URBAN DESIGN COMMISSION APPLICATION CITY OF MADISON

This form may also be completed online at:
http://www.cityofmadison.com/planning/documents/UDCapplication.pdf

215 Martin Luther King Jr. Blvd; Room LL-100
PO Box 2985; Madison, Wisconsin 53701-2985
Phone: 608.266.4635 | Facsimile: 608.267.8739

Date Submitted: ~~March 3, 2017~~ March 20, 2017
UDC Meeting Date: April 5, 2017
Combined Schedule Plan Commission Date (if applicable): N/A

Informational Presentation
Initial Approval
Final Approval

Please complete all sections of the application, including the desired meeting date and the type of action requested.

1. **Project Address:** 6817 Winstone Drive
   Project Title (if any): Appeal Of Natural Lawn Application Denial

AGENDA ITEM #
LEGISTAR # 46371
ALD. DIST. 1

2. **This is an application for** (Check all that apply to this UDC application):
   ☐ New Development ☒ Alteration to an Existing or Previously-Approved Development

A. Project Type:

- ☐ Project in an Urban Design District* (public hearing-$300 fee)
- ☐ Project in the Downtown Core District (DC) or Urban Mixed-Use District (UMX) ($150 fee, Minor Exterior Alterations)
- ☐ Suburban Employment Center (SEC) or Campus Institutional District (CI) or Employment Campus District (EC)
- ☐ Planned Development (PD)
  - ☐ General Development Plan (GDP)
  - ☐ Specific Implementation Plan (SIP)
- ☐ Planned Multi-Use Site or Planned Residential Complex

B. Signage:

- ☐ Comprehensive Design Review* (public hearing-$500 fee) ☐ Street Graphics Variance* (public hearing-$300 fee)
- ☐ Signage Exception(s) in an Urban Design District (public hearing-$300 fee)

Other:

- ☒ Please specify: Appeal Of Natural Lawn Application Denial

3. Applicant, Agent & Property Owner Information:

Applicant Name: Janette Rosenbaum
Street Address: 6817 Winstone Drive
Telephone: (201) 787-8848 Fax: (___) ___
Company: jrosenbaum3@wisc.edu
City/State: ___ Zip: ___
Email: ___

Project Contact Person: Janette Rosenbaum
Street Address: 6817 Winstone Drive
Telephone: (___) ___ Fax: (___) ___
Company: ___
City/State: ___ Zip: ___
Email: ___

Project Owner (if not applicant): ___
Street Address: ___
Telephone: (___) ___ Fax: (___) ___
City/State: ___ Zip: ___
Email: ___

4. Applicant Declarations:

A. Prior to submitting this application, the applicant is required to discuss the proposed project with Urban Design Commission staff. This application was discussed with Jessica Vaughn & Al Martin on March 3, 2017.
(name of staff person) (date of meeting)

B. The applicant attests that all required materials are included in this submittal and understands that if any required information is not provided by the application deadline, the application will not be placed on an Urban Design Commission agenda for consideration.

Name of Applicant Janette Rosenbaum Relationship to Property Owner
Authorized Signature Janette Rosenbaum Date March 3, 2017

Natural Lawn Application

Owner: Janette Rosenbaum
Parcel Number: 251/0608-012-1916-9
Lot Number: 1221

Definition:
The property is at the corner of Winstone Drive and Pilgrim Road. The lot is approximately 100’ wide and 120’ deep.

Purpose:

The purpose of this planting is to restore my little piece of Wisconsin to something close to its natural landscape that would have been present at this location 150 years ago. When I purchased the property, I found that the previous owner had been landscaping with invasive species, and I wanted to bring back the native species that I had started to learn about since moving to the Midwest. Through this project, I have continued to learn much about native grasses and their benefits including attracting a wonderful array of butterflies and birds.

Native grasses are, of course, a much better natural raingarden than traditional lawn, tolerating downpours and drought, and helping to clean the water before it gets to the water table or to Lake Wingra. I also reap the delight of having a spectacularly beautiful yard.

Landscape Design:

The yard is divided into five segments. Three contain native, prairie grasses that exceed 8 inches in height. The other two are described for context.

