive-through uses are allowed.

(4) Building Forms.

The following building forms are permitted in the NMX District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Storefront/Commercial Block Building
- (b) Residential – Commercial Conversion
- (c) Live-Work Building
- (d) Single-family Attached Building
- (e) Small Apartment Building
- (f) Courtyard Apartment Building
- (g) Large Apartment Building, Stacked Flats
- (h) Single-Family Detached Building
- (i) Two-Family Building - Twin or Two-Flat
- (j) Civic or Institutional Building

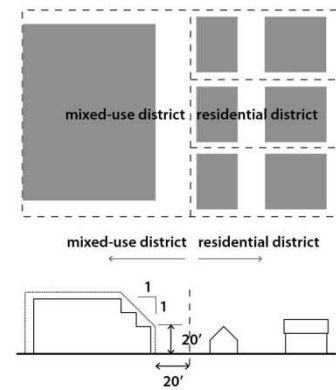
(5) Dimensional Standards.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

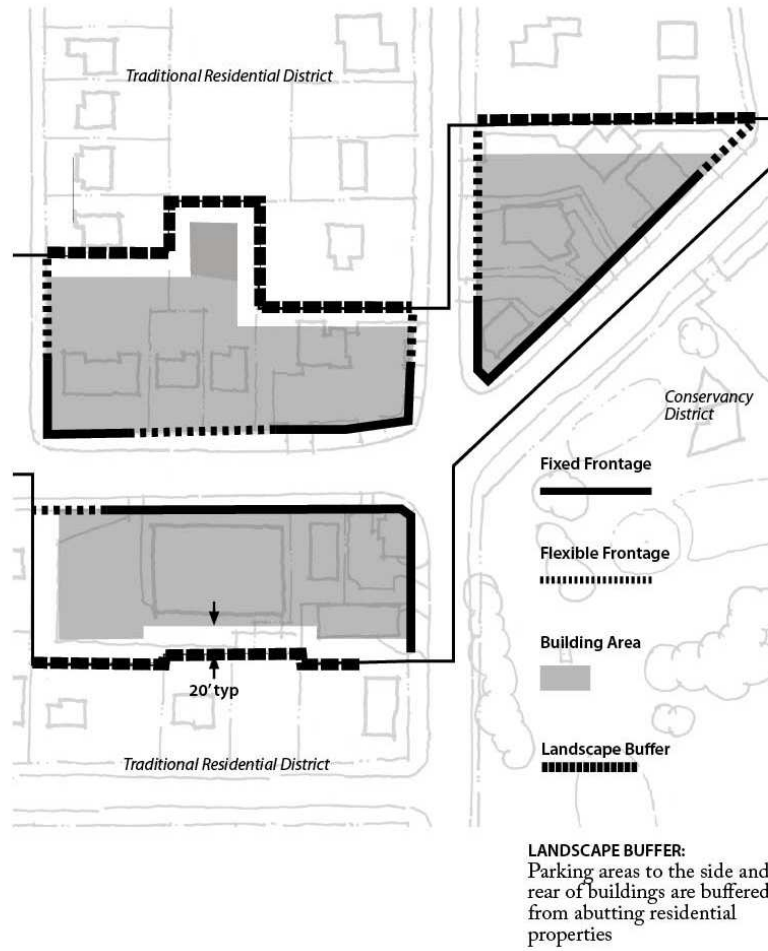


<b>Neighborhood Mixed Use District</b>	
Side yard setback: Where buildings abut residentially-zoned lots at side lot line.	Minimum side yard required in the adjacent residential district
Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	One-story: 5 Two-story or higher: 6 Lot width <40: 10% lot width
Side yard setback: other cases [ <i>i.e., infill between party wall storefront buildings</i> ]	none unless needed for access
Rear yard setback	20
Maximum lot coverage	75%
Maximum height	4 stories / <u>55 feet</u> (see notes a and c below)
Usable open space – residential only	160 sq. ft. per lodging room or 1-bedroom unit, 320 sq. ft. for >1-bedroom units

