



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes - Approved ZONING CODE REWRITE ADVISORY COMMITTEE

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Tuesday, October 21, 2008

5:30 PM

Madison Senior Center  
330 West Mifflin Street  
Rooms 1 & 2 (2nd floor)

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### 1. CALL TO ORDER / ROLL CALL

**Present:** 15 -

Tim Gruber; Satya V. Rhodes Conway; Lauren Cnare; Nan Fey; Daniel J. Stephans; Lou W. Host-Jablonski; Diane L. Milligan; Sheri Carter; Ledell Zellers; Carole J. Schaeffer; Michael A. Slavney; D. Ken Saiki; Gary A. Brown; Amy E. Rountree and David C. Porterfield

**Absent:** 1 -

Julia S. Kerr

**Excused:** 8 -

Randall L. Glysch; Janis G. Reek; Susan M. Schmitz; Kevin R. Pomeroy; Michael A. Basford; Steve C. Steinhoff; Janet P. Loewi and Lance T. McGrath

**Staff Present:** Michael Waidelich, Matt Tucker

**Consultants Present:** Suzanne Rhees, Andrew Dredsner, Cuningham Group, Architecture, P.A.,

The meeting was called to order at 5:40 p.m.

### 2. APPROVAL OF September 10, 2008 MINUTES

**A motion was made by Zellers, seconded by Ald Gruber, to Approve the September 10, 2008 Minutes. The motion passed by voice vote/other.**

### 3. PUBLIC COMMENT

Five members of the public made comments:

- Chris Homburg - The Zoning Code isn't set up to handle rural parcels. Have a quarry that burned down; lacked water and sewer service, lengthy process. Consider maintaining uses such as barns, livestock, in an appropriate zoning district.
- Joan Laurion - Presented a suggested draft of ordinance language for Accessory Dwelling Units (ADUs). Question - would studio or office use be allowed? A - No, that would be a home occupation. Q - Draft specifies maximum size of 900 square feet - isn't that rather large? A - This is the largest example we found in other ordinances.

- Bob Koechley - In support of ADUs; hope to find space for home health care aide in the future; provides flexibility, life cycle housing.
- Roger Guest - Summarized written comments on treatment of small-lot single-family districts (R2S, T, Y, Z) in new code. New draft doesn't include the 37-foot lot width or the 3,500 square foot lot area; this has been a viable product. New draft doesn't distinguish between street-loaded and alley-loaded houses. The sidewall offset standard isn't appropriate for these housing types.
- Denise Lamb - Westmoreland/Midvale Heights Neighborhood Plan. Draft plan will encourage ADUs. Will be a good way to increase density in older neighborhoods. Notes some concerns such as student rentals. ADUs probably will need additional conditions to be acceptable, since neighborhood contains many small lots. Q - Doesn't plan establish density limits; how would this work with ADUs? A - Anticipate that ADUs wouldn't be counted towards overall density.

4. [11122](#)

Administrative Matters

Nan Fey and Alder Satya Rhodes-Conway suggested a process for discussing sustainability issues in greater detail: to create a focus group that would hold two meetings in November, followed by a public hearing in December, with the goal of giving direction to the consultants while code is being drafted. The group will use the Rocky Mountain Land Use Institute's Sustainable Communities Code as a study guide.

Q - How will this group relate to the ZCR process? A - Additional public involvement is always desirable. Q - Why would a "public hearing" be needed; is this simply a "public meeting"? A - This is simply a meeting designed for public input, whereas the two focus group meetings are intended mainly for the group's own discussions. Q - How would the group be formed? A - Interested members of the ZCRAC and possibly other participants, similar to the other focus groups.

**Motion to authorize formation of sustainability focus group by Lou Host-Jablonski; second by Alder Tim Gruber; motion approved.**

5. [12186](#)

Draft Zoning Code

Suzanne Rhees presented a summary of the Draft Residential Zoning Districts. The Advisory Committee members asked questions and offered comments.

Topics discussed included:

**Residential Draft Review**

- Add Comprehensive Plan designations, LDR, MDR, etc.
- "Suburban Residential" terminology - seems acceptable, as long as the development pattern is adequately explained.
- Suggest that districts be named not "1,2,3..." but according to density - i.e., approximate units per acre. Thus, SR-C1 would become "SR-C8" - 8 units per acre.
- SR-C1 - rear yard setback of 35' is greater than adjacent communities, most use 30'.
- We are already reducing rear yard depth from 40'; if more, could have adverse impacts on privacy of adjacent lots.
- Prefer more open character of deeper rear yards.
- SR-C3 - Use "two-flat" terminology rather than "duplex," and "three-flat" rather than "three-family."