The front yard is level, faces west towards Winstone Drive, and is bisected by a path. West of the path (front half of the yard) is a prairie garden. The pre-existing lawn here was buried with a layer of sheet mulch, a layer of loose mulch, and a layer of clean topsoil. A native plant mix, "Butterfly Prairie for Medium Soils" from Prairie Nursery, was seeded into these layers in the fall of 2015. (See attachment for detailed seed list.) This planting established well in its first year. The native prairie grass species, which exceed 8 inches in height, were visible first, as is common. The forbs will fill in around them in the next year or two.

East of the path (back half of the yard) is a woodland garden. This area is slightly expanded from a planting established by the previous property owner. Anchored by a river birch and a dogwood, the existing understory consists of ferns and spring ephemerals. The planting was expanded by sheet mulching an adjoining narrow strip of lawn, via the same method as the prairie garden in the front half of the yard. This expansion was seeded in the spring of 2016 with "Woodland Edge / Savanna for Medium Soil" from Prairie Nursery. (See attachment for detailed seed list.) There was little apparent development in the first summer; the plants will likely come up next year after stratifying. Once established, this area will contain native grasses that exceed 8 inches in height

The back yard faces east and is defined by a long south slope towards Pilgrim Road. It is divided into three areas.

Highest on the slope is a rain garden - swale - pond system. The area around the pond was backfilled with mulch and seeded with a ground cover. This section includes sedges but no grasses.

The middle section of the yard is dominated by two pre-existing honey locust. Sections of the turf grass in this area were sheet mulched by the same process as in the front yard; the remainder of the turf grass in this area was removed by sod stripping. The stripped and sheet mulched areas were seeded into in the spring of 2016 with "Woodland Edge / Savanna for Medium Soil" from Prairie Nursery. (See attachment for detailed seed list.) As in the front yard's woodland garden, the seeds were not ready to break dormancy in their first summer, but should come up next year. The area will then contain native grasses that exceed 8 inches in height. Transplanted forbs have helped with the establishment of this area.

Finally, the steep slope at the south end of the yard features a berm and sun trap, and a keyhole garden for vegetables. There are no grasses in this area.

None of the plantings described here are within the setback zone along the property lines, because that area is entirely occupied by a large hedge established by the original property owner. The terraces along Winstone Drive and Pilgrim Road are completely mulched and contain no plants except for the street trees.

Maintenance:

Each spring the dead growth is removed from the native planting areas by breaking it off and composting it on site.

Although very little weeding is required, I plan to weed out non-native plants each summer by hand pulling. Woody species attempting to move into the prairie will also be removed by hand pulling. In addition, I will continue to add new native plants.

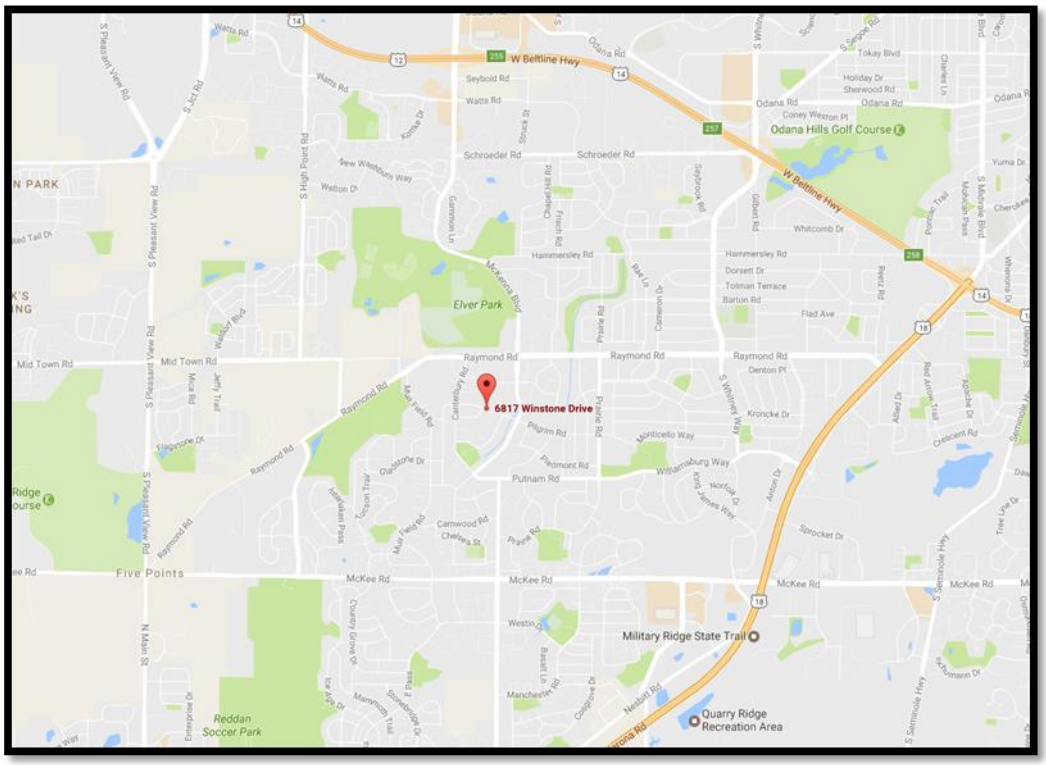
A little bit of mulch from the terraces inevitably gets kicked into the sidewalk, but is regularly swept back in to prevent it from becoming an issue.

