



Legislation Text

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Fiscal Note

No appropriation is required to establish the new zoning district.

Title

AMENDED SUBSTITUTE - Creating Section 28.10(6) of the Madison General Ordinances to establish a Research and Development Center District.

Body

DRAFTER'S ANALYSIS: This ordinance creates a new zoning district, based on the concept of a research park but with a more urbanized character.

The Common Council of the City of Madison do hereby ordain as follows:

Subsection (6) entitled "RDC Research and Development Center District" of Section 28.10 entitled "Manufacturing Districts" of the Madison General Ordinances is created to read as follows:

"(6) RDC Research and Development Center District.

(a) Statement of Purpose. The Research and Development Center District (RDC) is established to provide an aesthetically attractive urban working environment intended primarily for high-technology, research and development, testing, and certain specialized manufacturing establishments, in addition to professional offices and business incubators, all of a non-nuisance type. The purpose of the district is to provide a setting to promote and maintain desirable economic development activities in an urban employment setting that emphasizes buildings that are oriented toward the streets with parking **on the street** to the side and behind the buildings. The district requires advance planning for individual sites to maximize on-site building expansion at the time of site plan approval to accommodate additional development on the site and structured parking at strategic locations. The district is intended to be mapped for areas generally over 50 acres in size and, as such, requires careful advanced transportation planning including the preparation of transportation demand management plans for the district and individual lots, as well as the establishment of a transportation management association for the district and nearby employment centers.

(b) General Regulations. Uses permitted in the RDC District are subject to the following conditions:

1. No use shall be so conducted as to cause the harmful discharge of any waste materials into or upon the ground, into or within any sanitary or storm sewer system, into or within any water system or water, or into the atmosphere. All uses shall be conducted in such a manner so as to substantially minimize any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illumination. Prior to issuance of a zoning certificate or occupancy certificate, the Zoning Administrator may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition.

2. All business, servicing or processing shall be conducted within completely enclosed buildings, except for the following:

a. **On and o**ff-street parking and off-street loading;

b. Automatic teller machines; and

c. Drive-up service windows for banks and financial institutions as regulated hereinafter

3. Parking of trucks as an accessory use, when used in the conduct of a permitted business listed hereinafter, shall be limited to vehicles of not over one and one-half (1-1/2) tons capacity when located within one hundred fifty (150) feet of any district where permitted or conditional residential uses are allowed.

4. A Transportation Demand Management Plan, approved by the Traffic Engineer, shall be provided for the district and individual lots shall provide a Transportation Demand Management Plan, approved by the Traffic Engineer, that is consistent with the Plan for the district. Annual reports on the implementation of the district Transportation Demand Management Plan shall be provided to the Traffic Engineer by a property owners' association or other entity that manages the district Plan.

(c) Permitted Uses. The following uses are permitted in the RDC District:

1. Any production, or processing, cleaning, servicing, testing or repair of materials, goods or products, limited to the following uses, products, components, or circumstances:

- a. Electronic and electrical products and instruments, such as transistors, semiconductors, small computers, scanners, monitors and compact communication devices.
- b. High technology products related to the fields of physics, oceanography, astrophysics, metallurgy, chemistry and biology.
- c. Laser technology, radiology, X ray and ultrasound products, manufacturing and assembly.
- d. Medical and dental supplies.
- e. Optical, fiber optical and photographic products and equipment.
- f. Orthopedic and medical appliances, such as artificial limbs, brace supports and stretchers.
- g. Products related to process design, process simulation, software development, and safety engineering.
- h. Scientific and precision instruments and components, including robotics.
- i. Small-scale products (finished weight not exceeding fifty pounds) related to energy and environmental or to telecommunications and satellite applications.
- j. Small-scale products (finished weight not exceeding fifty pounds) related to the resource industries of agriculture and food production, forestry, petrochemicals and mining.
- k. Camera and other photographic equipment.
- l. Specific products not listed above but similar in intent and character and which may be defined as being produced or assembled manually or by a light industrial process by virtue of the use of only light machinery; being conducted entirely within enclosed substantially constructed buildings; in which the open area around such buildings is not used for storage of raw materials or manufactured products, or for any industrial purpose other than loading and unloading operations; and which are not noxious or offensive by reason of emission of smoke, dust, fumes, odors, noise, or vibrations beyond the confines of the building.
- m. Drugs or pharmaceutical products.

n. Coffee shops.

