

**Community Summit and Meetings
Public Review Draft Zoning Code
June 22 – 24, 2009**

**Community Summit
Overture Center
June 22, 2009**

- Why are the SR-V1, TR-V1, SR-V2, TR-V2 proposed to replace R-4?
 - *Response:* Many R4 districts differ greatly from one another, and R4 zoning may not be a good fit for existing conditions. The new districts capture a wider variety of housing conditions and densities found within the City.
- Are we wedded to the concept of the Capitol Square as the highest density and then going down to lower development or can we have nodes of higher density development farther out?
- Does bad development of the past become a standard or precedent? How can we allow for change? How much are suburban residential areas subject to change? Increasing density for example?
 - *Response:* Suburban Residential and Traditional Residential districts will both be used on the edge of the City, giving various options for development patterns and heights.
- Notification requirements for PD seem to be less than for PUD.
 - *Response:* Creation of a PD District will be a zoning map amendment; that process (in Procedures section) will continue to apply
- How will property owners be notified of the mapping process and will there be an appeal process?
 - *Response:* There will be a series of meetings similar to these meetings (on zoning text), with opportunities for public comment. Zoning map decisions are always subject to appeal.
- Parking requirements could have an impact on existing neighborhoods.
- TOD Overlay District needs to be defined in terms of having density “before transit” and having density “after transit.”

**Community Meeting
Warner Park
June 24, 2009**

- Suggestion: Helpful to identify potential density ranges with each zoning district. Add a "maximum achievable density" column to the table for each residential district
- Questions regarding minimum lot sizes - implied that we should ensure that they are comparable or smaller than in the existing code.
 - *Response:* Lot sizes in many districts are smaller than those in the existing code.
- Question regarding underground (developable) space, and how it is handled in the draft and current code. Do setbacks capture underground development? Can underground development encroach into setbacks?

City of Madison - Zoning Code Rewrite

- Concerns over restrictive covenants. Will/can new code prohibit these?
- Question regarding how the code will interact with urban design guidelines and urban design districts.
 - *Response:* The urban design districts are integrated into the new code as overlay districts, with the provision that their standards may override those of the underlying zoning district.
- Suggestion: don't limit use of TOD overlay to fixed rail lines. Bus lines also important. How can zoning improve transit/transit amenities?
- Comment regarding two recent projects on Atwood Avenue approved too close to the sidewalk-pedestrian safety issues.

Community Meeting Sequoia Branch Library June 24, 2009

Accessory Dwelling Units (ADUs)

- How will they be addressed in the new code?
- Why do we permit rental properties in all zones today but would restrict them in the future?
- How are they different from simply splitting a single family house into a duplex, or simply renting out a bedroom in my house to a student?
- [Written Comment] Given the ADU guidelines that have been developed, how much or how little can the neighborhood study change them? The process, timelines, appeal process, and numbers of neighbors who need to agree needs to be clarified

Response:

ADU's will be addressed by creating an Overlay District. The Overlay District will not change the underlying zoning, rather it will add ADUs as a conditional use in this particular area.

It is not an issue of rental/ownership. It is true that anyone can rent their home out today, by right. It is an issue of design, impact on neighbors, and appropriateness in a particular neighborhood.

As a conditional use, ADUs will be subject to similar public review to that of buildings greater than 10,000 sf in residential Districts today. They will be reviewed by staff, official notices will be posted and mailed, and public input will be taken. If approved, staff may levy conditions.

ADUs are different from splitting a single-family home into a duplex. An ADU is a separate structure, usually with separate access and orientation on the lot. Generally, they are located to the rear of the lot, often above a garage. The presence of a living unit to the rear of the yard significantly alters the character of the lot and the neighborhood. Whereas this is not necessarily bad, the approach will be to treat it as a conditional use.

Planned Unit Developments (PUDs or PDs)

- How will the new code address them?
- Will the new code make it easier or more difficult for creative projects?
- What will happen to all the existing PUDs?

Response:

City of Madison - Zoning Code Rewrite

PUDs will not go away. There will always be PUDs. Some of the new categories will have the ability to encompass some existing PUDs. Some will have to remain as PUDs.

We anticipate fewer PUDs in the future. The new categories (Transit-oriented and Mixed-use categories) will likely have the provisions and flexibility that will in effect reduce the number of PUD requests. Likewise, the provisions in these categories will include many of the design issues that result from the neighborhood review we currently get in the PUD process.

Mapping and Text

- Why are they separate?
- When will they go into effect?

Response: Mike Slavney said that he has written 29 codes and he learned the hard way that you should never co-mingle the process. By separating the process, you allow the team and the public to focus on one, not two potentially moving targets. You will likely get more public interest when you enter the mapping phase, but it is nonetheless important to keep the two processes apart.

The text will be adopted first, but will not go into effect until the map is completed and adopted a year or so later.