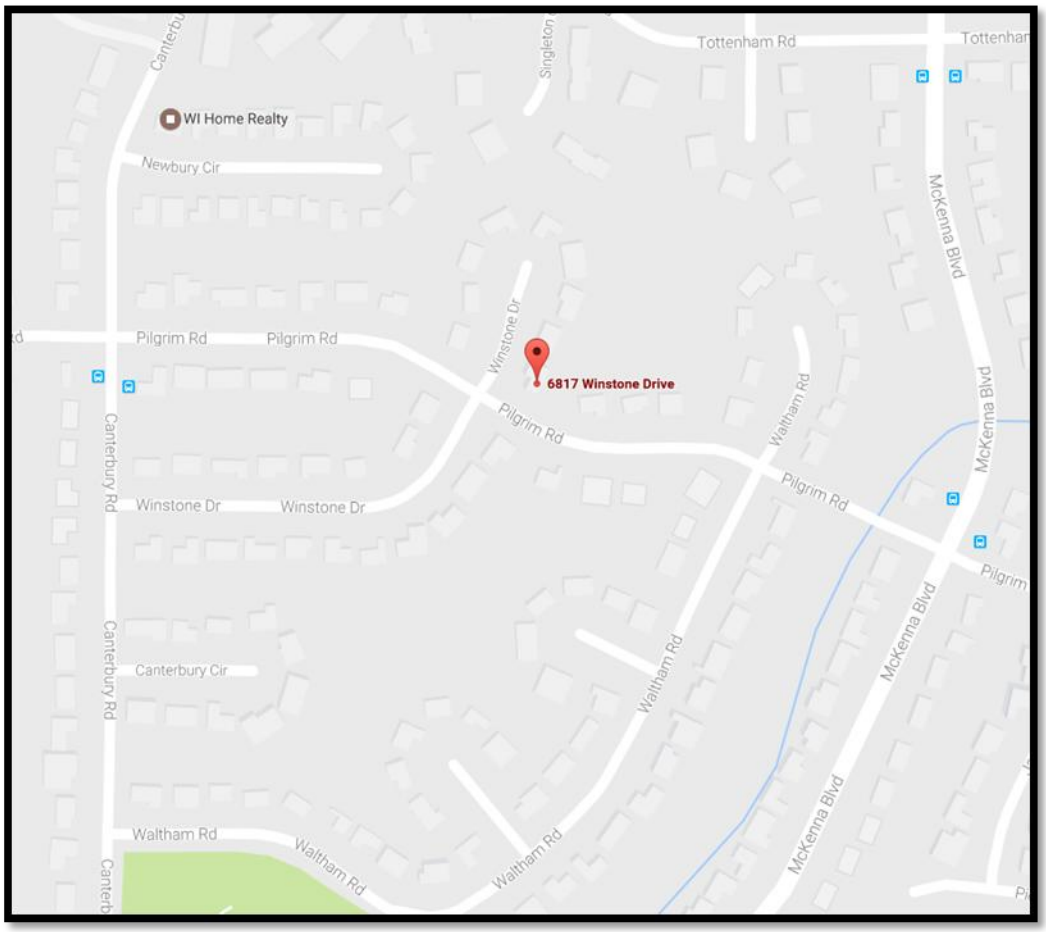
In the right of way, all grasses will be maintained at less than eight inches. On the private property, all non-native grasses will be maintained at less than eight inches and all native grasses will be maintained and cut according to the approved management plan. All lawn and grass areas shall be cut between June 30 and October 15 when the Fire Chief, in his or her discretion, so orders.

