

**CITY OF MADISON, WISCONSIN**

AN ORDINANCE \_\_\_\_\_

**creating new Section 33.02(4)(f),  
renumbering current Sections 33.02(4)(f) - (h)  
to Sections 33.02(4)(g) through (i),  
respectively, and amending Sections  
33.02(4)(b), 28.04(24)(b) and 28.09(3)(d)24.** of  
the Madison General Ordinances to create  
design requirements for large retail  
establishments.

Drafted by: Katherine C. Noonan  
Assistant City Attorney

Date: February 25, 2003

Fiscal Note: No significant fiscal impact is  
anticipated. Staff currently reviews  
such developments under current  
processes.

SPONSORS: Aids. Powell and Golden

PRESENTED \_\_\_\_\_ March 4, 2003  
REFERRED \_\_\_\_\_ Plan Commission, UDC

REREFERRED \_\_\_\_\_

REPORTED BACK \_\_\_\_\_

ADOPTED \_\_\_\_\_ POF \_\_\_\_\_  
RULES SUSP. \_\_\_\_\_ TABLED \_\_\_\_\_  
PUBLIC HEARING \_\_\_\_\_

\*\*\*\*

MAYOR SIGNED \_\_\_\_\_  
PUBLISHED \_\_\_\_\_

\*\*\*\*

APPROVAL OF FISCAL NOTE IS NEEDED  
BY THE COMPTROLLER'S OFFICE  
Approved By  
\_\_\_\_\_  
Comptroller's Office

\*\*\*\*

ORDINANCE NUMBER \_\_\_\_\_  
ID NUMBER \_\_\_\_\_ 33543

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

1. New Subdivision (f) entitled "Large Retail Developments" of Subsection (4) entitled "Powers and Duties" of Section 33.02 entitled "Urban Design Commission" of the Madison General Ordinances is created to read as follows:

"(f) Large Retail Developments.

1. All new retail development with a total gross floor area (GFA) of fifty thousand (50,000) square feet or more shall be subject to the requirements below. Total GFA shall be calculated by adding the GFA of all buildings on a zoning lot that are part of a single establishment. When applying the requirements below, the Urban Design Commission and staff shall consider relevant design recommendations in any element of the City's Master Plan or other adopted City plans.
2. Facades and exterior walls. The following requirements apply to facades that are visible from a public street or adjacent properties:
  - a. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent 3% of the length of the façade and extending at least 20 percent (20%) of the length of the façade. No uninterrupted length of any façade shall exceed one hundred (100) horizontal feet.

**Approved as to form:**

\_\_\_\_\_  
**James L. Martin, City Attorney**

- b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, arcades, or other such features along no less than 60 percent of their horizontal length.
  - c. Building facades shall include a repeating pattern that includes no less than three (3) of the following elements:
    - i. Color change
    - ii. Texture change
    - iii. Material module change
    - iv. Expression of architectural or structural bay through a change in plane no less than 24 inches in width, such as an offset, reveal or projecting rib.
  - d. At least one (1) of the above elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.
3. Roofs.
- a. Rooflines shall be varied with a change in height every one hundred (100) linear feet in the building length.
  - b. Roofs shall have no less than two (2) of the following features:
    - i. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view. The average height of parapets shall not exceed fifteen percent (15%) of the height of the supporting wall, and parapets shall not at any point exceed one third (1/3) of the supporting wall. Parapets shall feature three dimensional cornice treatment.
    - ii. Overhanging eaves, extending no less than three (3) feet past the supporting walls. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run, and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run.
    - iii. Three (3) or more roof slope planes, with varying lengths and designs.
4. Material and Colors. The following requirements apply to facades that are visible from a public street or adjacent properties:
- a. Predominant exterior building materials shall be high quality materials, including, but not limited to brick; wood; stone; tinted and textured concrete masonry units; and exterior insulation and finish systems (EIFS), but only on the lower three (3) feet of any facade
  - b. Façade colors shall be low-reflectance subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited.
  - c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
  - d. Predominant exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels, or pre-fabricated steel panels.
5. Customer Entrances.
- a. Each principal building on a site shall have a clearly defined, highly visible customer entrance featuring no fewer than three (3) of the following:
    - i. Canopies or porticos
    - ii. Overhangs
    - iii. Recesses / Projections
    - iv. Arcades
    - v. Raised corniced parapets over the door
    - vi. Display windows
    - vii. Peaked roof forms
    - viii. Arches
    - ix. Outdoor patios
    - x. Architectural details, such as tile work and moldings that are integrated into the building
    - xi. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting
  - b. Where additional stores will be located in the principal building, each such store shall have at least one exterior customer entrance that shall conform to the above requirements.
  - c. All sides of a principal building that abut a public or private right-of-way shall feature at least one (1) customer entrance. Where a principal building directly abuts more than two

