

MICHAEL A. SLAVNEY
FAICP

March 15, 2011

City of Madison Common Council
Hand Delivered to Council Chambers
Public Hearing on Proposed Zoning Ordinance

Mayor Cieslewicz and Council Members

I have been proudly serving as Chair of the Zoning Ordinance Rewrite Advisory Committee since its inception, and have been closely following the progress of the draft ordinance through the Plan Commission review and recommendation process. When not serving as a volunteer in this capacity, I work as a consulting city planner, and have been the planner-in-charge of 25 ordinance rewrite and remapping projects throughout the country.

I believe the current draft attains the objectives the City identified for the new code. Most importantly, when supplemented by the upcoming work on the downtown districts, it will provide the City with a full palette of zoning districts – each of which is designed to implement a specific character of development. The new code also forwards a broad spectrum of objectives related to urban design, environmental protection, transit adaptability, and pedestrian and bicycle accommodations. It also recognizes the strong role that the public, neighborhoods, and the City's development review committees play in the various processes under the Ordinance.

In total, I believe the draft Ordinance to be fully consistent with the City's Comprehensive Plan, and is deserving of your support.

I would like to make several observations I hope you consider in your review of the draft:

1. Taller Nonresidential Building Heights via conditional use:

I think this an excellent approach for blending the benefits of more density with site specific concerns, without the need for the more cumbersome PUD process.

2. Accessory Dwelling Units via Overlay District based on neighborhood plans:

I think this approach strikes a good balance by combining neighborhood-based input over appropriate locations, with efficient site-by-site approval. Perhaps adding an alternative process that uses the overlay zoning process directly -- as informed by neighborhood association comments, could save time where a detailed neighborhood plan is not present or does not address this issue.

4824 SHERWOOD ROAD, MADISON, WISCONSIN 53711

MIKE@SLAVNEYS.NET

#1, SOKA

3. Mixed Use Buildings in Residential Districts:

I strongly support this concept. However, I also feel strongly that the proposed approach for attaining this objective is problematic.

Specifically, the proposed approach would allow a mixed use building on any corner within a residential district – with building size and character controls, and with a spacing requirement of at least one-quarter mile.

I have several strong concerns about this approach:

- We give up the detailed control of the location of such development to a first-come, first-served approach. This will not result in the selection of the *best* location in a neighborhood, merely the selection of the first *acceptable* location;
- We lose the ability to effectively communicate where such development has been approved, because it would not be depicted on the Zoning Map. This will result in numerous “bad surprise” situations; and most importantly,
- We create an environment of land use uncertainty for residents and property owners with lots adjacent to, or near, all residential corners in the community.

Consequently, I fear we will be creating a *very* strong disincentive for property owners to invest in our neighborhoods, and a *very* strong incentive for families to consider other cities and villages in the metro areas as a more stable and predictable alternative for housing and school district choices.

My extensive professional experience has demonstrated that most zoning ordinance issues that deal with approving the most appropriate locations for specific types of development are best dealt with through the zoning map, rather than through provisions in the zoning text. For location-based decisions, the map is inherently a more flexible and responsive tool. Therefore, I believe a better approach to attaining the laudable objective of facilitating convenient neighborhood-based development would be to use the standard approach of having such proposals seek zoning map amendments, as guided by the Comprehensive Plan and neighborhood plans.

Thank you for your consideration of these comments. I look forward to working with you on the downtown districts and the zoning map.

Sincerely



Michael A. Slavney, FAICP