Neighboring properties:

Although the two immediately-adjoining neighbors were initially concerned that the yard, which had been rigidly maintained for 35 years to prevent change, was becoming different, neither now has any complaint. As described above, the hedge forms a clear separation between the yards, as it has throughout the entire history of the property.

6817 Winstone Drive – Locator Map





In 2011, I was reading a book by one of my favorite non-fiction authors, and completely by accident, I stumbled across the idea that lawns are environmentally harmful.

This seemed like a farfetched claim, but because I research everything, I looked into it further. I found that the claim was largely true – lawns contribute to climate change and species extinction, cause a significant amount of air pollution, and waste and pollute water resources, in addition to having an alarming variety of negative impacts on human health.

I next investigated why lawns are common despite all these costs and harms. The answer is that 18th-century European aristocrats invented lawns as a way to show off their wealth, and a handful of famous American landscape architects brought lawns to the suburbs they were developing in order to create an illusion of affluence. Lawns were forced on homeowners through covenants and ordinances, despite having no objective benefits.

Then I researched alternatives to lawns, and discovered permaculture, native plant gardening, xeriscaping, and related practices. These practices reverse the harms associated with lawns and provide many benefits to the property owner and the larger community.

By the summer of 2013, I was so convinced that people should be gardening this way, that I decided to buy a house so I would have a yard in which to garden this way.

As part of the homebuying process, I checked whether Madison had any ordinances like those I had read about. I was shocked to find that Madison still has a requirement that property owners get a permit in order to have tall grass in their yard. To learn more, I had to search several libraries to find the information booklet about the permit process. And then, since that booklet was obviously outdated, I had to contact the city to find out how to submit my application.

At that point, I was pretty well convinced the permit requirement was not enforced anymore. It was very difficult to find out about, and no one I talked to - property owners, librarians - seemed to be aware of it. City staff didn't seem to care whether I submitted an application or not.

But I submitted one anyway, within a few weeks of moving into my new house. It was February, and nothing was growing in anyone's yard. Based on the popularity of natural yards in Madison, and the positive tone of the instruction booklet, I was confident that my permit would be in place before the grass began growing in May.

Unfortunately, my application was misplaced. It is now February three years later and I am still trying to complete the permit process. In the meantime, on the belief that the permit requirement was not enforced anymore, I invested hundreds of hours and thousands of dollars in establishing my natural yard.

The work has paid off. My yard consumes no fossil fuels, produces no noise, uses no chemicals, has almost no runoff, and supports at least 62 vertebrate species and numerous kinds of pollinators. The president of the Madison chapter of the Wild Ones, a national organization advocating for native plants in yards, has walked around my yard with me and been impressed. A certified permaculture designer has walked around my yard with me and been impressed. In fact, everyone who has spent just a few minutes visiting my yard has been impressed with the effort I've put in and the results I've achieved.

Since beginning to establish my natural yard, I have gone on to write a master's thesis on natural yards. I have published several articles on the topic, I have been writing a blog on the topic for almost two years, and I wrote the first draft of Madison's new, less-restrictive natural yard ordinances, which went into effect a few weeks ago. People have asked me for help establishing their own natural yards or navigating the ordinances; I am known and respected for my work in this area.

Soon after moving into my new home, I mentioned to some of my neighbors that I planned to have a natural yard. They had no questions or objections. I used the neighborhood email list several times to send notifications of things that were happening in the area, and received feedback that my neighbors were not interested in this kind of information. On the advice of a friend who has had a natural yard for almost 30 years, I did not approach my neighbors to tell them about what I was doing, but made myself easy to find if they had any questions or concerns. In the three years that I have been living in my house, most of my neighbors have never communicated with me about my yard at all.

During the period that my neighbors were reviewing my permit application, however, I began to hear about several objections which I had previously been unaware of. Although these objections are not strictly related to the application, I would like to take this opportunity to address them.

First, it seems there is an issue regarding the hedges, which were established by a previous property owner 40 years ago. This is an aspect of my yard I have put a great deal of thought into, beginning before I bought the house. I have five main reasons for maintaining the hedges as I do.

