



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** MGO 33.24 Urban Design Commission Updates  
**Application Type:** Staff Report to Commission  
**Legistar File ID #** [63203](#) (earlier discussions [61918](#))  
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## Background Information

Staff is requesting feedback from the Commission regarding MGO 33.24 Urban Design Commission text updates for 2020/2021. Staff introduced this topic for discussion at the September 2, 2020 UDC meeting and incorporated the feedback from that meeting into this updated work plan and schedule.

This planning effort analyzed MGO 33.24 Urban Design Commission text including Powers and Duties, Establishment of Urban Design Districts, and updates to Urban Design Districts. Specifically, the areas of focus for this exercise include review of administrative powers of the Secretary, clarification on the initial/final approval process, re-evaluation of review fees, prioritizing UDD language updates, and consideration of future UDDs and/or special districts.

## History

Since the creation of UDD #8 in 2009 and the adoption of the Downtown Urban Design Guidelines in 2012, there have only been minor text updates to select districts, with UDD #8 receiving the majority of text amendments. Some of these changes are long overdue, whereas others will support the goals of the updated City's Comprehensive Plan.

### Brief UDD History:

- 1975 UDDs #1 & 2 were established as the first gateways into the City of Madison, UDD #1 covered the southeastern Beltline gateway and UDD #2 covered the southwestern gateway.
- 1987 UDD #3 followed as development expanded north of the Beltline between Whitney Way & Research Park.
- 1995 UDDs #4, 5, & 6 followed covering the northeast and northwest gateways.
- 2006 UDD #7 was created as South Park Street evolved into a major north-south corridor.
- 2009 UDD #8, the most prescriptive district, followed the Capital Gateway Plan in 2009. Madison also has special districts of control: Urban Mixed Use (UMX) and Downtown Core (DC) Districts that cover the Capitol Square and State Street corridors.

## General Overview on Ordinance Amendment Process

The process to amend City Ordinance, including the UDC's related standards in Chapter 33.24 would include the following general steps:

- Discuss scope of changes to be considered – This can occur in multiple formats.
- Find a “Sponsor” for the ordinance(s). This can be an Alder(s) or the Mayor. This step is typically coordinated by staff.
- City Attorney's Office to draft formal ordinance(s).
- Ordinance is formally “Introduced” at a Council Meeting and referred for future action.
- UDC provides a recommendation on draft ordinance. Other bodies, such as the Plan Commission could also be asked to provide an advisory opinion.
- Common Council takes final consideration of ordinance.

## Discussion on Proposed Ordinance Phasing and Content

There are two primary purposes of these updates: 1) Update and clarify various procedural and process items and 2) Update more substantive design-based elements within the Urban Design Districts. These amendments will vary in their complexity and the time anticipated to complete them. As such, staff propose the amendments be grouped into multiple phases.

### Proposed Phases

#### I. Phase 1 Amendments

Based on the initial discussion with the UDC, staff have identified an initial series of potential updates. **Depending on the feedback provided by the UDC at this meeting, staff anticipates this effort can likely be completed in 2-3 months.** These include the following:

- **Update Duties of UDC Secretary – Public Project Alterations.** Section 33.24(4)(g) MGO outlines the duties of the UDC Secretary. As previously discussed, this section of code currently gives the Secretary the ability to administratively approve certain minor alterations in some situations, noting that the *“Secretary of the Urban Design Commission may approve such alteration(s) on behalf of the UDC, if in the exercise of her/his professional judgment, a change does not substantially alter the approved design...”* This includes developments in Urban Design Districts and Planned Developments. This amendment would provide similar flexibility for minor alterations to public projects as defined in 33.24(4)(d).
- **Update Public Building Review Standards.** Section 33.24(4)(d) MGO provides the process and standards by which the UDC reviews certain public projects. Staff believe that modifications are necessary to clarify the roles of UDC, City agencies, and applicable standards, consistent with current practice including the adopted Policy and Procedures manual.
- **Remove Detailed Plant Lists.** Urban Design Districts 1-3 include very prescriptive plant lists, including several species that are no longer considered to be appropriate or desirable. The UDC has previously provided direction that such lists be removed. This would be allow for these districts to be structured more consistent with contemporary standards.