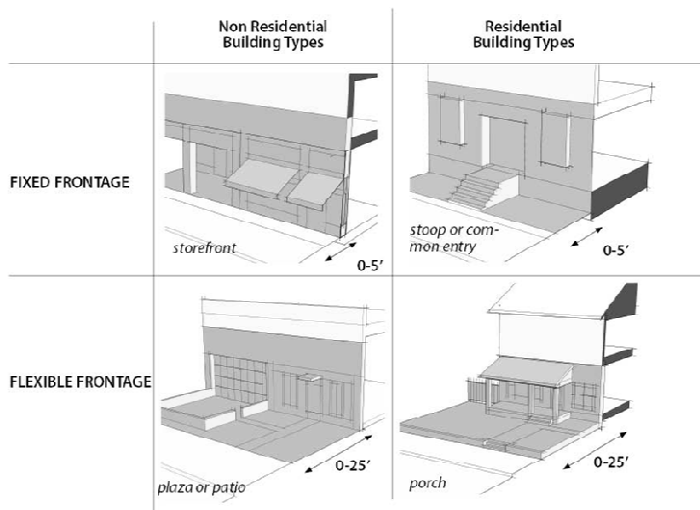
- (a) Rear yard height transition to residential districts.  
Where the NMX District abuts a residential district at the rear lot line, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. This standard may be waived or modified through a conditional use process.
- (b) Usable open space. Usable open space may be shared among units, and may take the form of balconies, roof decks, green roofs or other above-ground amenities.
- (c) Additional height. Building height exceeding the maximum may be allowed with conditional use approval.



Rear yard height transition



### Neighborhood Mixed-Use Frontage Example



(6) Frontage Requirements.

The following standards are applicable to new buildings and additions exceeding fifty percent (50%) of original building's floor area. Frontage requirements may be waived by the Plan Commission, following review by the Urban Design Commission, if the constraints of the existing sites and structure(s) make compliance infeasible.

Frontage requirements may be defined as part of a neighborhood or corridor plan and shown on the zoning map. For areas where frontage types have been defined, the following applies:

- (a) Fixed Frontage. Within the "fixed frontage" areas shown on the zoning map, buildings shall be placed within five (5) feet from the front lot line (see illustration).
- (b) Flexible Frontage. Within the "flexible frontage" areas shown on the zoning map, buildings shall be placed between zero (0) and twenty-five (25) feet from the front lot line. In general, nonresidential and mixed-use buildings will typically be placed close to the street, while residential buildings will be placed farther back (see illustration).

For areas where frontage types have not been defined, the following applies:

- (c) Frontage Not Defined. In locations where frontages have not been defined on the zoning map, buildings at corner locations shall be located within five (5) feet of the front lot line on either street for a distance of at least thirty (30) feet from the corner. Buildings in other locations on the block shall be placed between zero (0) and twenty-five (25) feet from the front lot line.

## **28.063 TRADITIONAL SHOPPING STREET (TSS) DISTRICT.**

(1) Statement of Purpose.

The TSS District is established to encourage and sustain the viability of Madison's mixed-use corridors, which sustain many of the City's traditional neighborhoods. The district is also intended to:

- (a) Encourage pedestrian, bicycle and transit use as a means of accessing and moving through these corridors.
- (b) Encourage diversification of uses, including residential and civic uses, in order to enhance the vitality and appeal of these areas.
- (c) Maintain the viability of existing residential buildings located within or adjacent to these corridors.
- (d) Encourage appropriate transitions between higher-intensity uses within TSS districts and adjacent lower-density residential districts.
- (e) Facilitate the development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

(2) Permitted and Conditional Uses.

See Table 28D-2 for a complete list of allowed uses within the mixed-use and commercial districts.

(3) Building Standards.

The following standards are applicable to new buildings and additions exceeding 50% of original building's floor area.

- (a) **Maximum size:** Buildings shall not exceed ten thousand (10,000) square feet gross floor area for an individual establishment or twenty-five thousand (25,000) square feet gross floor area for a mixed-use or multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards of Section 28.183.
  - (b) Parking shall not be placed between the front façade of a building and the abutting street. Parking shall be located to rear or side of principal building; parking abutting primary street frontage is limited to forty percent (40%) of lot frontage.
  - (c) No outdoor storage or display of goods shall be allowed except for the following:
    - 1. Outdoor dining accessory to restaurants, taverns and coffee shops.
    - 2. Incidental accessory structures at automotive service and repair establishments, such as donation drop-off boxes, ice machines and soda machines.
    - 3. Automatic teller machines accessory to banks.
    - 4. Supplies clearly incidental to the conduct of the business may be displayed outside during business hours.
    - 5. Periodic “sidewalk sales” may be allowed as a temporary use.
  - (d) No drive-in or drive-through uses are allowed.
  - (e) Parking buildings shall be designed with ground-floor retail or office uses fronting primary streets.
- (4) **Building Forms.**

The following building forms are permitted in the TSS District. See Subchapter 28L for design standards and guidelines for building forms.

