

Legistar File No. 74703 Body – Amendment 1 to the Second Substitute

DRAFTER’S ANALYSIS: This proposed ordinance changes several sections of Chapter 28 to implement the new Transit Oriented Development (“TOD”) Overlay District. An overlay district modifies the underlying zoning regulations of the base district, here for the intent to intensify land use and economic value around transit stations. As recommended by the 2018 Comprehensive Plan, the TOD District increases development intensity, reduces parking requirements, and supports transit use. The TOD District improves pedestrian connections, traffic and parking conditions and increases mobility choices in the overlay area to enhance the livability of station areas.

The largest change is the repeal and replacement of MGO Sec. 28.104, the TOD Overlay District section. In order to support increased density, the new TOD District allows more dwelling units as permitted uses, allows for additional height in select underlying zoning districts and requires a minimum of two stories for new buildings in employment, mixed-use, and multifamily residential zoning districts. Tables 28C-1 “Residential District Uses” and 28D-2 “Mixed-Use and Commercial District Uses” are modified to reflect the change to permitted base zoning uses once overlaid by the TOD District. A new supplemental regulation for “Accessory Dwelling Units in the TOD Overlay District” is added to MGO Sec. 26.151 to help clarify how accessory dwelling units operate in the TOD District.

To promote transit over automobile use, the new TOD District eliminates car parking minimums, reduces maximums, and implements more stringent building form and site layout regulations for auto-oriented uses. In addition to the language in the new MGO Sec. 28.104, Tables 28I-2, 28I-3 and 28I-4 in Sec. 28.141 “Parking and Loading Standards” are modified to support this change.

The first substitute corrects spelling errors in the title and Drafter’s Analysis.

The amended substitute amends the Supplemental Regulations, MGO Sec. 28.151, for “Two-Family Dwelling – Twin” and “Two-Family Dwelling – Two-Unit” in the TOD overlay district with base zoning districts SRC-1, SRC-2, TRC-1, TRC-2 and TRC-3, requiring that one of the dwelling units or accessory dwelling unit must be owner-occupied (a temporary absence of up to six months is allowed). The Residential Districts Chart in MGO Sec. 28.104 “Transit Oriented Development Overlay District” is amended to add a column for Supplemental Regulations to account for this change.

The Common Council of the City of Madison do hereby ordain as follows:

1. Table 28C-1 entitled “Residential Districts” of Subsection (1) of Section 28.032 entitled “Residential Districts” of the Madison General Ordinances is amended as follows:

“Table 28C-1

Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
Residential - Family Living																
Addition of dwelling unit									0							

to single family home																
Single-family attached dwelling (>8 dwelling units)				C	<u>C</u>						C	C	C		P	
Accessory Uses and Structures																
Accessory Dwelling Unit	Permitted Use in All Districts															
	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Y"

2. Table 28D-2 entitled "Mixed-Use and Commercial Districts" of Subsection (1) of Section 28.061 entitled "Mixed-Use and Commercial District Uses" of the Madison General Ordinances is amended as follows:

"Table 28D-2

Mixed-Use and Commercial Districts									
	LMX	NMX	TSS	MXC	CC-T	CC	RMX	THV	Supplemental Regulations
Residential - Family Living									
Dwelling units in mixed-use buildings (1-2 dwelling units)	P/C	P/C	P/C	P/C	P/C	C	P		Y
Dwelling units in mixed-use buildings (3-24 dwelling units)		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>C</u>	<u>P</u>		<u>Y</u>
Dwelling units in mixed-use buildings (25-48 dwelling units)		<u>C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>C</u>	<u>P</u>		<u>Y</u>
Dwelling units in mixed-use buildings (49-60 dwelling units)		<u>C</u>	<u>C</u>	<u>P/C</u>	<u>P/C</u>	<u>C</u>	<u>P</u>		<u>Y</u>
Dwelling units in mixed-use buildings (>60 units)		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>		<u>Y</u> "

3. Section 28.101 entitled "Applicability" of the Madison General Ordinances is amended as follows:

"The requirements of the overlay districts shall apply to all zoning lots located in such districts in addition to all requirements in the Madison General Ordinances that apply to the ~~primary base~~ zoning district classification of those zoning lots.