First, every house that I have lived in has had large hedges. It has never been an issue and I cannot imagine living without them.

Second, when I bought the property, the low, formal hedge resembled almost nothing else in the neighborhood. Having matured into an informal hedge, it is now much more in keeping with what other people in the area are doing with their yards. I am not aware of similar complaints regarding these other hedges.

Third, the hedge serves important functions in buffering the negative impacts of my neighbors' yards, including lawnmower noise, pesticide drift, and unattractive views.

Fourth, when I bought the house, the hedges were 90% dead and did not flower. In this state they were unattractive and provided nothing for pollinators. Now they flower in the spring and attract numerous pollinators, thus contributing to Madison's pollinator protection initiative. They also provide nesting sites for threatened bird species.

Finally, maintaining the hedges as they were before would be a full-time job that would endanger myself and my neighbors. There has already been more than one incident in which I was trimming the hedges, turned around, and almost hit a pedestrian in the face. Fortunately, I was using a tiny hand pruner. If I had been using a large motorized hedge trimmer, it is likely that someone would have been seriously injured.

To make sure I am considering all options, I have also investigated potential alternative ways of maintaining the hedges. I had the certified permaculture designer mentioned earlier look at the hedges, and asked for his thoughts. I asked whether I could cut the hedges back to how they had been before;

he said technically yes, but the result would be mostly dead and unattractive. I asked whether I could remove the hedges and replace them with something smaller. He quoted me $10,000, pointing out that removing the hedges – which sit at the bottom of a steeply-sloped yard – would lead to serious issues with runoff and erosion. I asked him whether there were other possible alternatives; he checked with his colleagues and said they did not have any suggestions I hadn't already considered.

A second objection I have begun to hear about is the fence. In early June of 2015, I noticed that the hedges were growing over the sidewalk, and invested a significant amount of effort in addressing the problem. Unfortunately, while I was doing so, neighbors complained to the city without talking to me first. City staff did not accept the work I had already done, and instead held me to a standard that could not be met except by installing a fence. At the recommendation of a fencing contractor with 50 years of experience and an A+ rating from the Better Business Bureau, I installed the fence that I have now.

Lastly, there seems to be a belief in the neighborhood that I do not maintain my yard. In 2016, I logged 57 hours working in my yard. This figure does not include planning and research, obtaining materials, taking care of houseplants, performing routine tasks, doing paperwork related to the permit process, or shoveling snow. It also does not count the 70+ hours worked by a hired landscaper to build the pond and help install the seed mixes.

The average American spends 25 hours a year mowing their lawn. They announce this work with 100 decibels of noise, which can carry across 100 acres of neighborhood. When I work in my yard, I strive to be quiet. If I am causing so little disruption that my neighbors think I'm not working in my yard at all, I take that as a great compliment.

It is important to stress that the work described above is related to the labor-intensive process of transitioning from a lawn to a natural yard. After this transition period, a natural yard requires very little maintenance. As opposed to lawns, which are high maintenance by design, a natural yard is a stable plant community that mostly maintains itself. As described in Madison's information booklet on the natural yard permit process, "Once prairie plantings are established, they require no herbicides, fertilizer, water, dethatching, aerifying, leaf removal or mowing." The primary maintenance required is removal of invasive species that come in from the yards of those who choose to garden with non-native ornamentals. My natural yard plan includes this maintenance.

In conclusion, tall grass is the natural and appropriate vegetation of southern Wisconsin. It is far better for the environment and human health than mowed lawns. Madison's ordinances only seek to ensure that property owners are establishing tall grass out of awareness of these facts, and not out of negligence. I hope I have demonstrated that I meet these criteria and qualify for a natural yard permit. Thank you for your attention to this matter.