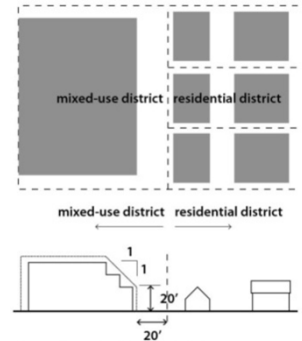
- (a) Storefront/Commercial Block Building
  - (b) Parking / Liner Buildings
  - (c) Residential – Commercial Conversion
  - (d) Live-Work Building
  - (e) Single-Family Detached Building
  - (f) Two-Family Building - Twin or Two-Flat
  - (g) Single-Family Attached Building
  - (h) Small Apartment Building
  - (i) Courtyard Apartment Building
  - (j) Large Apartment Building, Stacked Flats
  - (k) Civic or Institutional Building
- (5) **Dimensional Standards.**

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>Traditional Shopping Street District</b>	
Side yard setback: Where buildings abut residentially-zoned lots at side lot line.	Minimum side yard required in the adjacent residential district
Side yard setback:	One-story: 5

Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	Two-story or higher: 6 Lot width <40: 10% lot width
Side yard setback: other cases [ <i>i.e., infill between party wall storefront buildings</i> ]	none unless needed for access
Rear yard setback	20% of lot depth, but no less than 20 feet
Maximum lot coverage	85%
Maximum height	4 stories / <u>55 feet</u> (see note c below)
Usable open space	None required

- (a) Rear yard height transition to residential districts. Where the TSS District abuts a residential district at the rear lot line, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. This standard may be waived or modified through a conditional use process.
- (b) Additional height. Building height exceeding the maximum may be allowed with conditional use approval.

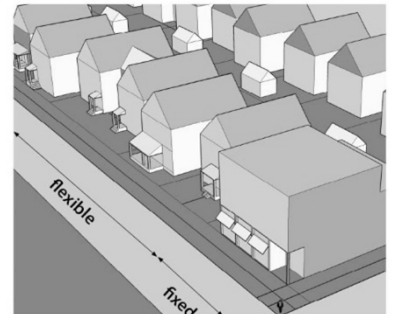


(6) Frontage Requirements.

The following standards are applicable to new buildings and additions exceeding fifty percent (50%) of original building's floor area. Frontage requirements may be waived by the Plan Commission, following review by the Urban Design Commission, if the constraints of the existing sites and structure(s) make compliance infeasible.

Frontage requirements may be defined as part of a neighborhood or corridor plan and shown on the zoning map. For areas where frontage types have been defined, the following applies:

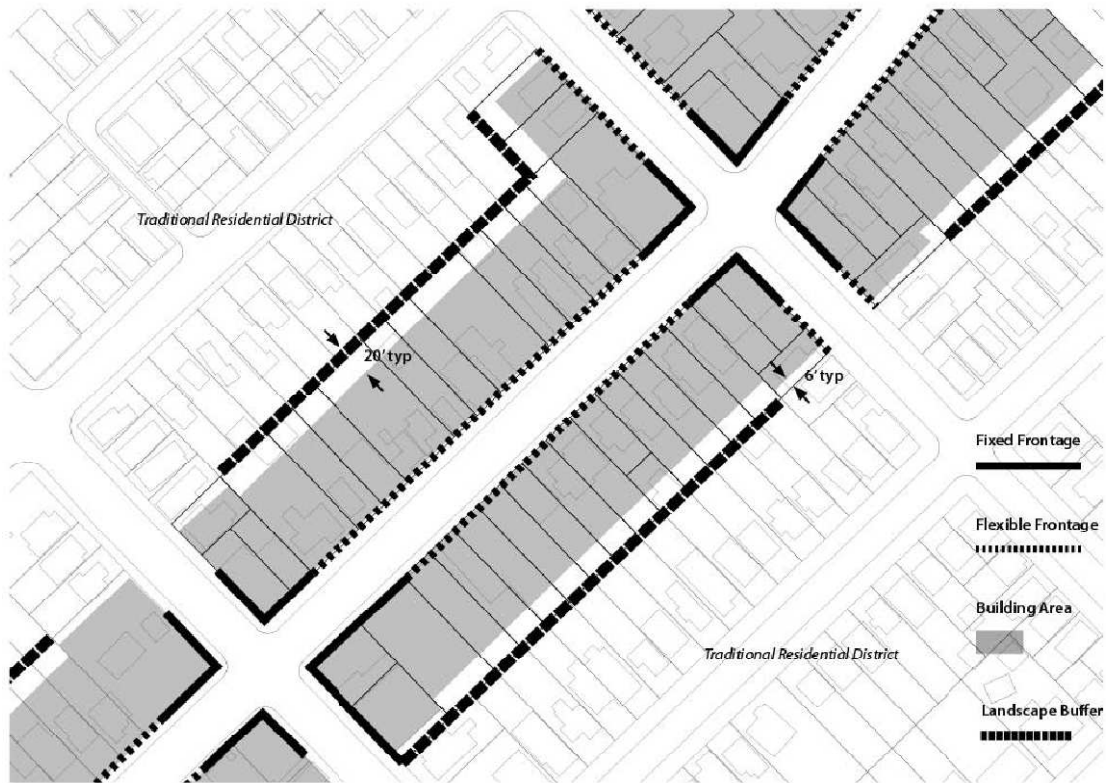
- (a) Fixed Frontage. Within the “fixed frontage” areas shown on the zoning map, buildings shall be placed within five (5) feet of the edge of sidewalk.
- (b) Flexible Frontage. Within the “flexible frontage” areas shown on the zoning map, buildings shall be placed between zero (0) and twenty-five (25) feet from the edge of sidewalk. In general, nonresidential and mixed use buildings will typically be placed close to the street, while residential buildings will be placed farther back.



For areas where frontage types have not been defined, the following applies:

- (c) Frontage Not Defined. In locations where frontages have not been defined on the zoning map, buildings at corner locations shall be located within five (5) feet of the edge of sidewalk along the primary abutting street for a distance of at least thirty (30) feet from the corner. Buildings in other locations on the block shall be

placed between zero (0) and twenty-five (25) feet from the edge of sidewalk.



**LANDSCAPE BUFFER:**  
Parking areas to the side and rear of buildings are buffered from abutting residential properties

	Non Residential Building Types	Residential Building Types
<b>FIXED FRONTAGE</b>	<p>storefront</p> <p>0-5'</p>	<p>stoop or common entry</p> <p>0-5'</p>
<b>FLEXIBLE FRONTAGE</b>	<p>plaza or patio</p> <p>0-25'</p>	<p>porch</p> <p>0-25'</p>

## **28.064 MIXED USE CENTER (MXC) DISTRICT.**

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

The MXC District is established to encourage the development or redevelopment of mixed-use centers that combine new or existing retail development with a variety of housing, offices, studios, live-work space, civic buildings, and other complementary uses which combine to create a lively pedestrian-oriented environment. Typically, the MXC District would be established through a zoning map amendment from an existing commercial or industrial area. The district is also intended to:

- (a) Encourage pedestrian, bicycle and transit use as a means of accessing and moving through mixed use centers.
- (b) Encourage appropriate transitions between higher-intensity uses within mixed use centers and adjacent lower-density residential districts.
- (c) Facilitate the development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

### **(2) Permitted and Conditional Uses.**

See Table 28D-2 for a complete list of allowed uses within the mixed-use and commercial districts.

### **(3) Master Plan Required.**

Establishment of an MXC District through a zoning map amendment shall require a master plan as part of the application process. The master plan shall demonstrate compliance with the requirements of this Section. A master plan may also be developed as part of a neighborhood or corridor plan. Master plan approval shall include the elements required for a General Development Plan in the Planned Development District.

