



# City of Madison

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

## Meeting Minutes - Approved ZONING CODE REWRITE ADVISORY COMMITTEE

---

Tuesday, April 28, 2009

5:30 PM

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

---

### CALL TO ORDER / ROLL CALL

**Present:** 16 -

Chris Schmidt; Satya V. Rhodes-Conway; Steve King; Nan Fey; Daniel J. Stephans; Diane L. Milligan; Lisa M. MacKinnon; Ledell Zellers; Carole J. Schaeffer; Michael A. Slavney; Kevin R. Pomeroy; D. Ken Saiki; Amy E. Rountree; Janet P. Loewi; Lance T. McGrath and Craig P. Stanley

**Absent:** 1 -

David C. Porterfield

**Excused:** 7 -

Julia S. Kerr; Sheri Carter; Randall L. Glysch; Janis G. Reek; Susan M. Schmitz; Gary A. Brown and Steve C. Steinhoff

**Staff Present:** Michael Waidelich and Rick Roll. Matt Tucker participated in the meeting via videoconference.

**Consultants Present:** Suzanne Rhees and Mike Lamb participated via videoconference.

Michael Slavney called the meeting to order at 5:30 p.m.

### APPROVAL OF March 24, 2009 MINUTES

**A motion was made by Stephans, seconded by Pomeroy, to Approve the March 24, 2009 Minutes. The motion passed by the following vote:**

**Absent:** 1 -

David C. Porterfield

**Excused:** 7 -

Julia S. Kerr; Sheri Carter; Randall L. Glysch; Janis G. Reek; Susan M. Schmitz; Gary A. Brown and Steve C. Steinhoff

**Ayes:** 15 -

Chris Schmidt; Satya V. Rhodes-Conway; Steve King; Nan Fey; Daniel J. Stephans; Diane L. Milligan; Lisa M. MacKinnon; Ledell Zellers; Michael A. Slavney; Kevin R. Pomeroy; D. Ken Saiki; Amy E. Rountree; Janet P. Loewi; Lance T. McGrath and Craig P. Stanley

**Abstentions:** 1 -

Carole J. Schaeffer

### PUBLIC COMMENT

Five people registered to speak.

Michael Christopher: He indicated he was representing Bret Newcomb. Their concern is the draft code's discouragement of tilt-up panels. Tilt-up panels offer many advantages including lower cost than other methods of construction, excellent aesthetics, and energy efficiency.

Bret Newcomb: He said he builds exclusively tilt-up panel buildings, including three in the Oak Sauk Trails business park. Requested that language discouraging tilt-up panels be removed from the zoning code. He said tilt-up panels are green, built on-site, and extremely energy efficient. He said 12 of 73 projects that they have done have won design awards.

Greg Rosenberg: He said he is the Director of the Madison Area Community Land Trust and has been part of a working group that has been meeting to discuss the creation of an urban agricultural zoning district. He said they used an ordinance from Cleveland and the Rocky Mountain Land Institute as models. He said the group worked on creating zoning standards for agricultural-commercial uses, and urban agriculture uses at the edge of the City.

Joan Laurion: She spoke in favor of accessory dwelling units. She asked if they would be allowed in all zoning districts. She also asked about the overlay district process. She wants accessory dwelling units permitted by right if minimum standards are met.

Bob Koechley: Suggested that the maximum size be higher than proposed. He suggested 900 square feet. He is also concerned about occupancy of accessory dwelling units.

The Advisory Committee members asked questions of some of the public speakers.

- Staff described the existing zoning regulations for accessory dwelling units. Staff also explained the proposed new Accessory Dwelling Unit zoning process.
- Letters and charts from Brian Munson and Roger Guest were distributed to the Advisory Committee. These materials reference the proposed Traditional Residential Planned District and other elements of the draft Residential Districts chapter of the zoning code.
- A question was asked about the rationale for prohibiting tilt-up panels. Answer: some firms do it very well, others do not.
- Question: Is there a middle ground to get higher quality designs and a higher level of energy efficiency? Answer: The desire is to create a basic design standard for site plan review.
- Comment that "generally discouraged" is hard to overcome.
- Question: Who is the arbiter of when tilt-ups can be used? Answer: During the site plan review process and review from boards, commissions, and committees.
- Question: Can tilt-up panels be allowable in certain instances?
- Comment that the material isn't inherently bad, it's how it's used. There needs to be more guidelines.
- Question: Can design objectives and process be included in the code but leave materials out of it? Answer: yes.
- Comment that the proposed accessory dwelling unit process is harder than it is now. Do people have to work with 8 blocks to do an overlay district for accessory dwelling units? Answer: The conditional use process is an option.
- Clarification on what eight block faces means.
- Question: Could you rezone to R-3? Answer: No, R-3 is a duplex district. Rezone from R-1 to R-3 could be spot zoning.
- Question: Do accessory dwelling units need to be restricted to single-family districts? Can 40% limit be revised to address small houses? Is there an alternate approach?