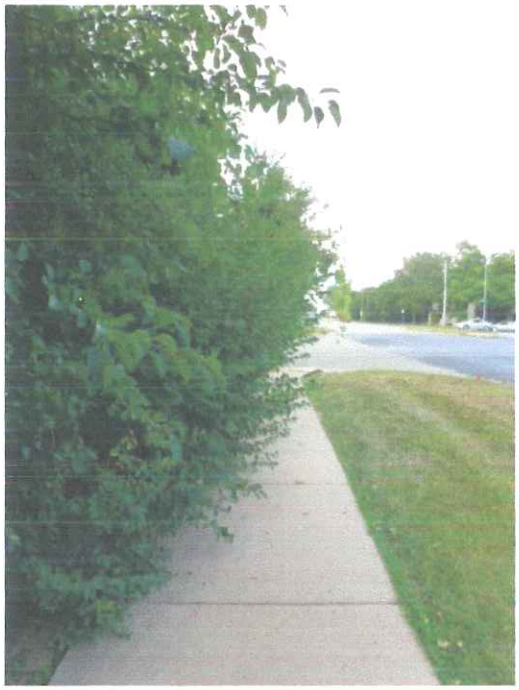
My yard supports many pollinators, including monarch butterflies.

Threatened bird species, such as the Gray Catbird, nest in my yard.

My parents' house in 2005. They have owned the house from 1981 until the present, and the large hedges surrounding the front yard have never been an issue.

The rental house I lived in. The landlord was responsible for the yard, and the large hedges were never an issue.

Examples of other hedges within walking distance of my house:



PRAIRIE NURSERY, INC.
P.O Box 306 Westfield, WI 53964 USA
Phone: 800-476-9453 Fax: 608-296-2741 www.prairienursery.com

2015 BUTTERFLY PRAIRIE SEED MIX FOR MEDIUM SOILS 50% Grass, 50% Forbs

ITEM #50019

SEEDING RATE: 10 PLS POUNDS PER ACRE

		PLS Grams/ l lb of mix			Percent of	% Seeds of
FORBS	**COMMON NAME**	**(1/10 Acre)**	**Seeds/oz**	**Seeds/sq ft**	**Mix Weight**	**Total Mix**
Agastache foeniculum	Lavender Hyssop	4	65,000	2.11	0.88%	3.37%
Allium cernuum	Nodding Pink Onion	12	7,700	0.75	2.64%	1.20%
Asclepias tuberosa - Clay	Butterflyweed for Clay	8	3,500	0.23	1.76%	0.36%
Aster azureus	Sky Blue Aster	8	82,000	5.31	1.76%	8.51%
Aster laevis	Smooth Aster	8	48,000	3.11	1.76%	4.98%
Aster novae-angliae	New England Aster	4	70,000	2.27	0.88%	3.63%
Coreopsis lanceolata	Lanceleaf Coreopsis	12	12,500	1.21	2.64%	1.95%
Echinacea pallida	Pale Purple Coneflower	32	5,000	1.30	7.05%	2.08%
Echinacea purpurea	Purple Coneflower	24	6,600	1.28	5.29%	2.05%
Liatris pycnostachya	Prairie Blazingstar	16	12,000	1.55	3.52%	2.49%
Liatris spicata	Dense Blazingstar	8	12,000	0.78	1.76%	1.25%
Monarda fistulosa	Bergamot	4	78,000	2.53	0.88%	4.05%
Ratibida pinnata	Yellow Coneflower	8	27,000	1.75	1.76%	2.80%
Rudbeckia fulgida	Orange Coneflower	4	25,000	0.81	0.88%	1.30%
Rudbeckia hirta	Black Eyed Susan	8	100,000	6.48	1.76%	10.38%
Rudbeckia subtomentosa	Sweet Black Eyed Susan	4	46,000	1.49	0.88%	2.39%
Rudbeckia triloba	Brown Eyed Susan	8	33,000	2.14	1.76%	3.42%
Solidago ohioensis	Ohio Goldenrod	4	90,000	2.92	0.88%	4.67%
Solidago rigida	Stiff Goldenrod	4	46,000	1.49	0.88%	2.39%
Verbena hastata	Blue Vervain	4	100,000	3.24	0.88%	5.19%
Vernonia fasciculata	Ironweed	8	20,000	1.30	1.76%	2.08%
Zizia aurea	Golden Alexanders	16	12,000	1.55	3.52%	2.49%
TOTAL FORBS		208		45.58	45.81%	73.02%
LEGUMES						
Dalea purpurea	Purple Prairie Clover	19	20,000	3.08	4.19%	4.93%
TOTAL LEGUMES		19		3.08	4.19%	4.93%
TOTAL FORBS AND LEGUMES		227		48.66	50.00%	77.95%
GRASSES						
Bouteloua curtipendula	Side Oats Grama	80	8,000	5.18	17.62%	8.30%
Elymus canadensis	Canada Wild Rye	70	4,200	2.38	15.42%	3.81%
Schizachyrium scoparium	Little Bluestem	60	8,800	4.28	13.22%	6.85%
Sporobolus heterolepis	Prairie Dropseed	17	14,000	1.93	3.74%	3.09%
TOTAL GRASSES		227		13.77	50.00%	22.05%
TOTAL PRAIRIE SEED		454		62.42	100.00%	100.00%

NOTE: Exact seed mix composition may vary based upon seasonal availability of individual species.