In the event of a conflict between the provisions of any overlay district and the underlying ~~primary base~~ zoning district, the provisions of the overlay district shall apply, except where otherwise specified."

4. Section 28.104 entitled "Transit Oriented Development Overlay District" of the Madison General Ordinances is repealed and recreated as follows:

28.104 Transit Oriented Development Overlay District**(1) Statement of Purpose.**

The Transit Oriented Development (“TOD”) Overlay District is intended to support investment in and use of public transit and bicycle connections. It does this by fostering development that intensifies land use and economic value around transit stations and by promoting a mix of uses that will enhance the livability of station areas.

The district is also intended to:

- (a) Provide increased mobility choices
- (b) Improve pedestrian connections, traffic and parking conditions.
- (c) Foster high-quality buildings and public spaces that help create and sustain long-term economic vitality.

(2) Applicability.

The TOD Overlay District is depicted on the maps below. This ordinance applies to all parcels within or partially within boundaries depicted on the map.

(3) Residential Districts.

- (a) Permitted and Conditional Uses in Addition to Uses in Base Zoning District

Residential Districts														
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	<u>Supplemental Regulations</u>
Residential - Family Living														
Multi-family dwelling (4 dwelling units)				P	P				P*	P	P	P	P	
Multi-family dwelling (5-8 units)				P	P					P*	P	P	P	
Multi-family dwelling (9-12 units)				P*	P						P	P	P	
Multi-family dwelling (13-24 units)					P						P*	P	P	
Multi-family dwelling (25-36 units)					P*						C	P*	P	
Multi-family dwelling (37-60 units)					C						C	C	P*	
Single-family attached dwelling (5-8 dwelling units)				P*	P					P*	P*	P	P	
Three-family dwelling – three-unit			P*	P	P				P	P	P	P	P	
Two-family dwelling – twin	P*	P*	P	P	P	P*	P*	P*	P	P	P	P	C	<u>Y</u>
Two-family dwelling – two-unit	P*	P*	P	P	P	P*	P*	P*	P	P	P	P	C	<u>Y</u>

* (Asterisk) indicates allowable uses changed by the TOD Overlay District.

(b) Residential District Building Forms

Building Form	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P
Single-Family Detached Building	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Civic/Institutional Building	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Two-Family, Two-Unit	✓*	✓*	✓	✓	✓	✓*	✓*	✓*	✓	✓	✓	✓	✓		✓
Two-Family - Twin	✓*	✓*	✓	✓	✓	✓*	✓*	✓*	✓	✓	✓	✓	✓		✓
Three-Unit Building			✓*	✓	✓				✓	✓	✓	✓*	✓*		
Single-Family Attached				✓	✓					✓*	✓	✓	✓		✓
Small Multi-Family Building				✓	✓				✓*	✓	✓	✓	✓		✓
Large Multi-Family Building				✓	✓					✓	✓	✓	✓		✓
Courtyard Multi-Family Building				✓	✓					✓	✓	✓	✓		✓
Podium Building												✓	✓		✓

* (Asterisk) indicates allowable forms changed by the TOD Overlay District.

- (c) Dimensional Requirements, Permitted and Conditional Uses
The following height limits apply to only non-residential uses and buildings with over two residential units.

Zoning District	Maximum Height
SR-V2	4 stories/52 feet*
TR-V2	4 stories/52 feet*
TR-U2	5 stories/68 feet* Building height exceeding the maximum may be allowed with conditional use approval.

* (Asterisk) indicates dimensional standards changed by the TOD Overlay District.

(4) Mixed-Use and Commercial Districts.

- (a) Permitted and Conditional Uses in Addition to Uses in Base Zoning District

Mixed-Use and Commercial Districts			
	NMX	TSS	CC-T
Residential - Family Living			
Dwelling units in mixed-use buildings (25-48 units)	P/C*	P/C	P/C

Dwelling units in mixed-use buildings (49-60 units)	C	P/C*	P/C
Dwelling units in mixed-use buildings (61-100 units)	C	C	P/C*

* (Asterisk) indicates allowable uses changed by the TOD Overlay District.

