



PREPARED FOR THE URBAN DESIGN COMMISSION

Project: MGO 33.24 Urban Design Commission Updates – Revised Approach
Legistar File ID # [71257](#) (earlier discussions [61918](#) and [63203](#))
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Background Information

Staff is requesting feedback from the Commission regarding the process and initial text updates to various sections MGO 33.24, “*Urban Design Commission*.” Recognizing that changes will vary in their complexity and the time anticipated to complete them, staff proposes the amendments be grouped into multiple phases as described below.

Originally, staff introduced this topic for discussion in September 2020, however due the pandemic and staffing changes, the effort was delayed. As part of this initial introduction, UDC provided comments and feedback regarding the project work plan and schedule, as well as target areas on interest. Those comments have been incorporated into the revised project scope, as noted below.

Ordinance Amendment Process Overview

The process to amend City Ordinances, including the UDC’s related standards in Chapter 33.24 include the following general steps:

- Initial discussions on scope of amendments, identification of sponsors, and possible work sessions to provide further direction on more complex issues.
- City Attorney’s Office drafts the new ordinance(s).
- The new ordinance(s) are formally “Introduced” at Common Council and referred to other review agencies for review and recommendation prior to coming back to Council for final action. In this case, the UDC ordinances will be reviewed by both the UDC and Plan Commission.
- Common Council final action and adoption.

MGO 33.24 Updates - Proposed Phasing and Content

The proposed MGO 33.24 ordinance updates are intended to:

1. Clean-up outdated code language and eliminate redundancies with the Zoning Code,
2. Clarify procedural and process related items,
3. Review district boundaries for consistency with adopted plans,
4. Revamp design-based elements within the Urban Design Districts that are better aligned with current construction and design practices, as well as the intent of each district,
5. Clean-up sign design guidelines and requirements to be consistent with the Sign Code, current legal framework, and current best practices, and
6. Evaluate and creation of new urban design district for “Mifflandia” area.

Recognizing that changes to the urban design districts design guidelines and requirements will vary in their complexity and the time anticipated to complete them, staff proposes the amendments be grouped into multiple phases as outline below. For the purposes of this initial discussion, staff requests UDC’s feedback on the overall proposed phasing, as well as the details outlined in Phase 1.

Phase 1 – MGO 33.24 Administrative Updates and Simple Clarifications

Staff has identified an initial series of potential updates as noted below. This list has been slightly modified to what was previously presented in 2020, but includes many of the same items. Depending on the feedback provided by the UDC at this meeting, staff anticipates this effort can likely be completed in 3-6 months.

- **General MGO 33.24 language updates and removing redundancies with Zoning Code requirements.** MGO 33.24 has not been updated holistically since its adoption. This undertaking seeks to modernize the common terms used and create consistency in the organization throughout the section (i.e. lamberts to footcandles, metrics, general organization, etc.).

In addition, this step will also identify and eliminate unnecessary redundancies with the Zoning Code requirements, including eliminating unnecessary language (i.e. “...conformance to the requirements set forth in Chapter 28...”) and other requirements that are applicable to all development within the city, including lighting, mechanical screening, etc.). Elimination of these redundancies will make room for the design guidelines and requirements unique to each district to be more clear and up front.

- **Add UDC Action Expiration Date.** As time passes, building and zoning codes, construction best practices, materials, and techniques, as well as community needs and vision all change over time. This is evident in the updates that occur to our planning documents and building codes on a regular basis. Commonly, in order for development to maintain consistency with current codes, expirations are set for approvals, including but not limited to those for conditional uses, planned development, building permit, land divisions, etc.

Currently, most UDC actions do not have explicit expiration dates listed in the code. Staff proposes to update Section 33.24 to include an expiration date for UDC actions, consistent with other City agencies, including Plan Commission and Landmarks Commission approvals.

