

- b. The new development provides enhanced landscaping, pedestrian realm enhancements, or building design elements that improve the aesthetic appeal of the site.
- (d) A minimum of fifty percent (50%) of ground floor frontage along primary streets shall be designed for retail use, with a floor-to-ceiling height of at least ten (10) feet and with sixty percent (60%) facade transparency between two (2) and eight (8) feet from ground level. Building entrances on primary streets are encouraged.
- (e) All parking structures shall be lined with other allowed uses at ground floor level along a minimum of seventy-five percent (75%) of the primary street frontage.
- (6) Multiple Use Guidelines.
Development proposals on sites over five (5) acres should include a mix of uses, including residential uses, office uses, retail and other commercial uses, manufacturing uses, and civic and institutional uses.
- (7) Public Space Requirement.
Development proposals on sites of ten (10) or more acres shall set aside a minimum of five percent (5%) of the project site as open space, which may be designed as a square, plaza, terrace or green, with a variety of landscaped and paved surfaces, public art, and seating areas. This requirement may be modified or eliminated by an adopted Transit Overlay District.
- (8) Parking Standards.
No minimum off-street auto and bicycle parking is required, except where parking minimums are specified in a station area plan. Parking maximums established in Subchapter 28J shall apply, except where more specific requirements are established in an adopted Transit Overlay District.
- (9) Exemptions.
Where an existing building or its accessory parking does not conform to the TOD overlay district requirements or serves an existing nonconforming use, the building may be expanded without fully meeting the requirements of this section as long as the expansion does not increase the nonconformity.

28.105 NEIGHBORHOOD CONSERVATION OVERLAY 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 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 distinctive, 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 distinctive environment.
- (2) Applicability.
 - (a) The requirements of the Neighborhood Conservation Overlay Districts apply to all development, exterior alterations, additions and demolitions of structures on all zoning lots located in such districts, in addition to all requirements of the underlying primary zoning districts.
 - (b) In the event of a conflict between the provisions of the Neighborhood Conservation Overlay Districts and the underlying primary zoning district, the provisions of the Neighborhood Conservation Overlay Districts shall apply.

- (3) Eligibility Criteria.
To be considered for designation as a Neighborhood Conservation District, an area shall meet the following minimum criteria:
- (a) The proposed area includes at least eight (8) contiguous block-faces or two thousand, six hundred forty (2,640) lineal feet of contiguous street frontage. *804.67 m*
 - (b) The proposed area possesses consistent, identifiable built or natural environment characteristics to be conserved.
 - (c) At least seventy-five percent (75%) of the lots in the proposed district have been developed with a principal structure for at least twenty-five (25) years.
 - (d) The proposed requirements for a Neighborhood Conservation District are consistent with the Comprehensive Plan and existing neighborhood plans.
 - (e) The proposed area contains 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 and sizes, setbacks, alleys, and landscaping.
 - (f) A Neighborhood Conservation Overlay District shall not be placed in an existing local historic district or Urban Design District.
- (4) Designation Process.
- (a) All requests for creation of a Neighborhood Conservation District shall be initiated by a resident, owner, or commercial tenant and shall be submitted to the Director of the Department of Planning and Community and Economic Development.
 - (b) The Director of the Department of Planning and Community and Economic Development shall determine whether the proposed area is consistent with the eligibility standards in Sec. 28.105(3).
 - (c) If the proposed Neighborhood Conservation District is consistent with Sec. 28.105(3), notice of an informational meeting regarding the District designation process shall be sent to all owners and occupants of the proposed District.
 - (d) Within thirty (30) days of the informational meeting, a survey shall be sent to all owners and occupants of the proposed District regarding the desirability of the proposed District. If more than one (1) informational meeting is held, the survey shall be sent within thirty (30) days of the last meeting.
 1. If any property is added to the proposed District prior to the final recommendation of the Plan Commission, the survey shall be sent to all owners and occupants in the area that was added, and the results shall be submitted to the Common Council.
 - (e) The Director of the Department of Planning and Community and Economic Development shall prepare a report on the results of the survey. The report shall only include survey responses received within twenty-eight (28) days from the date the survey is mailed shall be included in the report. The report shall be submitted to the Plan Commission and Common Council.
 - (f) A resolution authorizing a Neighborhood Conservation Study shall be introduced to the Common Council and referred to the Plan Commission. If authorized by a resolution adopted by the Common Council, a Neighborhood Conservation Study shall be undertaken.

- (g) 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.
1. 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.
 2. The Department of Planning and Community and Economic Development shall maintain a registry of persons interested in future notification regarding a particular Neighborhood Conservation District.
- (h) 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 distinctive character. In addition to the features in (3)(e), above, 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.
- (i) Creation of a Neighborhood Conservation Overlay District. If a Neighborhood Conservation District is proposed following the completion of the Neighborhood Conservation Study, it shall include the geographic boundaries, and the specific requirements to be used in reviewing development proposals. A Neighborhood Conservation District ordinance shall be considered pursuant to the procedures in Sec. 28.182.
- (j) Every twenty (20) years after the effective date of the ordinance, the Department of Planning and Community and Economic Development shall survey the owners, residents, and commercial tenants and report to the Plan Commission and Common Council on the results of the survey and suggested changes to the ordinance.