



Department of Planning & Community & Economic Development
Planning Division

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TO: Plan Commission
FROM: Planning and Zoning Staff
DATE: January 13, 2013
SUBJECT: Zoning Text Change for Mission Houses and Daytime Shelters

Currently, the zoning code allows for a “mission house” as a permitted use, but only if it is an accessory use to a religious institution (such as a church) or non-profit organization, and meets a set of supplemental regulations in MGO Section 28.151. Since the enactment of the new zoning code in January 2013, “mission houses” have not been currently allowed as a principal use in any zoning district. There are some existing mission houses in the city that are already stand-alone, principal uses (Luke House at 310 S. Ingersoll St., Port St. Vincent DePaul at 221 S. Baldwin St.). These were allowable under the former zoning code, and are legal non-conforming uses today. Similar new uses would not be allowable, unless the zoning text is changed.

Further, the code currently does not allow “daytime shelters” which do not provide food or lodging as a principal use. Staff is aware that additional stand-alone mission houses (overnight shelters, etc.) and daytime shelters which aren’t accessory to another use on the same property may be needed in the future. Staff recommends that the zoning text be revised to allow for both mission houses and daytime shelters to be the principal use on properties in several zoning districts, following conditional use review. Meanwhile, staff recommends that mission houses as accessory uses continue to be permitted uses.

In all cases, whether a permitted accessory use, or a conditional principal use, mission houses and daytime shelters would need to meet supplemental requirements in the zoning code including a management plan (see Section 28.151 of the draft ordinance).

When choosing specific zoning districts in which to allow both of these uses as a conditional principal use, staff kept in mind the need for widespread accommodation of this option, while focusing on districts that are typically found in higher intensity areas well-served by transit and other services. These districts include the following:

- Traditional Residential Urban 1 and 2 (TR-U1 and TR-U2) districts, which are utilized in high density residential areas outside of the downtown
- The Neighborhood Mixed-Use (NMU), Traditional Shopping Street (TSS), Mixed Use Center (MXC), Commercial Corridor Transitional (CC-T), and Commercial Center (CC) Districts, which are located in a variety of commercial and mixed-use areas across the City
- The Traditional Employment (TE) District, which is located in employment areas within and close to the Capitol East District, near South Park Street, and a few other areas
- All Downtown Districts, including Downtown Core (DC), Urban Office Residential (UOR), Urban Mixed Use (UMX), Downtown Residential 1 and 2 (DR1 and DR2) Districts

The conditional use process can ensure opportunities for review to assess potential impacts on surrounding properties, operational and management details, and the adequacy of the location and site details for the populations to be served.

Please see the following pages for the draft ordinance change.

Table 28D-2.

Mixed-Use and Commercial Districts							
	LMX	NMX	TSS	MXC	CC-T	CC	Supplemental Regulations
Offices							
Residential - Group Living							
Mission House		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Daytime Shelter		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Table 28E-2.

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Residential - Group Living						
Mission House	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Daytime Shelter	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Table 28-F1.

Employment Districts							
	TE	SE	SEC	EC	IL	IG	Supplemental Regulations
Residential - Group Living							
Mission House	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>
Daytime Shelter	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>

In 28.211 (Definitions)

Mission House. ~~An accessory use of a religious institution or a nonprofit organization which provides lodging or meals, or both, without compensation, and may also offer or provide worship services or supportive services. The provision of lodging or meals, or both, without compensation, by a religious institution or a nonprofit organization, which may also include the provision of worship services or supportive services.~~

Daytime Shelter. A place of assembly, open to the public between the hours of 7am-6pm unless modified under conditional use approval that may provide food or supportive services, or both, without compensation by a religious or nonprofit organization, but which may not provide lodging.

In 28.151 (Supplemental Regulations)

Mission House, Accessory.

- (a) The use shall be accessory to a religious institution or a non-profit organization.
- (b) The yard requirements for multi-family use in the district apply.
- (c) A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.
- (d) Where the principal use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- (e) The owner shall submit a Management Plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.

(Note: New regulation below- strikeouts included and highlighted to demonstrate similarity to original- not needed for final draft version)

Mission House, (Principal Use)

- (a) The use shall be ~~accessory to~~ operated by a religious institution or a non-profit organization.
- (b) The yard requirements for multi-family use in the district apply.
- ~~(c) A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.~~
- (d) ~~Where the principal use is conditional, a~~ An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- (e) The owner shall submit a Management Plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.

Daytime Shelter (Principal Use)

- (a) The use shall be operated by a religious institution or a non-profit organization.
- (b) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- (c) The owner shall submit a Management Plan for the facility and a floor plan showing emergency exits and bathrooms.