(b) Dimensional Requirements, Permitted and Conditional Uses.

Zoning District	Maximum Height
NMX	4 stories/60 feet.* Building height exceeding the maximum may be allowed with conditional use approval.
TSS	4 stories/60 feet. * Building height exceeding the maximum may be allowed with conditional use approval.
CC	6 stories/90 feet. * Heights exceeding the maximum may be allowed with conditional use approval.
RMX	8 stories/116 feet. * Building height exceeding the maximum may be allowed with conditional use approval.

* (Asterisk) indicates dimensional standards changed by the TOD Overlay District.

(5) Employment Districts.

(a) Permitted and Conditional Uses in addition to Uses in Base Zoning District

Employment Districts	
	TE
Residential - Family Living	
Dwelling units in mixed-use buildings (<25 units)	P*

* (Asterisk) indicates allowable uses changed by the TOD Overlay District.

(6) Usable Open Space. Usable open space shall not be required.

(7) Site Standards for Buildings.

Applicability. The following standards are applicable to all new principal buildings and major expansions [fifty percent (50%) or more of building floor area] for non-residential uses and buildings with over two residential units. Standards shall apply only to the portion of the building that is new or expanded.

(a) Maximum Principal Building Setbacks.

- At least thirty percent (30%) of primary street-facing building facades shall be setback no more than twenty (20) feet from the primary street. Buildings shall occupy at least thirty percent (30%) of the primary street frontage. Setbacks from private streets shall

be measured from interior private access road curb faces or edges of pavement.

2. On a corner lot, at least thirty percent (30%) of street-facing building facades shall be setback no more than twenty (20) feet from the primary street and no more than twenty (20) feet from the secondary street more or less perpendicular to the primary street. Buildings shall occupy at least thirty percent (30%) of the primary street frontage. On lots with more than one corner, only the corner with the primary and secondary streets shall be required to meet this provision. Setbacks from private streets shall be measured from interior private access road curb faces or edges of pavement.
3. When more than one principal building is developed on a zoning lot, additional buildings shall be exempt from the maximum setback requirement if approved and constructed concurrently with or after a principal building or buildings that:
 - i. Comply with the maximum building setback requirements; and;
 - ii. Occupy at least thirty percent (30%) of each street frontage of the zoning lot. This percentage may be reduced to allow the minimum width for vehicular ingress and egress.

(b) Entrance Orientation. Principal building entrances on all new buildings shall be oriented to their primary abutting street and be located within the maximum setback. The entrance shall have a functional, operable door and remain open to the public during the same hours as all other public building entrances. Additionally, secondary entrances may be oriented to a secondary street or parking area. Entrances shall be barrier-free, clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features. For buildings with multiple non-residential tenants, a minimum of one (1) tenant space shall have an entrance that meets these requirements. Other tenant spaces shall be connected to the street with a private sidewalk connection.

(c) Minimum Number of Stories and Height. A minimum of two stories is required for a minimum of seventy-five percent (75%) of the building footprint except for the following uses:

1. Greenhouse, nursery
2. Place of worship
3. Public safety or service facilities
4. Recreation, community, and neighborhood centers
5. Transit station, transfer point

(8) Site Standards for Automobile Infrastructure.

(a) Applicability. The following standards are applicable to non-residential uses and buildings with over three residential units.

(b) Automobile parking, loading, drives, drive aisles, driveways, vehicle access sales and service windows and drives, gas pumps, gas station canopies, car wash vacuum stalls and electric vehicle charging facilities:

1. Shall not be allowed between the primary street-facing façades and the primary public or private street.
2. On a corner lot, shall not be allowed between the primary street-facing façades and the primary street and shall not be allowed between the secondary street-facing façades and the secondary street more or less perpendicular to the primary street. On lots

with more than one corner, only the corner with the primary and secondary (public or private) streets shall be required to meet this provision.