(2) public or private rights-of-way, this requirement shall apply to the two (2) sides of the building that abut the most traveled rights of way providing vehicular access to the site.

6. Site Design.

- a. The minimum setback for any building façade shall be thirty-five (35) feet from the property line. Where a façade abuts property used for residential purposes, an earthen berm no less than six (6) feet in height shall be provided. The berm shall be planted, at a minimum, with a double row of evergreen (or a combination of evergreen and deciduous) trees at intervals of fifteen (15) feet on center, or in clusters or clumps.
- b. One (1) street tree shall be planted every thirty (30) feet along that part of the perimeter of the parcel that abuts a public right of way.

7. Parking Lots.

- a. No more than 50 percent (50%) of the off-street parking area for the entire property shall be located between the front façade of the principal building(s) and the primary abutting street.
- b. The design and appearance of parking structures must complement the structures they serve and minimize their utilitarian appearance by using design treatments such as colonnades, arcades, awnings, and street furniture or other public amenities. Compatible materials, coordinated landscaping and screening, appropriate building color, lighting, and signage shall be part of all garage facades.

8. Outdoor Storage, Trash Collection, Loading Areas and Mechanical Equipment.

- a. Areas for outdoor storage, truck parking, trash collection or compaction loading, or other such uses shall not be visible from public or private abutting rights-of-way.
- b. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within twenty (20) feet of any public or private street, public sidewalk, or internal pedestrian way.
- c. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection (i.e. dumpsters), trash compaction, and other service functions shall be incorporated into the overall design of the building and the use of screening landscaping so that the visual and acoustic impact of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials shall not be different from or inferior to the principal materials of the building and landscape.
- d. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the colors and materials of the covering shall conform to those used as predominant materials and colors on the building(s).

9. Pedestrian Circulation.

- a. Sidewalks at least eight (8) feet in width shall be provided along all sides of the site abutting a public or private right-of-way.
- b. Continuous internal pedestrian walkways at least eight (8) feet in width shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points. Walkways shall have adjoining landscaped areas along at least fifty percent (50%) of their length. These areas shall include trees, shrubs, benches, flower beds, ground covers, or other such materials.
- c. Sidewalks at least eight (8) feet in width shall be provided along the full length of the building facade featuring a customer entrance, and along any façade abutting public parking areas. These sidewalks shall be located at least six (6) feet from the facade to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
- d. Internal pedestrian walkways provided in conformance with 2. above shall have weather protection features, such as awnings or arcades within thirty (30) feet of all customer entrances and shall be constructed parallel to the façade of the building but need not extend into driving aisles or parking areas.
- e. All internal pedestrian walkways shall be distinguished from driving surfaces to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Walkway materials shall be of durable, low-maintenance surface materials, such as pavers, bricks, or scored concrete. Signs shall be installed to designate pedestrian walkways.

