

City of Madison - Zoning Code Rewrite

Meeting Summary
Zoning Code Rewrite Advisory Committee
Meeting #1
April 14, 2008
6:00 PM

Committee Members Present: Michael Basford, Gary Brown, Sheri Carter, Lauren Cnare, Nan Fey, Randall Glysch, Tim Gruber, Lou Host-Jablonski, Julia Kerr, Janet Loewi, Lance McGrath, Diane Milligan, Kevin Pomeroy, David Porterfield, Gary Poulson, Janis Reek, Satya Rhodes Conway, Ken Saiki, Carole Schaeffer, Susan Schmitz, Michael Slavney, Steve Steinhoff, Daniel Stephans, Scott Vaughn, Ledell Zellers

Consultants Present: Suzanne Rhees and Michael Lamb, Cuningham Group Architecture, P.A.

Staff Present: Brad Murphy and Michael Waidelich, City of Madison Planning Division

1. Call to Order / Welcome and Introductions

The meeting was called to order at 6:05 p.m. Brad Murphy introduced the consultants and asked each member of the Committee to introduce themselves and to identify one goal that they have for the project. Goals included:

- encourage mixed use development
- promote mixed use along transit corridors
- less reliance on Planned Unit Developments (PUDs)
- preserve agricultural land
- foster sustainable development
- create a “thinner” code document
- foster a beautiful, vital central city
- maintain historic structures and districts
- balance new development with existing cultural resources
- create a better “operating system”
- make the Code more user-friendly; illustrate it

2. **Election of Committee Chair and Vice-Chair** – Committee members recommended postponing this task until they become more familiar with one another and the project. There was a motion, second and unanimous approval to table this task.

3. **Roles and Responsibilities of the Advisory Committee** – Suzanne Rhees presented a “Job Description” for Committee members (see attachment). Comments:

- The Committee should not simply be “reviewing” and “commenting,” but should be offering improvements, changes and revisions to the Zoning Code.
- Why are other ordinances, such as the Subdivision Ordinance, not being concurrently revised? Staff response is that these ordinances will be looked at in conjunction with Zoning, and revisions can be recommended. However, given the limited time frame and budget, this project needs to concentrate on zoning.

4. **Project Background** – Consultants gave a presentation on the project background, the need for the project, and the project schedule. Comments:

- Use of 3-D modeling software would be helpful for the project. (Consultants already have base data in this format and will be using it.)

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- Look at the work of the R2 Review Committee (1998) for a good example of process. They held a bus tour of R2 district, which was wildly variable. Sanborn (historic insurance) maps were also helpful in showing exact footprint of structures.
 - See the Planning Division's "placards" providing examples of what various densities look like.
 - Will the revised code accommodate accessibility and foster "aging in place"?
 - Will the revised code allow for changes in use over time, without creating many nonconformities?
 - The process outline should recognize and integrate the Neighborhood Conservation District – recently created but not yet applied anywhere.
 - Recommendations on street standards should be part of the process.
5. **Participation and Communication Plan** – Committee members had received this document in advance. Questions were focused on the timing of meetings, particularly the public meetings scheduled for May 19 and 21. A schedule of Committee and other meetings through year-end will be provided.
6. **Issue Identification Exercise** – The Committee individually identified issues associated with the current Zoning Code and related City regulations. The remainder of the meeting was devoted to presenting these issues and trying to identify broad themes under which individual issues can be grouped. A listing of the issues, tentatively grouped by theme, is as follows:

General Issues, Goals for Process, Participation

- How do we incorporate opportunities for input from stakeholders/neighborhoods into the zoning code?
- Code currently is a patchwork – needs to be simplified and consistent and more user-friendly.
- How will the new code address existing and newly-created non-conforming – uses, structures, developments and parcels? (Created by new rules and maps.)
- New zoning code should encourage "orderly development" without being a hammer to force development to happen in a specific way. Carrot vs. Stick.
- Ease of use (of code) by neighborhoods (when development is proposed). Both remodeling (like rehab codes) and larger development (infill).
- Balance need for good public input and predictability.
- Besides supporting the comprehensive plan, what are the goals and objectives for the zoning code?
- Do not ignore the suburban periphery – we need place making in the cornfields – create neighborhoods centers, districts that are similar to isthmus neighborhoods.
- Incorporate street standards into zoning code.
- The process of public education needs to address the commonly held suspicion of zoning as taking away developer's freedom to build what they want, where they want.

Planning and Zoning

- Upcoming "consistency req." and the relationship between the future land use map and zoning map amendments.
- What is the expected useful life of the comprehensive plan? (When will it be updated/redone?) Will the zoning code outlive the comprehensive plan? What future flexibility should the zoning code contain?
- Some adopted neighborhood plans give little or no guidance to PC decisions, plans are rarely emphasized in development/PUD decisions.

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Planned Unit Developments (PUDs)

- PUD's are being used for development.
- PUD overuse can be used both to circumvent zoning and as an obstructionist tool – Need City vision to be reflected in the actual zoning code.
- Dependency on PUD's complicates and slows down the process.
- Will the new zoning code simplify the future administration of existing PUD areas?
- How can a future zoning code provide the flexibility of the PUD without the complexity, cost and time?
- PUD's are process and documentation intensive, but can you replace the place-specific response (physical and social/political) with something simple?

Preservation, Resource Protection

- How do we assure maintenance of Capitol views?
- How do we encourage maintaining/ keeping historic structures and the embodied energy they represent given the pressure for redevelopment?
- Downtown residential greenspace patterns should be maintained (rear yards, parking standards).
- Maintenance of significant cultural resources including open space, landscapes (both natural & developed), buildings.
- Open space requirements including development and maintenance.
- Access to sun
- Maintenance of quality air
- How do we maintain green space in the Central Isthmus with the strong infill pressures?
- How can we preserve older traditional neighborhoods given their desirability?
- How will this process and new code help protect places that are targeted for new development? How do we do infill?

