

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION

2402 Darwin Rd, 3502 International Ln, 3402 International Ln, 3202
International Ln, and 3118 International Ln

Zoning: Airport District (AP)

Owner: Ryan Falch – Dane County Regional Airport

Technical Information:

Applicant Lot Size: 842' wide x 1,810' deep

Minimum Lot Width: 65'

Applicant Lot Area: ~975,465 sq. ft. (~23.4 acres)

Minimum Lot Area: 20,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.142

Project Description: Applicant requests a variance from all the landscaping requirements of MGO 28.142 for five parcels and a portion of an additional parcel. Dane County Regional Airport proposes to use this portion of their property to expand an existing surface automobile parking lot resulting in a total of 1,766 parking spaces.

Landscaping is required in several locations on a property per the City's landscaping code:

- Development Frontage Landscaping (between the building or parking areas and adjacent streets)
- Interior Parking Lot Landscaping (within all parking lots with 20 or more parking spaces)
- Foundation Plantings (along building facades)

Each category of planting (overstory deciduous tree, evergreen shrub, ornamental grass/perennials, etc.) has an assigned point value that is added up and must meet a point minimum based on the size of the developed area of the property. Both plantings in the specified locations above and plantings in other locations count towards this total. A landscape worksheet is included to summarize and show how landscaping requirements are determined.

The requested variance is to not install any required landscaping on the surface parking lot site.

Landscaping Variance

Zoning Ordinance Requirement: Development frontage landscaping, interior parking lot landscaping, foundation plantings, and landscaping minimum points

Provided: None

Requested Variance: All landscaping requirements

Comments Relative to Standards:

1. Conditions unique to the property:

The lot meets minimum lot width and area requirements and is an otherwise compliant lot in the Airport (AP) zoning district. The AP zoning district is used exclusively for Dane County Regional Airport related operations. The district does not have different landscaping requirements from other nonresidential districts for surface parking lots. A unique condition for the property is that a portion of the planned surface parking lot is partially located within the Runway 21 Departure Surface.

2. Zoning district's purpose and intent:

Landscaping requirements are intended to help meet the Madison's goals regarding sustainability and climate change, reduce development impacts, and create a more aesthetically pleasing community.

The landscaping section of the ordinance states the intent of the requirements:

- (a) Protect and restore the natural environment throughout the development process.
- (b) Reduce the negative environmental effects of development while fostering aesthetically pleasing development which will protect and enhance the appearance, character, health, safety and welfare of the community.
- (c) Reduce the "heat island" effect of impervious surfaces such as surface parking lots by cooling and shading the surface area.
- (d) Increase the compatibility of adjacent uses, by minimizing adverse impacts of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions and other objectionable views, activities or impacts to adjacent or surrounding uses.
- (e) Enhance the environment for successful plant establishment and growth.
- (f) Enhance the green infrastructure of the city to help reduce air pollutants, create ambiance, mitigate the urban heat island effect and stormwater run-off issues.

(Madison General Ordinance 28.142 (1))

In particular, the zoning code requires surface parking lots to be landscaped to mitigate the heat island effect, providing cooling and shade. With over 1,700 surface parking spaces in this parking lot, the amount of pavement that will be added with no vegetation to mitigate its impact seems contrary to the spirit, purpose, and intent of the ordinance. Additionally, landscaping improves aesthetics, enhancing the appearance, character, health, safety and welfare of the community. With the airport being a gateway for many visitors to the community, a large parking area with no landscaping seems contrary. Lastly, landscaping has positive impacts on air and water quality while surface parking lots have negative impacts on both. Landscaping could mitigate those impacts if provided. Instead, existing landscaping will be removed, bringing the site further from

compliance and further from the goals of the ordinance. It appears that the proposed variance would be contrary to the purpose and intent of the zoning code's landscaping requirements.

3. Aspects of the request making compliance with the zoning code burdensome:

Compliance with the strict letter of the ordinance would require that the site be landscaped with trees and other plantings. The FAA circular recommends landscaping be confined to areas not associated with aircraft movements and not include vegetation that produces seeds, fruits, or berries. It also recommends developing a preferred/prohibited plant species list (FAA Circular pages 2-14 to 2-15).

The zoning code landscaping requirements do not specify required species, so it seems that the airport has the flexibility to determine appropriate species as recommended by the FAA while still meeting the landscaping code. The parking lot is not within an area associated with aircraft movements, other than perhaps the southeastern corner located within the Runway 21 Departure Surface. Therefore, it appears that compliance with the zoning code would not unreasonably prevent use of the property for a permitted purpose nor render compliance with the ordinance unnecessarily burdensome.

4. Difficulty/hardship:

The variance seems to be driven by the property owner's interest in not installing and maintaining landscaping at this particular location on their property. While the Federal Aviation Administration (FAA) provides guidance for land uses on and near public-use airports, it is not a preemption. Local zoning laws still apply. It seems that Dane County Regional Airport has not strictly or consistently interpreted FAA guidance as requiring all trees, shrubs, plantings, and water be removed from their property. An existing surface parking lot closer to the terminal building has significant landscaping, including trees and shrubs. Some private streets on airport property are well landscaped. There is also an open stormwater management area with standing water on the property and a densely forested area. No changes are proposed to those existing conditions.

Additionally, it appears that the increase in wildlife collisions may be driven by the airport's decision to increase its number of flights rather than by an increase in the amount of wildlife near the airport. A 2025 Dane County Regional Airport press release stated that in 2024 the airport had the second-highest passenger traffic in its history, reaching pre-pandemic levels. A 2026 press release stated that the previous 2019 highest ever passenger record was surpassed in 2025.

Based on the information provided, the difficulty seems to be driven by the desire of the applicant to locate landscaping in other higher profile locations on the property and not invest in aesthetics in the proposed economy automobile parking lot.

5. The proposed variance shall not create substantial detriment to adjacent property:

The variance would result in a large un-landscaped surface parking lot. As stated within the landscaping section's purpose (see #3), landscaping increases the compatibility of adjacent uses, by minimizing adverse impacts of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions and other objectionable views, activities or impacts to adjacent or surrounding uses. Although parcels to the north, east, and south are owned by Dane County Regional Airport, there are lots to the west (railroad/industrial/mobile home park) and south (office) that could experience some detriment from the lack of landscaping, but it is not likely to be substantial.

6. Characteristics of the neighborhood:

Many properties in the area were developed prior to the current landscaping requirements and therefore do not meet all the provisions of current code. However, most include at least some landscaping. The proposed surface parking lot would be significantly larger than other parking lots in the area and have no landscaping on site. It appears that the variance would not be compatible with the character of the immediate neighborhood.

Staff Recommendation:

The burden of meeting the standards is placed upon the applicants, who need to demonstrate satisfaction of all the standards for variance approval. It is not clear that this burden has been met based on submitted materials. Therefore, staff recommends **denial** or recommends **referral** if the ZBA believes revised plans with a lesser variance request may meet the standards of approval, subject to further testimony and new information provided during the public hearing.