- f. Sidewalks shall connect transit stops on or off-site as well as to nearby residential neighborhoods.
  - g. Sidewalks shall be provided along the full length of any side of a building adjoining a parking lot.
10. Central Features and Community Spaces.
- a. At least two (2) of the following community and public spaces shall be provided:
    - i. Patio / seating area
    - ii. Pedestrian plaza with benches
    - iii. Transportation center
    - iv. Window shopping walkway
    - v. Outdoor playground area
    - vi. Kiosk area
    - vii. Water feature
    - viii. Planter walls
    - ix. Other deliberately shaped area and/or focal feature or amenity that adequately enhances the community and public spaces.
  - b. All of the above shall have direct access to the public sidewalk network and shall not be constructed of materials that are inferior to the principal materials of the building and landscape.
11. Delivery/Loading Options. No delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 PM and 7:00 AM unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of 45 dB or less, as measured at the lot line of any adjoining property.
12. Smaller Retail Establishments. Where principal buildings contain additional separately-owned establishments that occupy less than twenty-five thousand (25,000) square feet of GFA and have separate exterior customer entrances the following shall apply:
- a. The street-level façade of such establishments shall be transparent between three (3) feet and eight (8) feet above the walkway grade for no less than sixty percent (60%) of the horizontal length of the building facade.
  - b. Windows shall be recessed and should include visually prominent sills, shutters, or other forms of framing.”

2. Current Subdivisions (f) through (h) of Subsection (4) entitled “Powers and Duties” of Section 33.02 entitled “Urban Design Commission” of the Madison General Ordinances are renumbered to Subdivisions (g) through (i), respectively.

3. Subdivision (b) entitled “Planned Developments” of Subsection (4) entitled “Powers and Duties” of Section 33.02 entitled “Urban Design Commission” of the Madison General Ordinances is amended to read as follows:

“(b) Planned Developments. The Urban Design Commission shall review the design of all proposed developments which are considered planned developments under provisions of the Zoning Ordinance. In exercising this power, the commission shall be bound by the provisions of Sec. 28.07(4), (5) and (6), Sec. 33.02(4)(f) and Sec. 28.12(10)(k) and shall report its findings to the City Plan Commission and Common Council.”

4. Subdivision (b) entitled “General Regulations” of Subsection (24) entitled “Planned Commercial Site” of Section 28.04 entitled “General Provisions” of the Madison General Ordinances is amended to read as follows:

“(b) General Regulations: A planned commercial site created after October 6, 1998 shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Development recorded in the office of the Dane County Register of Deeds. An existing planned commercial site may not be changed without approval by the Traffic Engineer, City Engineer and Director of Planning and Development, or approval of the Plan Commission. Every planned commercial site shall front on a public street. In every planned commercial site containing more than fifty thousand (50,000)

square feet of gross floor area and where twenty-five thousand (25,000) square feet of gross floor area is designed or intended for retail use or for hotel or motel use, the Urban Design Commission shall review said site and make a recommendation to the Plan Commission regarding all development within the site. All new retail establishments with a total gross floor area (GFA) of fifty thousand (50,000) square feet or more that are part of a planned commercial site are subject to the provisions of Sec. 33.02(4)(f).; and ~~The~~ Urban Design Commission and the Plan Commission shall retain continuing jurisdiction over the entire site.”

5. Paragraph 24. of Subdivision (d) entitled “Conditional Uses” of Subsection (3) entitled “C2 General Commercial District” of Section 28.09 entitled “Commercial Districts” of the Madison General Ordinances is amended to read as follows:

“24. Any new construction of a building or buildings on a zoning lot or an addition to an existing building or buildings which results in the total square footage of all buildings on the zoning lot exceeding fifty thousand (50,000) square feet in gross floor area and where twenty-five thousand (25,000) square feet or more of the gross floor area is designed or intended for retail use or for a hotel or motel use. This conditional use and the one hereafter are established to allow consideration of the potential impacts of the proposed conditional use on the transportation system and on the policy objectives for transportation and land use, including noise, air quality and appearance. In addition to the requirements of Section 28.12(11), “Conditional Uses,” the applicant shall provide an analysis in accordance with the guidelines established by the City Department of Transportation of the proposed development’s impacts on the transportation system and associated recommended solutions to the Plan Commission. The Urban Design Commission shall review the design and appearance of the proposed conditional use and provide recommendations to the Plan Commission. If a new retail establishment under this section has a gross floor area (GFA) of fifty thousand (50,000) square feet or more, the requirements in Sec. 33.02(4)(f) shall apply.”