3. Shall be setback from the primary and secondary street equal to or greater to than the principal building setback.
- (c) Vehicle access sales and service windows shall be located under the building in which they are located, and the building shall have commercial or residential uses as allowed in the base district along the primary street frontage.
- (d) Parking structures shall integrate active uses along at least fifty percent (50%) of the primary street-facing façade at the first floor

5. Subdivision (e) of Subsection (1) entitled “Statement of Purpose” of Section 28.141 entitled “Parking and Loading Standards” of the Madison General Ordinances is amended as follows:

“(e) Minimize spillover of on-street parking in neighborhoods.”

6. Subsection (3) entitled “No Minimum Parking Required” of Section 28.141 entitled “Parking and Loading Standards” of the Madison General Ordinances is amended as follows:

“(3) No Minimum Parking Required .
In the Central area, as defined, and the following districts, there is no specified minimum requirement for off-street parking of automobiles, with the exceptions specified in Table 28I-2 below. Maximum parking and bicycle parking requirements apply as specified in Table 28I-3. For conditional uses, parking requirements may be established as a condition of approval in cases with minimum parking requirements.”

7. Table 28I-2 entitled “Districts With No Minimum Automobile Parking Requirements; Exceptions” of Subsection (3) entitled “No Minimum Parking Required” of Section 28.141 entitled “Parking and Loading Standards” of the Madison General Ordinances is amended as follows:

“Table 28I-2. Districts With No Minimum Automobile Parking Requirements; Exceptions.

District/Area	Parking Requirement	Exceptions
Industrial - General (IG)	No minimum	
<u>Transit Oriented Development (TOD) Overlay District</u>	<u>No minimum</u> ”	

8. Table 28I-3 entitled “Off-Street Parking Requirements” of Subsection (4) entitled “Off-Street Parking Requirements, Applicability” of Section 28.141 entitled “Parking and Loading Standards” of the Madison General Ordinances is amended as follows:

“Table 28I-3. Off-Street Parking Requirements.

Use	Automobile Minimum	Automobile Maximum	<u>Transit Oriented Development (TOD) Overlay District</u>	Bicycle Minimum

			<u>Automobile Maximum</u>	
Residential - Family Living				
Single-family detached dwellings	1 (location only)	4 outside spaces	<u>4 outside spaces</u>	0
Two-family dwelling - two-unit	1 (location only)	4 outside /d.u.	<u>2 outside /d.u.</u>	0-
Two-family dwelling - twin	1/d.u. (location only)	4 outside /d.u.	<u>2 outside /d.u.</u>	0-
Three-family dwelling	1/d.u. (location only)	2 per dwelling	<u>2 per dwelling</u>	1/d.u.
Single-family attached dwelling	1 per dwelling	2 per dwelling	<u>2 per dwelling</u>	1 per dwelling
Multi-family dwelling	1 per dwelling	2.5 per dwelling	<u>1.5 per dwelling</u>	1 per unit up to 2-bedrooms, ½ space per add'l bedroom; 1 guest space per 10 units
Accessory dwelling unit	0	2 per dwelling	<u>1 per dwelling</u>	0
Manufactured home, mobile home	0	(see lot coverage)	<u>(see lot coverage)</u>	0
Caretaker's dwelling	0	2 per dwelling	<u>2 per dwelling</u>	0
Residential - Group Living				
Adult family home	1	4	<u>4</u>	1 per dwelling
Community living arrangement	determined by Zoning Administrator based on number of rooms/employees	150% minimum	<u>Minimum determined by Zoning Administrator under non-TOD regulations</u>	1 per dwelling unit plus 1 per 3 rooms
Cohousing community	determined by Zoning Administrator	150% minimum	<u>Minimum determined by Zoning Administrator under non-TOD regulations</u>	1 per dwelling
Housing cooperative	same as dwelling type prior to conversion to co-op	1 per bedroom	<u>1 per bedroom</u>	1 per bedroom plus 1 guest space per 4 bedrooms units
Lodging house	determined by Zoning Administrator based on number	1 per bedroom	<u>1 per bedroom</u>	1 per lodging room plus 1 guest space per 4 lodging rooms

