



Department of Planning & Community & Economic Development
Planning Division

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REVISED COVER LETTER

TO: Plan Commission
FROM: Planning Division, Zoning and City Attorney's office staff
DATE: May 26, 2010
SUBJECT: Staff memorandums and red-lined draft Zoning Code--City of Madison Zoning Code Revision (Legistar 15932)

The new Zoning Code (Legistar 15932) was introduced for referral to commissions and committees on September 15, 2009. Since that time, staff held 15 meetings with these bodies and has met many times to review comments and prepare recommendations for the Plan Commission's consideration.

This binder includes several memoranda prepared by the Planning Division, Zoning and City Attorney's office staff, as well as, a red-lined version of the draft Zoning Code reflecting organizational and clerical revisions involving no policy changes. The memoranda and red lined draft provide the Plan Commission with recommended changes to the September 15, 2009 draft from committees and commissions to which it was referred, as well as staff.

The aforementioned documents are described below:

Memorandum 1: Committee and Commission Recommendations and Comments received on the City of Madison draft zoning code (Legistar 15932)

The purpose of this memorandum is to summarize revisions to the draft Zoning Code recommended or discussed by City committees and commissions based on a detailed review of the draft Zoning Code. The memorandum provides formal recommendations from the following bodies:

- Sustainable Design and Energy Committee
- Madison Arts Commission
- Long-Range Transportation Planning Committee
- Urban Design Commission
- Housing Committee

In addition, informal suggestions and questions raised at Plan Commission working sessions are included.

Memorandum 2: Staff Recommended Changes and Considerations to the City of Madison Draft Zoning Code

This memorandum was prepared by Planning Division, Zoning and City Attorney’s office staff and consists of primarily “Consent Changes” and “Other Considerations”. The former includes amendments that staff believes to be non-controversial, though they may have small implications on policy. Staff believes a majority of the changes listed in this memo would fall under this category. The “Other Considerations” are potential modifications that may result in more significant changes to policy. Examples of these changes include revisions to the lists of permitted and conditional uses as well as changes to some procedures.

Memorandum 3: Red-lined Copy of Draft Zoning Code (and Introductory Memoranda)

The red-lined copy of the draft Zoning Code is the result of review by the Office of the City Attorney. With the exception of specifically identified issues that have legal as well as policy implications, the changes in the copy do not represent policy determinations. The changes reflect:

- Typographical errors.
- General wording changes for clarification or to be consistent with other parts of the code.
- Extraneous language was deleted
- Moving materials from the text of the individual districts to the Supplemental Regulations section and/or tables.
- Adding back language that is in the current code and was unintentionally omitted.
- Clarifying tables.
- Organizational changes

An introductory memorandum provides explanations of changes where the reason for the change might not be clear. Situations where policy determinations need to be made are also included. In addition, a memo on waivers and conditional uses requiring policy determinations.

In Memoranda 1 and 2, both the September 2009 draft (yellow draft) and the red-lined draft are referenced so that Plan Commissioners and the public can utilize both when reviewing recommendations.

Memorandum 4: Zoning Code Comparison Existing and New Draft

The purpose of this document is to compare the existing Zoning Code with the new draft Zoning Code. It identifies existing Code sections which have been deleted or omitted from the new Code, sections that have been added to the new Code which currently do not exist, and sections which differ from the existing Code to the new Code. This document is intended to be used by the Plan Commissioners to discuss policy items identified by Zoning staff and to give City staff direction in revising the draft document.

Proposed Adoption Schedule for the New Zoning Code

Staff proposes for Plan Commission consideration the following schedule for adoption of the new Zoning Code.

Plan Commission-Public Hearing on the draft City of Madison Zoning Code (Legistar #15932)

Public Hearing

- Monday, June 21st, 2010

A public hearing on the draft zoning code will be held at the regularly scheduled Plan Commission meeting.

Plan Commission Special Meeting #1

- Date to be determined

Special Meeting is for the Plan Commission to review and make decisions on Memorandum1- “Committee and Commission Recommendations and Comments received on the draft City of Madison Zoning Code” and make decisions on the staff recommendations in the memorandum

Plan Commission Special Meeting #2

- Date to be determined

The purpose of this special meeting is to continue discussions and decision-making from Special Meeting #1.

Plan Commission Special Meeting #3

- Date to be determined

The purpose of this special meeting is to review Memorandum 2-“Staff Recommended Changes and Other Considerations to the City of Madison Zoning Code” and make decisions on the staff recommendations in the memorandum.

Plan Commission Special Meeting #4

- Date to be determined

The purpose of this special meeting is to continue discussions and decision making from the Special Meeting 3 and discussion of the red-lined draft zoning code if necessary.

After the Plan Commission has completed its review of all memoranda and comments from the first public hearing, the Commission may decide to hold a second public hearing. The exact timing of a second Plan Commission public hearing is unknown but it could occur during the fall of 2010. The Plan Commission recommendations will be forwarded to the Common Council for adoption. The Common Council will hold a public hearing prior to adoption.

At the meeting of May 24th, staff would like to review the tentative schedule with the Commission and confirm dates for the special meetings. Please feel free to contact Rick Roll, Zoning Code Rewrite Project Manager, if you have any questions. He can be reached at rroll@cityofmadison.com or 267-8732.