Land Uses, Redevelopment and Use Patterns

- Allow mixed-use to avoid traffic.
- Promote mixed-use development.
- Encourage infill redevelopment.
- Encourage live-work residential.
- Encourage higher density in downtown core.
- Many people are enamored with mixed-use zoning, but it is often hard to balance between uses, particularly commercial areas and residential areas in close proximity. This results in many of our most epic zoning battles or conditional use and PUDs.
- Smaller scale redevelopment projects (small lot, 2 – 4 stories, limited parking).
- Creating walkable neighborhoods – not just safe to walk, but also that what you need is within walking distance. (Incorporate TOD) (Impact on schools)
- How can Madison accommodate the growth of its population without creating low density automobile-oriented residential development on the fringes? Can the code promote more dense development at an appropriate scale in previously developed areas? How could this be done in an orderly manner? What financial incentives might there be for this?
- How can we make it less difficult to remodel a home in traditional older neighborhoods - often needing a variance and area exception?
- Unpleasant juxtapositions between uses, e.g. used car lots next to homes.

Transportation, Transit and Parking

- How do we make sure transit follows land use goals (rather than the other way around)?

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- Integrate transit into the zoning code to identify TOD opportunities and guidelines; involve Madison Metro and MPO.
- Parking requirements should be more flexible allowing for less parking, depending on intended use rather than arbitrary number.
- New ways of thinking about parking (shared parking, reduced minimum, design and location of parking).
- Certain “requirements” pertaining to cars (parking, pavement widths, etc.) seem to drive the design of buildings – can the zoning code help us with this?
- Incorporate walkability into zoning code, looking at concepts such as “pedestrian sheds” to govern districts.
- Incorporate parking regulations that encourage shared parking, structured parking, transit other ways to reduce parking requirements so parking isn’t such a major driver of urban design.

Housing / Family Housing

- Look at ways to integrate affordable housing so it is dispensed throughout the city – such as allowing accessory dwelling units as a right for rentals.
- Encourage more family friendly housing in the central city. Multi-family can be designed to be family friendly also – link to/involve school district.
- Future zoning codes remove the description of duplexes as single family housing.
- Definition of family; redefining it.

Sustainability

- The Natural Step process that Madison has committed to is based on a comprehensive, consensus vision of a future Madison. Obviously, a zoning code rewrite needs to support and bring to fruition that vision. Yet, Madison has yet to create that vision. These two major efforts need to be coordinated!
- How will sustainability be incorporated into the new code?
- There is no element that addresses sustainability.
- To what extent can we encourage “green building practices” through the zoning code itself? (What other things should also be utilized to accomplish this?)
- Look at LEED-ND as a potential guide or to be incorporated into the zoning code.
- Storm water control; aquifer replenishment; permeability vs. run-off
- Maintenance of water quality.

Urban Design

- How do we assure that we have great new design in light of pressures to minimize costs?
- Not good attention to streetscape issues.
- Pedestrian oriented, people scaled development (bottom 10 ft of a building).
- Use form-based approach to govern mixed use redevelopment along major corridors and redevelopment sites.

Specific Code Provisions and Review Processes

- Current code has too many non-conformities – new code should reduce number of nonconforming uses/structures/lots.
- How will the new code address existing and newly-created non-conforming uses, structures, developments and parcels that are created by new rules and maps.

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- Current code contains loads of stuff (often in the definitions) that is odd, specific – situation, and usually a response/workaround response to a “story” or political event. Often, these are untested and counterproductive.
- Will there be or is there presently an appeals procedure in the new code?
- Rhyme and reason for conditional uses – seems like anything goes.
- It’s unclear what effect the conditional use permit process has on Shoreland (re)construction. While most feel this is an opportunity for additional oversight by interested parties, this is unclear.
- Zoning change notification should be expanded beyond current distance requirements. Impacts go beyond limited area.
- Variance process should be easier for residential zoning areas.
- There is no limit to the number of structures on a residential lot in current zoning code.
- Neighborhood associations & alders are to be notified 30 days prior to a conditional use permit application, but not a zoning variance application. However, the zoning meeting usually (always?) comes first.

Zoning Districts

- Existing zoning code is too detailed with too many circular references.
- No “university” or “campus” zoning district.
- Minimum lot requirements are too large.
- How can we better standardize permitted and conditional uses between differently zoned area types (residential, commercial, mixed, etc.)?
- M1 has become a dumping ground.
- R4A zoning designation very difficult to track and enforce.
- Building accessory buildings with shoreland overlay.
- Neighborhood Conservation Districts very important to maintaining neighborhood character.
- Existing residential neighborhoods zoned for a different density. Ex – The majority of the Tenney-Lapham neighborhood is zoned multi-family but built as single family. Appears the old code targeted it for redevelopment, and neighborhood quite concerned.

Specific Sites

- Why is it so difficult to develop a park & ride on S. Park St. (currently a large lawn) for people working in the isthmus?

7. Next Steps

- Committee members are urged to participate in the upcoming Community Meetings, May 19 and 21. Details on time and locations will be provided by staff.
- Homework – Brad Murphy emphasized that the task of reviewing the Zoning Code is more of a “skimming” than a detailed read-through. It’s intended to give members a sense of the Code’s structure.
- A schedule for meetings through the rest of the year will be provided.

Meeting adjourned 8:05