

Wisconsin Department of Health Services
HIA Training Case Study #1
City of Madison's Proposed Zoning Changes

What is the City of Madison's zoning code?

The zoning code is one of the primary tools a city uses to regulate development. All existing and new development in the City of Madison must be consistent with the requirements of the zoning code. These requirements include designating the type of land uses (e.g. housing, retail, office buildings, industry) that are allowed on a property, building setbacks from the street and adjacent properties, the amount of parking required on a site, and more.

The City of Madison's current zoning code dates from 1966. In December 2007, the City began preparing a new zoning code for the City of Madison, including a public process to solicit community feedback and input. The new zoning code will be much improved; easier to use and understand, and will better enable the City to implement its various plans (e.g. the adopted comprehensive plan, neighborhood and special area plans).

The draft zoning code revision was introduced to the Common Council in September of 2009. The Common Council then referred the draft code on to the Planning Commission for review. Additional referrals were also made to the Urban Design Commission, Madison Arts Commission, Sustainable Design and Energy Committee, Housing Committee, and Long Range Transportation and Planning Committee with the request that they review and comment on drafts for specific sections of the code. The Planning Commission also invites feedback from the public. A series of public meetings on the proposed zoning code rewrite are scheduled for late February or early March 2010.

The Planning Commission incorporates recommendations from all of these groups and then sends a summary report with recommendations back to the Common Council who address necessary revisions and adopt the plan. The zoning code rewrite is expected to be complete in the first quarter of 2010.

The following are two proposed zoning code changes for our discussion in the HIA Training:

1. Parking Requirements

- The city currently has a lot of rules for commercial parking, which can inhibit new businesses, like inner-city restaurants that can't create new parking, and can also force other businesses to create lots that will rarely, if ever, be fully used.
- The zoning code rewrite proposes to
 - reduce the amount of required parking for almost all uses, **and**
 - **provide waivers and reductions to ease requirements, or the standard criteria for determining the minimum or maximum parking permitted and**
 - **encourage shared parking** (two locations jointly providing off-street parking when their respective hours of peak operation do not overlap).
 - encourage the re-use of existing commercial spaces.
 - propose new standards for short and long-term bike parking, and bike parking design are added.

The proposed changes to the zoning code for parking have the potential to impact:

- Use of public transportation

- Vehicle Miles Traveled
 - Air Pollution
 - Congestion
 - Walkability & Pedestrian Safety

Local retail and other businesses

2. Accessory Dwelling Units

ADU's are small housing units that are often built above a garage or attached to a single-family home. Currently, ADU's are allowed only in new residential areas where the location is approved, and the unit can be built at the time of initial development. **A proposed change to the zoning code would allow new flexibility for ADU's by letting residents determine in neighborhood plans if and how ADU's (aka "granny flats") should be permitted, with council approval.**

- Advocates say that ADU's are a smart way to create extra housing opportunities for the elderly, family members or low-income people.
- Others are concerned that ADU's will create additional demand for parking in residential neighborhoods, and potentially impact local property values.
- **The zoning code proposes to:**
 - **Expand the option for all neighborhoods to consider permitting ADUs**
 - **Institute a process whereby neighborhood residents determine in neighborhood plans if and how units should be permitted, with council approval.**

Other Proposed Changes in Madison's Zoning Code:

- The new code includes standards for **more open space protection, compact development, local food production, reducing dependence on the automobile**, and other aspects of sustainability. Design and form standards and guidelines (in addition to the proposed changes listed above), include:
 - Setting *standards for mixed-use and commercial districts* (including building height) outside downtown Madison, to bring buildings close to the sidewalk and reduce the visibility of surface parking to create a more lively pedestrian environment.
 - New *employment districts* (Traditional Workplace and Employment Campus) encourage adaptive reuse of industrial buildings and greater densities than existing suburban business parks.
 - A new *transit-oriented development* overlay district will apply around transit stations, based on a station area plan, with minimum levels of density, intensity and mixed use.
 - *Residential districts* are designed to respond to existing neighborhood context, with lot sizes and setbacks that are context-based.
 - *Lot coverage* requirement establishing a maximum percentage of impervious surfaces on a lot; the remainder must be green space. *Pervious pavement and green roofs* are encouraged, and not included in maximum lot coverage.
 - *Community gardens* are a permitted use in all districts. *Farmers' markets* are a permitted use in almost all Mixed-use, Commercial and Employment districts.
 - A new *Urban Agriculture District* allows more intensive food production within developed parts of the City, including greenhouses.

- The revised zoning code does not include the downtown districts (Capitol Square, State Street, and surrounding neighborhoods and employment centers). Zoning for these areas will be included in **Madison's "Downtown Plan"**, the first sweeping new plan to guide development in the central city in 20 years. The Downtown Plan will align with the City of Madison's zoning code rewrite. For more information, see: <http://www.cityofmadison.com/neighborhoods/downtownplan/>
- The **Madison Comprehensive Plan** establishes the goals, objectives and strategies that serve as a basis for the zoning code. All regulations or amendments adopted pursuant to the zoning code will be consistent with the Comprehensive Plan as adopted and revised or updated. For more information see: www.madisonplan.org.

Resources for assessing health impacts of the zoning rewrite:

- *City of Madison's 2008-2009 Neighborhood Indicators Project*
A demonstration of key characteristics and various indicators that relate to the quality of life in Madison at the neighborhood level. The roster of indicators was developed with over a year of public input that started with the 2006 Neighborhood Conference. <http://madison.apl.wisc.edu/>
- *University of Wisconsin, Population Health Institute, Wisconsin County Health Rankings*
The rankings look at population health in the form of health determinants and health outcomes, including: individual behaviors, socioeconomic factors and the physical environment. In contrasting measures of population health and its determinants, the rankings stimulate and engage discussion with Wisconsin's health policy and public health communities. <http://uwphi.pophealth.wisc.edu/pha/wchr.htm>
- See also City of Madison Zoning Code Rewrite website:
<http://www.cityofmadison.com/neighborhoods/zoningRewrite/index.cfm>