PRAIRIE NURSERY, INC. OF WESTFIELD, WI. USA
P.O Box 306 Westfield, WI 53964 USA
Phone: 800-476-9453 Fax: 608-296-2741 www.prairienursery.com

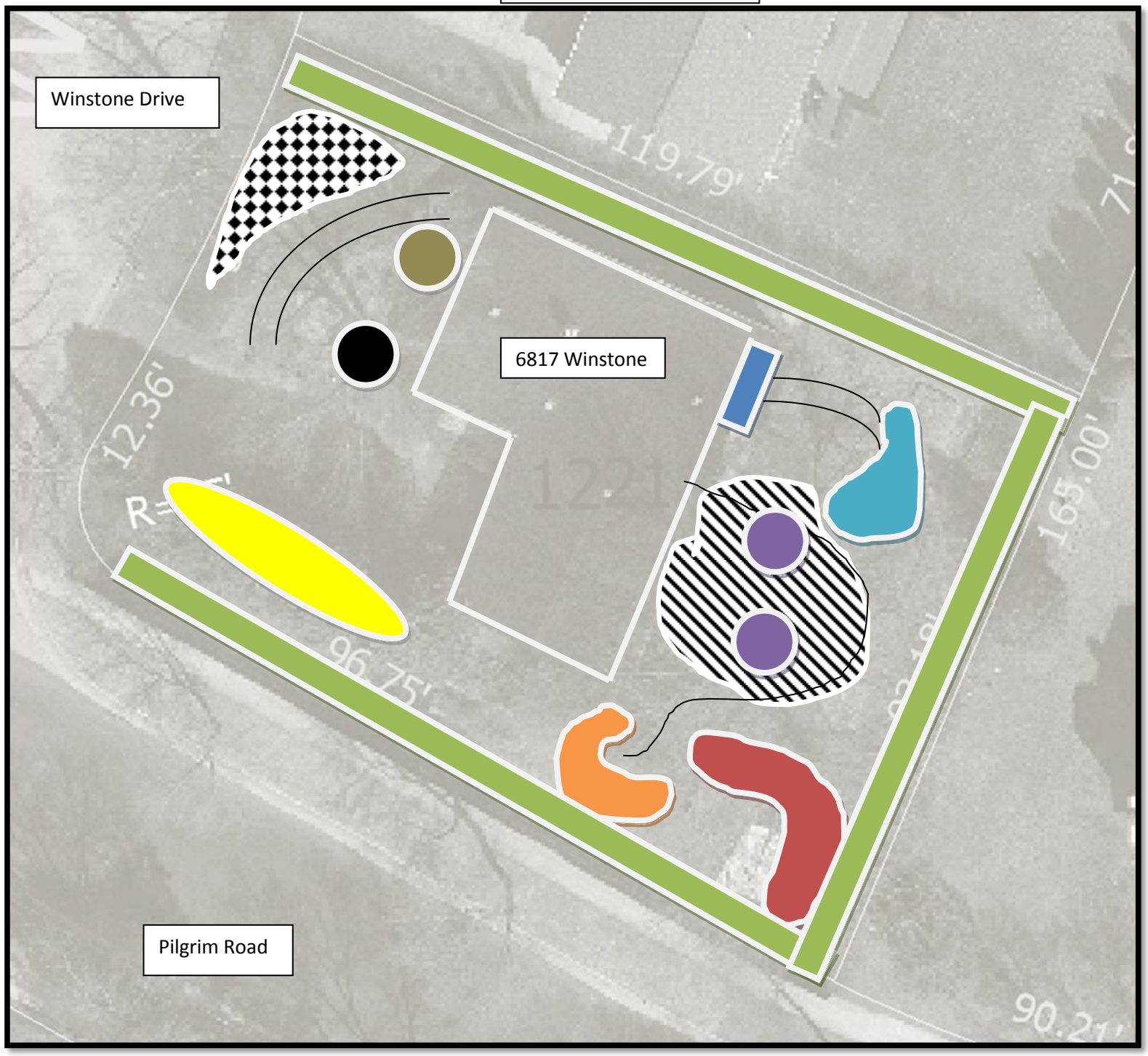
WOODLAND EDGE/SAVANNA MIX FOR MEDIUM SOIL, 70% Grass, 30% Forbs

