

NOTICE OF PUBLIC HEARING

The Common Council of the City of Madison having before it for consideration a proposed ordinance relating to zoning and city planning.

NOTICE IS HEREBY GIVEN, that a public hearing will be held in the Council Chambers, Room 201, in the City-County Building on March 19, 2007 at 6:00 p.m. before the Plan Commission, where opportunity will be afforded to all interested in being heard; and on March 27, 2007 at 6:45 p.m. before the regular meeting of the Common Council, at which time action on the ordinance will be considered

Public Hearing items may be called at any time after the beginning of the Plan Commission public hearings – 6:00 pm. Anyone wishing to speak on an item must fill out a registration slip and give it to the person running the meeting. The registration slips are on a table near the front of the meeting room, just inside the doors to the room.

The Plan Commission uses a "consent agenda", which means that the Commission can consider any item at 6:00 pm, if there are no registrants wishing to speak in opposition regardless of where the item is listed on the agenda".

ORDINANCE FILE # 05736

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 28.108 entitled "Neighborhood Conservation Districts" of the Madison General Ordinances is created to read as follows:

"28.108 NEIGHBORHOOD CONSERVATION DISTRICTS.

- (1) Statement of Purpose. Madison is endowed with many distinctive neighborhoods. Recognizing that these neighborhoods contribute significantly to the character and identity of Madison, the City seeks to conserve these areas as a matter of policy. The City's Neighborhood Conservation District Ordinance is a means to conserve the essential physical character of these neighborhoods. By establishing a Neighborhood Conservation District, and tailoring the regulations to the attributes of the built environment that make the place unique, neighborhoods can prevent insensitive development, and promote better harmony between new and existing structures. This ordinance enables neighborhoods to conserve and enhance the physical characteristics that come together to produce a unique environment.
- (2) Applicability.
 - (a) The requirements of the Neighborhood Conservation Districts shall apply to all development, exterior alterations, additions and demolitions of structures on all zoning lots located in such districts, in addition to all requirements in the Madison General Ordinances that apply to the standard zoning district classification of said zoning lots.
 - (b) In the event of a conflict between the provisions of the Neighborhood Conservation Districts and the underlying standard zoning district, the provisions of the Neighborhood Conservation District shall apply.
- (3) Eligibility Criteria. To be considered for designation as a Neighborhood Conservation District, an area must meet the following minimum criteria:
 - (a) The proposed area shall be at least eight (8) contiguous blockfaces or 2,640 lineal feet of contiguous street frontage.
 - (b) The proposed area shall possess consistent, identifiable built or natural environment characteristics to be conserved.
 - (c) The proposed area must contain at least one of the following features:
 1. Distinctive building attributes: scale, mass, distinctive architectural characteristics, e.g., front porches, height, roof styles
 2. Distinctive land use patterns: mixed uses, parks/open spaces, or unique uses or activities
 3. Distinctive streetscape characteristics: lighting, street layout, materials, and landscaping
 4. Distinctive lot features: lot layouts, setbacks, alleys
 5. Location near designated historic landmarks and/or districts
 Neighborhood Conservation Districts may not be placed in an existing local historic district or Urban Design District.

- (d) The proposed requirements for a Neighborhood Conservation District shall be consistent with the Comprehensive Plan and existing neighborhood plans.

(4) Designation Process.

- (a) A Neighborhood Conservation Study shall be undertaken only after authorization by resolution of the Common Council.

- (b) Neighborhood Conservation Study.

A Neighborhood Conservation Study shall explore the feasibility and potential benefits of establishing a Neighborhood Conservation District for an area. The study shall be prepared by the Department of Planning and Community and Economic Development, working with the residents, property owners and business representatives of the proposed district. At the time the Neighborhood Conservation Study is initiated, written notice shall be given to all owners and occupants in the area proposed for study. Because the exact geographic limits of a Neighborhood Conservation District may include properties that were not anticipated to be in the district at the initiation of the study, failure to provide the above notice shall not affect the validity of a Neighborhood Conservation District that is created. The Department of Planning and Development shall maintain a registry of persons interested in future notification regarding a particular Neighborhood Conservation District. A Neighborhood Conservation Study shall include:

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

- (c) Within ten (10) days following the introduction of a Neighborhood Conservation District ordinance at the Common Council, any property owner within the proposed District may request, in writing, that a survey be sent to all property owners in the proposed District regarding the desirability of the proposed District. The request shall be submitted to the Director of the Department of Planning and Community and Economic Development, who shall prepare the survey. The survey shall be mailed within twenty-one (21) days of the submission of the written request. The Director of the Department of Planning and Community and Economic Development shall report the survey results to the Plan Commission and Common Council. No survey response received more than twenty-eight (28) days after the date the survey is mailed shall be included in the above report.

- (d) Creation of a Neighborhood Conservation District.

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

2. Paragraph 21. of Subdivision (d) entitled "Authorized Variances" of Subsection (9) entitled "Variances" of Section 28.12 entitled "Administration And Enforcement" of the Madison General Ordinances is created to read as follows:

"21. To vary a requirement in a Neighborhood Conservation District."

COMMON COUNCIL OFFICE (21)
LISA VELDRAN
417 CCB

CITY TRAFFIC ENGINEER
DAN MCCORMICK
MMB

DANE COUNTY ZONING ADMIN
116 CCB

CITY PLANNING & DEVELOPMENT
MARK OLINGER
MMB

CITY ENGINEER
JANET DAILEY
115 CCB

WATER UTILITY
AL LARSON
119 E OLIN AVENUE

BOARD OF EDUCATION
545 W DAYTON ST
MADISON WI 53703

AIRPORT DIRECTOR
DANE COUNTY REGIONAL AIRPORT
4000 INTERNATIONAL LN
MADISON WI 53704