- **Update UDC General Powers and Duties to add clarifying language related to matters or referrals.** Section 33.24(4)(a) notes that the UDC shall review and make recommendations on items referred to the body, but does not clarify under what standards by which the UDC is to review referrals, by whom referrals can be made (i.e. directors, Alders, etc.), or what the process is for submittal of a referral. Staff proposes to update this section to provide the necessary clarifying language.
- **Update Public Project Review to clarify applicability and scope of UDC review.** Staff believes that modifications to Section 33.24(4)(d) MGO are necessary to clarify the roles of UDC, City agencies, and applicable standards, consistent with current practice, including the adopted Policy and Procedures Manual.
- **Create a new code section to codify UDC process - “Obtaining a UDC Approval.”** Staff recommends creating a new code section that clearly outlines the UDC application types (Initial/Final), submittal and review processes, when a public hearing is required and notice requirements, administrative approval process, application types, etc. consistent with the UDC Policies and Procedures Manual as well as current practice.
- **Remove Detailed Plant Lists.** Urban Design Districts 1-3 include very prescriptive plant lists, including several species that are no longer considered to be appropriate or desirable. The UDC has previously provided direction that such lists be removed. This would be allow for these districts to be structured more consistent with contemporary standards.

Staff requests any additional comments on the above alterations so that the City Attorney's Office can begin the more formal process of drafting the ordinances for formal consideration and aldermanic sponsors can be identified. Staff anticipates being able to bring the initial draft ordinance back to the Commission for review and discussion mid-summer.

Phase 2 – Creation of New Urban Design District - Mifflandia

The primary effort identified for this phase is the creation of the new Urban Design District for Mifflandia. This is a key recommendation in that recently completed plan. A specific timeline is not identified, but staff anticipates such an effort could begin in 2022, likely later in the year. In the event that other aforementioned items are determined to require more discussion, they could also be moved to this phase.

Phase 3 – Re-Evaluation of UDD Design Guidelines and Requirements and Current District Boundaries

This phase is anticipate to include more substantive changes and updates to the Urban Design Districts themselves, especially the older UDDs. As part of this phase, staff anticipates the discussions to include the re-evaluation of the design intent and character of each of the districts, among other substantive changes. Overall, staff estimates this work could potentially take between 1-2 years to complete. As discussions progress and given the breadth of the scope in this phase, some of the items identified below may be taken up separately as part of an independent phase. Staff anticipates this phase to include multiple UDC work sessions that will be held prior to the formal drafting and introduction of ordinances.

Anticipated changes may include the following:

- Revised/updated requirements and guidelines, including new sustainability standards.
- Re-evaluate and adjust current district boundaries to be consistent with adopted plans and overarching district design intent and character. Of particular interest are the boundaries of UDD 1, 4, and 5.
- New formatting with graphics.
- As part of this discussion, consideration should be given to removing guidelines from the code and creating a graphic-based guideline manual to illustrate how standards can be met. This is similar to the Downtown Design Guidelines which was created as the City Attorney's Office recommended approach to remove more suggestive guidelines from the code.

Phase 4 – UDD Sign Design Guidelines and Requirements

The UDD design guidelines and requirements pertaining to signage work in conjunction with the City's Sign Code. Considering close coordination will need to occur with the Sign Code, staff currently anticipates this item will occur later in the process so that updates to both can move forward together. Items that staff has noted for consideration in this phase include, but are not limited to the creation of more context district-specific guidelines and requirements, developing improved review and approval standards for sign code exceptions and change of copy signage, creating guidelines for murals, etc. Staff anticipates that this work could either be completed in conjunction with Phase 3 or as a stand along item. In any event, overall this phase is anticipated to take six months to a year to complete.

Conclusion

In conclusion, staff requests that the Commission provide feedback on the overall approach and scope of Phase 1. Following UDC feedback, staff will begin work on:

- Phase 1 - begin the more formal process of drafting the ordinances for formal consideration.
- Phase 2 and 3 – begin scheduling more detailed work sessions for later in the year.