### **(4) Required Mix of Uses.**

On any development site larger than one (1) acre, new development must include uses from at least two (2) of the following categories:

- (a) Commercial uses, including retail, service and office uses
- (b) Residential – family and group living categories
- (c) Civic and institutional uses

Any development site greater than five (5) acres in size must also include common open space designed and improved as a plaza, square or green, comprising a minimum of five percent (5%) of the development site.

### **(5) Building Standards.**

The following standards are applicable to new buildings and additions exceeding fifty percent (50%) of original building's floor area.

- (a) Maximum size: Buildings shall not exceed twenty-five thousand (25,000) square feet gross floor area for an individual establishment or forty thousand (40,000) square feet gross floor area for a mixed-use or multi-tenant building. Buildings exceeding this size may be allowed

as conditional uses, meeting the standards governing large retail developments in Section 33.24, Madison General Ordinances.

- (b) Buildings shall be oriented to the primary abutting street or to an internal street, court, walkway or plaza, where one is present.
- (c) All building facades visible from a public street or public walkway shall employ materials and design features similar to or complementary to those of the front facade.
- (d) At least twenty-five percent (25%) of the required parking shall be structured. Surface parking shall not be placed between the front or side façade of a building and the primary abutting street.
- (e) Surface parking shall be divided into separate modules no greater in size than one hundred (100) spaces; modules shall be separated by buildings, landscaped open space areas, internal streets or landscaped pedestrian pathways at least twenty (20) feet in width.
- (f) Parking abutting the primary street frontage shall be limited to forty percent (40%) of the total lot width.
- (g) Parking buildings abutting any public street shall be designed with ground-floor retail or office uses fronting the primary street. Upper floors devoted solely to parking shall be stepped back from the principal façade and designed with materials and proportions similar to new commercial or mixed-use buildings
- (h) No outdoor storage or display of goods shall be allowed except for the following:
  - 1. Outdoor dining accessory to restaurants and coffee shops.
  - 2. Incidental accessory structures at automotive service and repair establishments, such as donation drop-off boxes, ice machines and soda machines.
  - 3. Automatic teller machines accessory to banks.
  - 4. Periodic “sidewalk sales” may be allowed as a temporary use.
- (i) Drive-through uses may be allowed as conditional uses meeting the standards in Section 28.183.

(6) Internal Streets and Blocks.

An internal system of streets, walkways, lanes and blocks is strongly encouraged on sites of five (5) acres or more, and may be required as a condition of approval for a master plan or for conditional uses.

(7) Building Forms.

The following building forms are permitted in the MXC District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Storefront/Commercial Block Building
- (b) Parking / Liner Buildings
- (c) Residential – Commercial Conversion
- (d) Live-Work Building
- (e) Single-Family Attached Building
- (f) Small Apartment Building
- (g) Courtyard Apartment Building

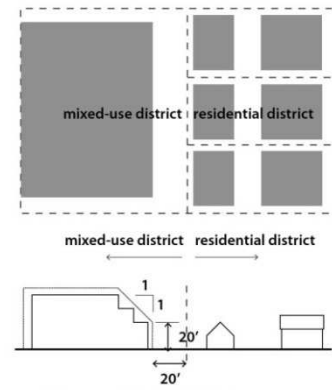


- (h) Large Apartment Building, Stacked Flats
- (i) Podium Building
- (j) Flex Building
- (k) Civic or Institutional Building
- (8) Dimensional Standards.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>Mixed-Use Center District</b>	
Front yard setback	See frontage requirements
Side yard setback: Where buildings abut residentially-zoned lots at side lot line.	Minimum side yard required in the adjacent residential district
Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	One-story: 5 Two-story or higher: 6
Side yard setback: other cases [ <i>i.e., infill between party wall storefront buildings</i> ]	none unless needed for access
Rear yard setback	20% of lot depth, but no less than 20 feet
Maximum lot coverage	85%
Maximum height	5 stories / 68 feet (see note b below)
Usable open space – residential only	160 sq. ft./unit

- (a) Rear yard height transitions to residential districts. Where the MXC District abuts a residential district at the rear lot line, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. This standard may be waived or modified through a conditional use process.
- (b) Additional height. Heights exceeding the maximum may be allowed as a conditional use.



(9) Frontage Requirements.

Frontage areas shall include both existing perimeter streets and new or existing internal streets. Frontage requirements may be waived by the Plan Commission, following review by the Urban Design Commission, if the constraints of the existing sites and structure(s) make compliance infeasible.