- Advisory Committee suggests defining two-flat as one unit over the other, duplex as side-by-side units on one lot, and twin homes as side by side on split lots.
- SR-V Districts: Q - Should all attached and multi-family housing be treated as conditional uses? Given that these districts are designated for this range of housing types, is this "fair"?
- Suggest treating smaller multi-family groupings (3-4 units) in SR-V1 as permitted, larger groupings as conditional. In SR-V2, groupings of up to 8 units might be permitted.
- Especially around the edges of multi-family districts, transitional zones are important. Consider spacing requirements or quota system for multi-family.
- TR Districts Discussion: Area exceptions proposed to be extended to all TR districts. But the AE was designed as a "work-around" to avoid the need for frequent area variances. Shouldn't the new districts eliminate many of the nonconformities, so that AEs aren't needed? Should side yard standards be reduced?
- General consensus that more research into actual side yard widths is needed, but that side yards might be reduced somewhat. Where driveways occupy one side yard, consider narrowing the other.
- Consider adding language that would make all existing nonconforming lots "conforming" - would lower current barriers to financing.
- Madison treats "legal nonconforming" lots differently than surrounding communities do - more opportunities for improvements.
- TR-V1 - be careful not to over zone blocks that currently have a certain balance of housing types; try to maintain that balance through a quota or spacing requirement.
- All districts with single-family attached buildings - suggest that these maintain the same setback as other housing types, to foster a consistent streetscape.
- TR-E - In addition to this district, consider areas like Orchard Ridge, with large lots and small houses; some re-subdivision has occurred.
- City applies own standards to subdivision review in these areas; may not need to address in zoning. NC overlay has been discussed in this area.
- TR-Planned - should this become a full-fledged "TND" district, as originally proposed?
- Should retain this type of district as a way to introduce small-lot affordable housing types without needing to propose a full-scale TND with a mixed-use component. Consider adding the "two-flat" housing type and treating two-family dwellings as CUs.
- Should have a TND district and the sub-parts that could be mapped separately.
- Definitions: Add purpose statement for "pervious pavement." Indicate that gravel, etc. isn't considered pervious.
- Lakefront Lots Discussion - May be appropriate to create a fixed setback line, similar to DNR's original shoreland setback line (?), versus a fixed percentage of each lot depth - lot depths differ greatly.
- Concern for view from the lake toward the shore.
- Why not use both (fixed and percentage), with the greater setback to take precedence?
- Desire to not create non-conforming properties in order to avoid financing/marketing troubles.
- Design Standards: Should specify that all buildings be oriented to an abutting street. All building elevations should have windows.
- Specify that standards such as "no parking between building façade and abutting street" applies only to new construction; don't create new nonconformities. Nonconforming status discourages reinvestment.
- Yard Encroachments: Clotheslines and compost bins should be allowed in side

yards, with same 3' setback from property line.

- Would like to see small accessory buildings allowed in side yards of reversed corner lots.
- Discussion of communication towers - should be allowed in rear yards only.
- Discussion of Uses:
- Why not allow more mixed uses in residential districts? Take Steve Steinhoff's comments into account: neighborhoods should be allowed to evolve towards a more mixed-use pattern.
- How would the new code treat a much-loved corner store already located in a residential neighborhood?
- It could be a neighborhood commercial node, even if only one lot (a "spot zone") in size.
- All "spot zones" are not illegal.
- We could also develop a standard such as "small-scale retail on corner lots, or corner lots abutting collector or higher classification streets." This would still create many potential sites, however.
- Consider combining similar uses such as lodging house, fraternity, and sorority.
- Should religious institutions be treated as conditional uses? All adjacent communities group institutional uses together and treat all as conditional in residential districts.
- Don't want to violate RLUIPA legislation.
- This shouldn't be a problem if similar uses are treated the same.
- Q-Doesn't see solar apparatus in the allowed use tables. A-waiting for ordinance, will add.

6. [10737](#) Meetings and Other Feedback

7. **ADJOURNMENT**

The meeting adjourned at 8:30 p.m.