



# City of Madison

City of Madison  
Madison, WI 53703  
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## Meeting Minutes - Approved PLAN COMMISSION

*This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at [www.madisoncitychannel.tv](http://www.madisoncitychannel.tv).*

Monday, June 28, 2010

5:30 PM

215 Martin Luther King, Jr. Blvd.  
Room 300 (Madison Municipal Building)

### ZONING CODE REWRITE SPECIAL MEETING

**Note: Please disregard the note above about this meeting being televised, which only pertains to regular Plan Commission meetings. This session will NOT be televised!**

### CALL TO ORDER/ROLL CALL

**Present:** 7 -

Lauren Cnare; Julia S. Kerr; Nan Fey; Judy K. Olson; Judy Bowser;  
Michael A. Basford and Tim Gruber

**Excused:** 3 -

Michael Schumacher; Eric W. Sundquist and Michael G. Heifetz

**Staff Present:** Rick Roll, Kitty Noonan, Michael Waidelich, Matt Tucker, Kevin Firchow

Fey was chair of the meeting. The meeting was called to order by Fey at 5:37 p.m.

### PUBLIC COMMENT

There were no registrants.

### ZONING CODE REWRITE

[15932](#)

Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit F pursuant to Sec. 66.0103, Wis. Stats. to revise the City's Zoning Ordinance.

#### **This Ordinance was Rerefered to the PLAN COMMISSION**

Discussion and action on Memorandum 3: Introductory Memoranda prepared by the Assistant City Attorney on the red-line version of the code dated April 20, 2010 and a memo on waivers dated March 31, 2010.

- Staff explained the recommended process for reviewing Memorandum 3.

Staff provided an overview of Memorandum 3:

Question about whether setback averaging works for zoning staff. Yes.

Comment that Section 28.031 (1) (e) is not clear. Staff explained how it works and indicated that the text can be made clearer.

Question whether setback averaging would apply to demolitions. Staff said yes.

Question about whether setback averaging will be difficult to use on short blocks. Staff said yes, but the Zoning Board of Appeals will handle difficult situations. Staff further indicated that it will think about how the zoning code can address setback averaging on short blocks.

Discussion about leasing of off-street parking (page 13).

Request that staff add "in consultation with the alderperson" to the end of the paragraph (9) Changes to Master Plan on page 38. Staff agreed to make this change and in all similar situations in the draft zoning code.

Question about whether alterations in master plans need Common Council approval. Staff said yes, Plan Commission and Council approval would be needed. Request that staff look at draft zoning code to make sure there is consistency between the same provisions elsewhere in the code.

Discussion about the difference between guidelines and standards on pages 41-43. Staff explained the differences.

Staff explained the Master Plan Requirement provisions on page 92 of the draft zoning code. Discussion about mapping of existing campuses that don't have a master plan.

Question about reference on page 95 to Section 33.24. Staff explained the reference. Suggestion that Campus Institutional designs can be appealed to the Plan Commission and Common Council. Design review process needs to be appealable.

Staff indicated that a decision needs to be made about whether design guidelines for accessory dwelling units should be suggested design requirements (page 118). Staff will specify that the guidelines for consideration when an ADU district is created.

Question about whether maximum height (page 118 (6) (a)) includes the garage floor. Staff said this needs further discussion.

Discussion about three season porches and how they will be addressed in the code. Staff said this should be a policy decision.

Question about pages 152-153, Parking Waivers and Reductions. Do we really want to allow reductions of residential parking? Concern also expressed about reducing non-residential spaces, i.e. a pass on the first five required spaces.

Question about page 190 Section 28.164 (2)(a). How will a management plan be enforced? Staff said we will need to come back to this.

Question about why Section 28.183 (6) (page 221) was changed.. Staff said the word "consistent" was changed to "conform" based on the Comprehensive Planning consistency law, and the standards were reordered to state the most general standards first.

Question about Section 28.184 (5)5. was changed. Staff explained that the intent was to simplify what the underlying premise of the standard is.

Discussion about adding a bad actor provision to the Planned Development and conditional use approval standards. Staff said that language can be added. Also reference was made to page 26 number 88 in Memorandum 2.

Question about whether hours of operation should be added to Section 28.183 (page 222). Staff stated it can be done, however, the Plan Commission can add an hours of operation condition without specific language.

Moved by Olson, second by Bowser to approve the changes in the red-line draft as modified tonight, and that this draft will become the working draft for subsequent Plan Commission reviews and actions on the draft zoning code. Approved by voice vote/other.

Request that the parking "pass" provision for residential uses be discussed as a policy issue.

Staff provided an overview of the waivers and conditional uses memo.

Staff will provide a revised memo with a waiver and conditional use cross reference to the red-line zoning code.

Request to strike "design language to be waived" from page 39 and other pages referenced in the staff memo.

Question about legal description of what a conditional use is. Staff said it is not defined in statutes. Special exceptions are defined.

Request that staff provide a memo which references public comments to the draft code's page and section numbers.

Discussion about opportunities to educate the public about the code.

## **UPCOMING MEETINGS**

Thursday, July 15, 5:30 p.m. Room 260, MMB  
Monday, July 19, 5:30 p.m. Room 260, MMB  
Monday, August 2, 5:30 p.m. Room 260, MMB  
Monday, August 16, 5:30 p.m. Room 260, MMB  
Monday, August 30, 5:30 p.m. Room 300, MMB

## **ADJOURNMENT**

**A motion was made by Olson, seconded by Gruber, to Adjourn at 7:45 p.m.  
The motion passed by voice vote/other.**