2. Dwelling units for security personnel and their families located on the premises where they are employed.
3. Laboratories - research, development and testing, including testing facilities, equipment, and manufacturing and fabrication of products in conjunction with such research or development, and accommodations for persons participating in laboratory studies.
4. Offices, business and professional.
5. Pilot plants or other facilities for the testing of manufacturing, processing or fabrication methods, or for the testing of products or materials.
6. Telecommunication centers.
7. Accessory uses, including, but not limited to the following:
 - a. Educational or training centers or institutions.
 - b. Nursery schools or day care centers for children of employees on the site.
 - c. Restaurants or structurally integrated lodging facilities which are open only to persons employed on the site and to business visitors and guests.
 - d. Temporary buildings for construction purposes, for a period not to exceed the duration of such construction.
 - e. Reproduction processes related to a primary function including printing, blueprinting, photostating, lithographing, engraving, stereotyping, publishing and bookbinding.
 - f. Wholesaling of goods and merchandise manufactured or produced on the premises.
8. Nursery schools not adjacent to a residence district.
9. Health Clubs
10. Medical, dental and optical clinics.
11. Restaurants, subject to the following: the establishment of any restaurant shall be within an enclosed building, shall be limited in size to no more than twenty-five percent (25%) of the gross floor area of the building and shall not contain any drive-up service.
12. Retail uses, provided that such retail uses in aggregate (i) are located on the ground floor; (ii) do not exceed the smaller of 15,000 gross square feet or 25% of the gross area in any single building; and (iii) no individual retail store shall exceed 2,500 gross square feet. Such retail uses shall include:
 - a. Barber shops.
 - b. Beauty parlors.
 - c. Book, magazine and stationery stores.
 - d. Candy, ice cream, yogurt and custard stores.
 - e. Dry cleaning and laundry establishments.

- f. Florist shops.
 - g. Food stores, grocery stores, meat stores, fish markets.
 - h. Gift shops and card shops.
 - i. Camera and photographic supply and film processing stores.
 - j. Video rental establishments.
 - k. Tailor shops.
 - l. Blue printing, photostating establishments and copy shops.
 - m. Travel bureaus and transportation ticket offices.
 - n. Telephone, cellular, pager stores.
 - o. Tobacco stores.
 - p. Bakery stores.
 - q. Delicatessens.
 - r. Office supply stores
13. Emergency electric generator which serves a principal use located on the zoning lot and is capable of providing electricity for off-site use provided:
- i. The electric output is less than 3,000 kilowatts and said generator is operated no more than 200 hours per year;
 - ii. The location of every generator shall be approved by the Director of the Department of Planning and Development and shall be not less than 20 feet from any zoning lot which permits residential uses; and,
 - iii. Said generator shall be located and screened so as to reduce the visual impact of the generator from neighboring property and to be compatible with neighboring structures and the character of the community. This may include screening with materials similar in appearance to those used for the principal structure on the zoning lot, landscaping or fencing as approved by the Director of the Department of Planning and Development.
- (d) Conditional Uses. The following conditional uses may be allowed in the RDC District subject to the provisions of Section 28.12(11):
- 1. Parking facilities, as a principal use on a zoning lot.
 - 2. Public utility and public service uses as follows:
 - a. Bus stations, bus terminals, bus turnarounds (off-street), bus transfer points, bus garages and bus lots.
 - b. Electric power production.
 - c. Electric substations.
 - d. Gas regulator stations, mixing stations and gate stations.
 - e. Radio and television towers.
 - f. Railroad passenger stations.
 - g. Railroad rights-of-way.
 - h. Sewerage system lift stations.
 - i. Telephone exchanges, microwave relay towers, telephone transmission equipment buildings and service yards and telephone booths (outside).
 - j. Water pumping stations and reservoirs.
 - 3. Any production, or processing, cleaning, servicing, testing or repair of materials, goods or products, limited to the following uses, products, components, or circumstances:
 - a. Ceramic products, such as pottery, figurines and small glazed tiles.
 - b. Cosmetics and toiletries, drugs, perfumes, and perfumed soaps.
 - c. Electrical appliances, such as lighting fixtures, irons, fans and toasters.
 - d. Electrical equipment assembly, such as home radio and television receivers and home movie equipment, but not including electrical machinery.
 - e. Electrical supplies, manufacturing and assembly, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries.
 - f. Products from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious and semiprecious stones, rubber, shell, wood (but not including a planing mill) and yarn.
 - g. Products related to material research and development in such areas as prepared glass, ceramics, carbon fiber, metals, textiles, polymers, plastics, chemical foams and inorganic chemicals such as liquid crystals, and synthetic fuels.
 - h. Products (finished weight exceeding fifty pounds) related to energy and environmental or to telecommunications and satellite applications.
 - i. Products (finished weight exceeding fifty pounds) related to the resource industries of agriculture and food production, forestry, petrochemicals and mining.
 - 4. Conference centers and hotel facilities.
 - 5. Nursery schools adjacent to a residence district.