**At the December 2, 2020 meeting, staff requested any additional comments on the above alterations so that staff can begin the more formal process of drafting the ordinances for formal consideration.**

## **II. Phase 2 Amendments**

Staff have identified two possible updates that can be completed in this phase. The first is codifying the UDC's long-standing practice of "Initial/Final Approval." The Initial/Final practice is summarized in the Commission's *Policy and Procedure Manual*, but it is not otherwise codified. In further considering this item, staff believes further coordination with the Plan Commission is also necessary on such process modifications.

The second amendment proposed for this phase is relocating the western-most blocks of UDD #4 (from the Capitol Square to Blair Street) from UDD #4, to the abutting UDD #8. The balance of UDD #4 is no longer contiguous with these blocks as it now runs primarily along Packers Avenue.

**Staff believes a realistic timeline to complete these amendments is between 3-6 months, depending on feedback from both the UDC and Plan Commissions.**

Staff raises the following discussion points for the December 2 meeting:

- Provide initial feedback or questions on reassigning portions of UDD #4 (Capitol Square-Blair Street) to UDD #8. Initial work sessions can be scheduled to discuss details.
- Confirm that the UDC wants to codify the current practice when they are an approving body. Include language that defines what an "initial" and "final" approval entails, the materials necessary to complete such reviews, and necessary review standards.
- Discuss whether UDC wants to pursue an "initial/final" procedure when they are an advisory body (e.g. Planned Developments, Residential Building Complexes, Large Format Retail, etc.) While the recent practice has been to treat advisory recommendations in this manner, procedurally this is more complex. In such cases, the Plan Commission and Common Council are the approving bodies and procedurally, those bodies have had to make conditions that require a final UDC review.

## **III. Phase 3 Amendments**

The Phase 3 amendments are the more substantive design changes to the Urban Design Districts, especially the older UDD 1-6 Districts. At this time, staff estimates this work could generally take most of 2021 to complete, with October 2021 anticipated as a possible target date. **Staff anticipate this will require multiple UDC work sessions that will be held prior to the formal drafting and introduction of ordinances.**

Anticipated changes include the following:

- Revised/updated requirements- Including new sustainability standards.
- New formatting with graphics.
- Consider removing guidelines from the code and create a graphic-based guideline manual to illustrate how standards can be met. This is similar to the Downtown Design Guidelines which was created as the Attorney's Office has recommended that the code should include standards and not more suggestive guidelines.

**At the December 2 meeting, staff asked the Commission for only general feedback on this approach and timeline, as more detailed work sessions will be scheduled later in the year.**

**IV. Phase 4 Amendments**

The primary effort identified for Phase 4 is the creation of the new Urban Design District for Mifflandia. Staff anticipate that creating an entirely new district may take more time than the other work phases. A specific timeline is not identified, but staff anticipates such an effort could begin in 2021, likely later in the year. In the event that other aforementioned items are determined to require more discussion, they could also be moved to this phase.

**At the December 2 meeting, staff asked the Commission for only general feedback on this approach and timeline, as more detailed work sessions will be scheduled later in the year.**

**Conclusion**

**Table 1- General Schedule of Ordinance Updates**

	<b>Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>	<b>Phase 4</b>
<b>Discussions / Work Sessions</b>	December 2020	January-February 2021	Multiple – Starting April 2021	Multiple - TBD
<b>Introduce Ordinance(s)</b>	January-February 2021	February-March 2021	August 2021	TBD – Late 2021, Early 2022
<b>UDC Formal Recommendation</b>	February-March 2021	March-April 2021	September 2021	TBD
<b>Council Action</b>	February-March 2021	April-May 2021	October 2021	TBD

**In conclusion, staff asks that the Commission provide feedback on the scope, approach, and schedule of the proposed Phases 1-4 so that staff can begin the following:**

- **Phase 1 & 2 - begin the more formal process of drafting the ordinances for formal consideration. An additional work sessions may be necessary for Phase 2 items.**
- **Phase 3 & 4 - schedule more detailed work sessions for later in the year.**