4. [11122](#)

Administrative Matters

Staff summarized the upcoming meeting schedule: May 20, June 22, 23, and 24.

5. [12186](#)

Draft Zoning Code

Staff provided an overview of the proposed draft Urban Agricultural District, revised suggested standards and requirements for accessory dwelling units, revised Campus Institutional District, revised Residential Districts, and revised Commercial and Mixed-Use Districts. The

Advisory Committee members asked questions and offered comments.

Topics discussed included:

**Review of Urban Agricultural Districts:**

- Suzanne Rhees summarized the district. She said Supplemental Regulations would be revised to match the district.
- Question about vermiculture. Would it be subject to Health Department? Vermiculture should have same standards as composting.
- What is the definition of agricultural chemicals?
- Maximum lot coverage of greenhouses may be too high. Selective cutting needs a definition.
- Is bee keeping prohibited in residential districts? Only a certain number of beehives are allowed.
- Make buildings not exceeding the maximum size a permitted use.

**Review of Revised Suggested Standards and Requirements Accessory Dwelling Unit:**

- Discussion about the minimum size of accessory dwelling units.
- 75% of principal structure but no larger than 700 square feet.
- Discussion about the minimum building size of any home in Madison.
- Suzanne Rhees said the suggested standards could be changed by the neighborhood as part the accessory dwelling unit planning process.
- Discussion about the ability to have an accessory dwelling unit without an overlay district.
- Discussion about the neighborhood conservation district approach as being a good way to do accessory dwelling units.
- Can there be an option to allow accessory dwelling units in an area of less than 8 contiguous block faces?
- Maybe there should be a Plan B for atypical cases.
- Process can be overwhelming and a burden. Do we want to encourage accessory dwelling units?
- We want to go to the next level but do so responsibly.
- The process is way to hard at the beginning and way to easy at the end. Maybe an area exception is appropriate.
- When does the conversation happen regarding when too many accessory dwelling units are in an area? Make this one of the standards required before an accessory dwelling unit is approved.
- Occupancy requirement in accessory dwelling units could be limited to two unrelated or one family plus one roomer.
- General consensus on using consistent occupancy requirements in all zoning districts (not varying based on "family" definition in underlying zoning districts).
- Consensus on making consistent occupancy standard a standard, not variable
- Make occupancy rules consistent with the base zone.
- The purpose of the accessory dwelling unit is meant to be a different dwelling type than other types.
- Discussion of people going to the neighborhood to make final decisions about suggested design standards and occupancy requirements.
- Issues will be "How big can an accessory unit be?" and "What is the occupancy?"

**Review of Draft Revised Campus Institutional District:**

- The uses on page 11 are too diverse to put in use tables.
- Many campuses have master plans in place but they don't have building design review standards. The building form standards in the draft code don't match what's in the existing campuses.
- The Campus Institutional District is above and beyond master plans now. If the campus doesn't have a master plan, it must get a conditional use permit or prepare a master plan that meets the Campus Institutional District.

- Discussion about which commissions will be involved in the review of development projects within campuses.
- Staff should discuss new Campus Institutional District with the campuses.
- Suggestion to add landmark and historic review to the process.
- Suggestion to allow the Plan Commission and Council to refer to committees.
- Question about how the community reviews projects once a master plan is approved.
- Question about whether the public should be involved in the final design review.
- Request to send out a summary of changes to tonight's draft to campuses and alders.

**Review of Draft Revised Residential Districts:**

- Discussion of the Traditional Residential-Planned District, including letters from Brian Munson and Roger Guest regarding residential districts.
- 20% open space requirement is too large. The district will not result in fewer planned unit developments.
- Discussion about encroachments into yards and off street parking spaces.
- Discussion about compost bins and screening. Why not allowed in any yard? Laundry drying equipment too?
- Discussion about the maximum size of accessory buildings.
- Discussion about replacement of "grandfathered" garages.
- Discussion about the expansion of lakefront houses that already exceed the maximum floor area.
- Discussion about whether co-housing should be taken out of the use tables.
- Suggestion to include preservation language in statement of purpose in all residential zoning districts.
- Discussion about lot sizes for duplexes.

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

None

**ADJOURNMENT**

**A motion was made by Ald Rhodes-Conway, seconded by Stanley, to Adjourn at 8:50 p.m. The motion passed by voice vote/other.**