6. Outdoor eating and recreation areas, when accessory to another use.
7. Temporary parking lots for a total period not to exceed three (3) years, provided such lot complies with the provision of Section 10.08(6)(c), driveway and parking facility ordinance.
 - (e) Floor Area Ratio. In the RDC District, the floor area ratio shall be a minimum of .35 and shall be shown on the initial plans submitted. For any development on a zoning lot that will be done in phases, the minimum floor area ratio for the first phase shall be .20. Acres used for multi-site storm water basins are not considered in the floor area ratio calculation.
 - (f) Yard Requirements. In the RDC District, front, side and rear yards shall be provided, each of which shall be not less than the following:
 1. Front Yard - A minimum of ten (10) feet. At least fifty percent (50%) of the building facade facing the front property line shall be between ten (10) feet and thirty (30) feet of the front property line.
 2. Side Yard - Each side ten (10) feet, except a side yard may be zero (0) feet when sharing a common wall with a building on an adjacent lot. For corner lots, the side street yard shall be treated as a front yard.
 3. Rear Yard - A minimum of ten (10) feet except that the rear yard may be zero (0) feet when sharing a common wall with a building on an adjacent lot.
 - (g) Impervious Surface Ratio. In the RDC District, the impervious surface area shall not exceed of 0.85 per zoning lot.
 - (h) Development Standards. In the RDC District, the following development standards shall apply:
 1. Building Design. All buildings shall be reviewed and approved by an architectural review committee as established by the developer through deed or plat restriction, provided that any building design criteria and review procedures adopted by such committee, the categories of membership of the committee, and the language of the deed or plat restriction must be approved by the Plan Commission. In cases where no architectural review committee procedure has been approved, all building and site plans shall be reviewed and approved by the Urban Design Commission provided any such plans may be reviewed by the Plan Commission, at the request of an aggrieved party, within ten (10) days of the Urban Design Commission's decision.
 2. Accessory Off-Street Parking and Loading. Accessory off-street parking lots and loading berths, and access driveways shall be located, designed and improved so as to provide for safe and convenient access from adjoining streets, as well as safe and convenient circulation within the site. Access driveways and parking lots shall be separated from principal pedestrian walkways and recreational areas by pavement markings, curbs, planting areas, fences or other appropriate materials to ensure pedestrian safety. Off-street parking lots shall not be located in required front yards or street side yards on corner lots, but may be located in required rear yards to the rear of a building or in an interior side yard beyond the larger of the required front yard or the actual front setback. A parking lot containing not more than ten (10) parking spaces may be located to the front or side of a building, but not in any required front yard or in the required street side yard on a corner lot unless shown on an approved master plan for the district. If approved by the Architectural Design Committee, a parking lot containing more than ten (10) parking spaces may be located in the front or side of a building, but not in any required front yard or in the required street side yard on a corner lot. Any parking lot located in a required side or rear yard shall be located not less than twenty (20) feet from any lot in a Residence or Special District. Access driveways shall be designed and located so that such driveways do not provide a direct unlandscaped view from the street to the loading berths or storage areas. A plan for tree islands and parking lot landscaping shall be included with the landscape plan required in Paragraph 3. hereafter. Off street parking facilities shall be located at least ten (10) feet from any property line and/or right-of-way and utilize a landscape buffer that includes trees, shrubs, decorative fencing, benches, flowerbeds, ground covers, or other high quality materials. For every twelve (12) to fifteen (15) parking stalls in a continuous row, at least one canopy tree shall be required in an interior parking island pursuant to the requirements of Sec. 28.04 of these ordinances.
 3. Landscaping and Site Development. All lots shall be landscaped, including the provision of canopy-type shade trees. Where possible, existing healthy trees, other than nuisance species, shall be retained. All land areas not covered by buildings, structures, storage areas, parking lots, loading areas and driveways, shall be landscaped and maintained. Landscaping shall mean decorative plazas, mounds, pools or the planting of grass, shrubs, trees and other plant materials or other comparable surface cover. To comply with the above provisions, a landscape plan shall be submitted and approved by the Director of the Department of Planning and Development. Landscape plans shall be developed in accordance with the Revised "New Approach to Parking Lot Landscaping" guidelines, adopted by the Common Council by Substitute Resolution No. 37,196, which is on file with the City Clerk and available in the Department of Planning and Development.
 4. Storage Areas. All storage, except for licensed motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened with screening not less than six (6) feet nor more than eight (8) feet in height, and no storage shall exceed the height of such screening. All outside storage areas shall be located to the rear of buildings and shall be limited to not more than five (5) percent of the total lot area.