- (a) Perimeter streets. A minimum of fifty percent (50%) of the lot frontage on the primary abutting street shall be occupied by buildings placed within forty (40) feet of the street right-of-way and with front or side facades oriented to the street.
- (b) Internal streets. A minimum of fifty percent (50%) of the

lot frontage on internal streets shall be occupied by buildings placed within twenty-five (25) feet of the street right-of-way or sidewalk edge, and with front or side facades oriented to the street.

## **28.065 COMMERCIAL CORRIDOR - TRANSITIONAL DISTRICT.**

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

The CC-T District is established to recognize the many commercial corridors within the City that remain largely auto-oriented, and to encourage their transformation into mixed use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. The district is also intended to:

- (a) Improve the quality of landscaping, site design and urban design along these corridors.
- (b) Maintain the viability of existing residential uses located along predominantly commercial corridors.
- (c) Encourage appropriate transitions between higher-intensity uses along commercial corridors and adjacent lower-density residential districts.
- (d) Facilitate the development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

### **(2) Permitted and Conditional Uses.**

See Table 28D-2 for a complete list of allowed uses within the mixed-use and commercial districts.

### **(3) Building Standards.**

The following standards are applicable to new buildings and additions exceeding fifty percent (50%) of original building's floor area.

- (a) Maximum size. Buildings shall not exceed twenty-five thousand (25,000) square feet gross floor area for an individual establishment or forty thousand (40,000) square feet gross floor area for a multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards governing large retail developments in 33.24, MGO.
- (b) Buildings shall be oriented to the primary abutting street or to an internal street, court, walkway or plaza.
- (c) All building facades visible from a public street or public walkway shall employ materials and design features similar to or complementary to those of the front facade.
- (d) Structured parking is encouraged. Surface parking shall not be placed between the front or side façade of a building and the primary abutting street.
- (e) Surface parking shall be divided into separate modules no greater in size than one hundred (100) spaces; modules shall be separated by buildings, landscaped open space areas, internal streets or landscaped pedestrian pathways at least twenty (20) feet in width.
- (f) Parking abutting the primary street frontage shall be limited to fifty percent (50%) of the total lot frontage.

### **(4) Building Forms.**

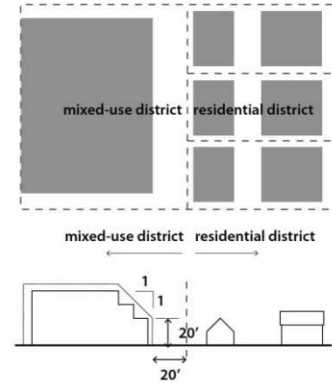
The following building forms are permitted in the CC-T District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Storefront/Commercial Block Building
  - (b) Parking / Liner Buildings
  - (c) Residential – Commercial Conversion
  - (d) Live-Work Building
  - (e) Podium Building
  - (f) Flex Building
  - (g) Single-Family Detached Building
  - (h) Two-Family Building - Twin or Two-Flat
  - (i) Single-Family Attached Building
  - (j) Small Apartment Building
  - (k) Courtyard Apartment Building
  - (l) Large Apartment Building, Stacked Flats
  - (m) Civic or Institutional Building
- (5) Dimensional Standards.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

<b>Commercial Corridor - Transitional District</b>	
Front yard setback	See frontage requirements
Side yard setback: Where buildings abut residentially-zoned lots at side lot line.	Minimum side yard required in the adjacent residential district
Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	One-story: 5 Two-story or higher: 6 Lot width < 40: 10% lot width
Side yard setback: other cases [ <i>i.e., infill between party wall storefront buildings</i> ]	none unless needed for access
Rear yard setback	20% of lot depth, but no less than 20 feet
Maximum lot coverage	85%
Maximum height	5 stories / <u>68 feet</u> (see note b below)
Usable open space – residential only	160 sq. ft. per lodging room or 1-bedroom unit; 320 sq. ft. for >1-bedroom units

- (a) Rear yard height transitions to residential districts. Where the MXC District abuts a residential district at the rear lot line, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. This standard may be waived or modified through a conditional use process.
- (b) Additional height. Heights exceeding the maximum may be allowed as a conditional use.



