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Update on City of Madison Zoning Code and Downtown Plan Rewrites

Below is a status update on two very important projects currently moving through the City of Madison: (1) the City's Zoning Code rewrite and (2) the City's Downtown Plan rewrite.

As noted in prior updates, these two documents are designed to work together to regulate and encourage land-use development both now and in the future. The Zoning Code is the primary tool used by the City to regulate current development by detailing requirements for land use ranging from single-family homes to large mixed-use projects. In the case of the Downtown Plan, the goal is to describe and encourage the desired future composition of the downtown landscape. The current Downtown Plan has not been revised in more than 20 years while the Zoning Code has not been updated since 1966.

Zoning Code Rewrite Status

A large portion (approximately 250 pages) of the revised Zoning Code text (the Draft Text) was approved by the Madison Common Council on March 29, 2011. This approval was made with the understanding that there are still some key elements missing from the Draft Text, such as completion of the downtown zoning districts (the Downtown Districts) and regulation standards for maximum building heights (Height Standards). To that end, it is important to emphasize that the Draft Text will not take effect until the new zoning map is adopted. In the interim, the existing Zoning Code and map are in effect.

Drafts of the Downtown Districts are currently being reviewed by the City's Zoning Code Rewrite Advisory Committee (ZCRAC). ZCRAC's next meeting is scheduled for April 21, 2011 and will focus almost entirely on the Downtown Districts. ZCRAC meetings are open to the public.

Following discussion of the Downtown Districts by ZCRAC and the City's Plan Commission, it is likely that the Downtown Districts will be given a "soft approval" similar to the Draft Text while each awaits the creation of City maps to identify the specific locations of each zoning code district within the City. Initial draft maps are expected sometime this summer.

A full timeline and schedule of meetings on the Zoning Code is available on the

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city of Madison's Legislative Information Center.

Downtown Plan Rewrite Status

The City's Downtown Plan is being revised concurrently with the Zoning Code. Originally, the Downtown Plan project was to begin in 2008 with an anticipated timeline of one year. An overview and draft recommendations of this plan were introduced by City staff on September 23, 2010. The overview provides a suggested vision for future development of the downtown including very specific suggestions for Height Standards and land-use designations.

The Common Council indicated, during their March 29, 2011 discussion approving the Draft Text, that the Height Standards of the Downtown Plan should act as a maximum height cap for the City. By way of example, the planned development district of the Draft Text, which would otherwise be utilized to allow for creative future development currently not contemplated by traditional land use, contains an absolute restriction against violating the Height Standards of the future Downtown Plan. Currently, these Height Standards are set at five (5) stories in the draft Downtown Plan. Accordingly, the Height Standards of the Downtown Plan are of particular importance to any future development in the City and need as much public input as possible.

Each of these rewrites has the potential to greatly impact your current properties or future projects in Madison and are very parcel-specific. Your Reinhart real estate attorney is available to discuss how changes to either the Zoning Code or Downtown Plan may impact your real estate holdings or aspirations.

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