5. Illumination. Electrical reflectors, spotlights, floodlights and other sources of illumination may be used to illuminate buildings, landscaping, street graphics, and parking and loading areas on any site, but only if they are equipped with lenses or other devices which concentrate the illumination upon such buildings, landscaping, street graphics, and parking and loading areas. All lighting shall be reflected away from residences and public streets.

6. Street Graphics. All street graphics shall comply with the regulations of Chapter 31, Madison General Ordinances, provided, however, the following limitations shall apply.

a. No advertising street graphic, above roof graphic, roof street graphic and projecting street graphic shall be allowed in the RDC District.

b. No wall street graphic shall cover more than 10 percent of the building face, and in no case shall such sign exceed a gross area of 100 square feet.

c. No ground sign shall exceed a maximum height of six (6) feet and a maximum gross area of thirty-two (32) square feet. All ground signs shall be incorporated in the landscape plan.

(i) As part of any zoning map amendment to RDC, the applicant shall file a development plan that guides all of the lands that are subject to the map amendment. The development plan must present a unified and organized arrangement of buildings and service facilities that shall have a logical relationship to the properties comprising the lands to be rezoned. The approved plan shall be used by the Architectural Review Committee or the Urban Design Commission, if no Architectural Review Committee exists, to assure that development plans for individual lots are consistent with the overall plan. At the option of the applicant, the development plan may serve as the preliminary subdivision plat, provided that the plan shall include all information required of preliminary plats in Sec. 16.23 (7)(a) as well as the following information:

1. Generalized plan for circulation through the development, including the location and width of streets, drives, bicycle/ pedestrian facilities, and other transportation facilities proposed within the development.

2. General location of proposed buildings and structures, including any buildings and structures to remain, with approximate dimensions of setback from proposed street rights-of-way and adjacent property lines, dimensions of building width and length, number of floors, and total building area

3. General location of parking spaces, aisles, and drives, including any parking that might be provided on streets. Where parking will be shared between multiple lots or land uses in surface lots or structures, the plan shall include any proposed easement or agreement language that will be included on the final plat of the land where the shared facilities will be located.

4. If areas of the development will be devoted to different land uses than other areas of the development, the plan shall identify the proposed general land uses of the areas within the development, including activity nodes.

5. Existing and proposed topography, with contours at an interval of not less than two feet.

6. Location and identification of any proposed and any existing site features to be retained, including detention areas, landscaped or forested areas and/or features, retaining walls, and other pertinent site features."