ITEM #50015

SEEDING RATE: 10 PLS POUNDS PER ACRE

		PLS Grams/ l lb of mix (1/10 Acre)	Seeds/oz	Seeds/sq ft	% of Mix by Weight	% Seed of Total Mix		
FORBS	**COMMON NAME**							
Actaea rubra	Red Baneberry	4	17,000	0.55	0.88%	0.87%		
Agastache foeniculum	Lavender Hyssop	4	65,000	2.11	0.88%	3.32%		
Aquilegia canadensis	Columbine	4	25,000	0.81	0.88%	1.28%		
Arisaema triphyllum	Jack in the Pulpit	12	440	0.04	2.64%	0.07%		
Cacalia atriplicifolia	Pale Indian Plantain	4	6,500	0.21	0.88%	0.33%		
Camassia scilloides	Wild Hyacinth	4	5,000	0.16	0.88%	0.26%		
Campanula americana	Tall Bellflower	0	120,000	0.00	0.00%	0.00%		
Dodecatheon meadia	Shootingstar	4	75,000	2.43	0.88%	3.83%		
Echinacea purpurea	Purple Coneflower	16	6,600	0.86	3.52%	1.35%		
Eupatorium purpureum	Sweet Joe Pye Weed	4	48,000	1.55	0.88%	2.45%		
Monarda fistulosa	Bergamot	4	78,000	2.53	0.88%	3.99%		
Napaea dioica	Glade Mallow	12	5,300	0.52	2.64%	0.81%		
Penstemon digitalis	Smooth Penstemon	4	100,000	3.24	0.88%	5.11%		
Polygonatum canaliculatum	Great Solomon's Seal	8	1,200	0.08	1.76%	0.12%		
Rudbeckia hirta	Black Eyed Susan	8	100,000	6.48	1.76%	10.23%		
Rudbeckia subtomentosa	Sweet Black Eyed Susan	4	46,000	1.49	0.88%	2.35%		
Rudbeckia triloba	Brown Eyed Susan	4	33,000	1.07	0.88%	1.69%		
Smilacina racemosa	Solomon's Plume	8	900	0.06	1.76%	0.09%		
Veronicastrum virginicum	Culver's Root	4	750,000	24.29	0.88%	38.35%		
Zizia aurea	Golden Alexanders	8	12,000	0.78	1.76%	1.23%		
TOTAL FORBS		120		49.24	26.43%	77.74%		
LEGUMES								
Baptisia australis	Blue False Indigo	8	1,600	0.10	1.76%	0.16%		
Baptisia lactea	White False Indigo	8	1,600	0.10	1.76%	0.16%		
TOTAL LEGUMES		16		0.21	3.52%	0.33%		
TOTAL FORBS AND LEGUMES		136		49.45	29.96%	78.06%		
GRASSES							Mature height	
Bromus kalmii	Prairie Brome	48	7,900	3.07	10.57%	4.85%	2' - 4'	
Bromus purgans	Hairy Wood Chess	70	7,500	4.25	15.42%	6.71%	4'	
Elymus virginicus	Virginina Wild Rye	160	3,900	5.05	35.24%	7.98%	4' - 5'	
Hystrix patula	Bottlebrush Grass	40	4,700	1.52	8.81%	2.40%	2' - 5'	
TOTAL GRASSES		318		13.90	70.04%	21.94%		
TOTAL NATIVE SEED		454		63.35	100.00%	100.00%		

6817 Winstone Site Plan



6817 Winstone Key

- Privet Hedges
- Eastern Redcedar
- River Birch
- Dogwood
- Rain garden
- Pond
- Honey Locust
- Berm (Future Non Grass)
- Vegetable Garden
- Butterfly Seed Mix
- Woodland Edge Seed Mix

Areas Not Identified Are Non Grass Minor Landscape