(6) Frontage Requirements.

The following standards are applicable to new buildings and additions exceeding fifty percent (50%) of original building's floor area. Frontage requirements may be waived by the Plan Commission, following review by the Urban Design Commission, if the constraints of the existing sites and structure(s) make compliance infeasible.

- (a) Fixed Frontage. Within the "fixed frontage" areas shown on the zoning map, buildings shall be placed within ten (10) feet of the edge of sidewalk.
- (b) Flexible Frontage. Within the "flexible frontage" areas shown on the zoning map, a minimum of fifty percent (50%) of the lot frontage on the primary abutting street shall be occupied by buildings placed within thirty (30) feet of the street right-of-way and with front or side facades oriented to the street. In general, nonresidential and mixed use buildings will typically be placed close to the street, while residential buildings will be placed farther back.
- (c) Frontage Not Defined. In locations where frontages have not been defined on the zoning map, buildings at corner locations shall be located within ten (10) feet of the edge of sidewalk for a distance of at least thirty (30) feet from the corner. Buildings in other locations on the block shall meet the "Flexible Frontage" standard of item (b) above.

## 28.066 COMMERCIAL CENTER DISTRICT

(1) Statement of Purpose.

The CC District is established to recognize the existing large-format retail and office sites within the City that remain largely auto-oriented, and to encourage their transformation into mixed use centers that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. The district is also intended to:

- (a) Improve the quality of landscaping, site design and urban design within commercial centers.
- (b) Encourage diversification of land use in commercial centers.
- (c) Encourage appropriate transitions between higher-intensity uses and adjacent lower-density residential districts.
- (d) Facilitate the development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

(2) Permitted and Conditional Uses.

See Table 28D-2 for a complete list of allowed uses within the mixed-use and commercial districts.

(3) Building Standards.

The following standards are applicable to new buildings and additions exceeding 50% of original building's floor area.

- (a) Maximum size. Buildings shall not exceed twenty-five thousand (25,000) square feet gross floor area for an individual establishment or forty thousand (40,000) square feet gross floor area for a multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards governing large retail developments in Section 33.24, Madison General Ordinances.
- (b) Buildings shall be oriented to the primary abutting street or to an internal street, court, walkway or plaza.
- (c) All building facades visible from a public street or walkway shall employ materials and design features similar to or complementary to those of the front facade.
- (d) Surface parking shall be divided into separate modules no greater in size than one hundred (100) spaces; modules shall be separated by buildings, landscaped open space areas, internal streets or landscaped pedestrian pathways at least twenty (20) feet in width.

(4) Building Forms.

The following building forms are permitted in the CC-T District. See Subchapter 28L for design standards and guidelines for building forms.

- (a) Storefront/Commercial Block Building
- (b) Parking / Liner Buildings
- (c) Live-Work Building
- (d) Podium Building
- (e) Flex Building
- (f) Single-family Attached Building
- (g) Small Apartment Building
- (h) Courtyard Apartment Building
- (i) Large Apartment Building, Stacked Flats
- (j) Civic or Institutional Building

(5) Frontage Requirements.

Buildings are encouraged to be located with a direct relationship to primary abutting streets or to new internal streets. New buildings shall be placed with at least sixty percent (60%) of their front or side facades oriented to and within thirty (30) feet of an external or internal street. Frontage requirements may be waived by the Plan Commission, following review by the Urban Design Commission, if the constraints of the existing sites and structure(s) make compliance infeasible.

Commercial Center District	
Front yard setback	See frontage requirements
Side yard setback: Where buildings abut residentially-zoned lots at side lot line.	Minimum side yard required in the adjacent residential district

Side yard setback: other cases	One-story: 5 Two-story or higher: 6
Rear yard setback	20% of lot depth, but no less than 20 feet
Maximum lot coverage	85%
Maximum height	5 stories / <u>68 feet</u> (see note b below)
Usable open space – residential only	160 sq. ft. per lodging room or 1-bedroom unit; 320 sq. ft. for >1-bedroom units

- (a) **Rear yard height transitions to residential districts.** Where the MXC District abuts a residential district at the rear lot line, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. This standard may be waived or modified through a conditional use process.
- (b) **Additional height.** Heights exceeding the maximum may be allowed as a conditional use.