	of rooms/employees			
Dormitory, fraternity or sorority	1 per 10 lodging rooms, or as established in Campus Master Plan	1 per bedroom	<u>1 per bedroom</u>	1 per bedroom plus 1 guest space per 4 bedrooms
Assisted living, congregate care, skilled nursing facility	1 space per 10 dwelling units or lodging rooms; 1 per 5 beds	1 per dwelling unit	<u>1 space per 2 dwelling units</u>	1 per 4 units + 1 per 5 employees
Convent, monastery or similar residential group	see place of worship	1 per bedroom	<u>Minimum determined by Zoning Administrator under non-TOD regulations</u>	1 per bedroom
Civic and Institutional Uses				
Cemetery, mausoleum	determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	determined by Zoning Administrator
Day care center nursery school	1 per 15 clients plus 1 per 2 employees	200% of minimum	<u>Minimum determined by Zoning Administrator under non-TOD regulations</u>	1 per 5 employees
Library, museum	0	1 per 400 square feet floor area	<u>1 per 600 square feet floor area</u>	1 per 2,000 square feet floor area
Mission house	see place of worship	1 per 400 square feet floor area	<u>1 per 600 square feet floor area</u>	1 per 400 square feet floor area
Parks and playgrounds	none, except where required for specific facilities, as determined by Zoning Administrator	none, except where required for specific facilities as determined by Zoning Administrator	<u>none, except where required for specific facilities, as determined by Zoning Administrator</u>	none, except where required for specific facilities as determined by Zoning Administrator
Place of worship	1 per 10 seats or 15 lineal feet of seating area in the main worship space. If no fixed seats, 1 per 70 sq. ft. of floor area in main worship space	150% of minimum	<u>Minimum determined by Zoning Administrator under non-TOD regulations</u>	1 per 50 seats or 75 lineal feet of seating area or 1 per 350 feet of floor area in main worship space
Public safety facilities	determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	determined by Zoning Administrator

Schools, public and private Schools, arts, technical or trade	1 space per classroom + 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time	1 space per classroom + 1 space per 3 students of legal driving age based on the maximum number of students attending classes at any one time	<u>1 space per classroom + 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time</u>	1 space per 5 students
Colleges, universities	1 per classroom and 1 per 5 students based on the maximum number of students attending classes at any one time; or as established in campus Master Plan	1 per classroom and + 1 per 3 students based on the maximum number of students attending classes at any one time; or as established in Campus Master Plan	<u>1 per classroom + 1 per 5 students based on the maximum number of students attending classes at any one time; or as established in campus Master Plan</u>	1 per classroom and 1 per 5 students, or as established in Campus Master Plan
Mixed Commercial-Residential Uses				
Live/work unit	1/d.u. +1 per 2 employees	2 outside	<u>2 outside</u>	1 per dwelling
Mixed-use	calculated based on separate components (see shared parking standards)	calculated based on separate components (see shared parking standards)	<u>150% of the minimum under non-TOD regulations</u>	calculated based on separate components (see shared parking standards)
Office Uses				
Offices Artist, photographer studio, etc. Insurance office, real estate office, sales office	1 per 400 sq. ft. floor area	1 per 250 sq. ft. floor area	<u>1 per 325 sq. ft. floor area</u>	1 per 2,000 sq. ft. floor area
Telecommunications center	1 per 2 employees	1 per employee	<u>1 per 2 employees</u>	1 per 10 employees
Medical Facilities				
Clinic, medical, dental or optical Medical laboratory Physical, occupational or massage therapy	1 per 2 employees	1 per 200 sq. ft. floor area	<u>1 per 325 sq. ft. floor area</u>	1 per 5 employees

Veterinary clinic, animal hospital				
Hospital	1 per 4 beds or based on a parking study or Campus Master Plan	determined by Zoning Administrator	<u>1 per 3 beds or based on a parking study or Campus Master Plan</u>	1 per 2,000 sq. ft. floor area
Retail Sales and Services				
Animal daycare	1 per 15 clients	200% minimum	<u>125% of the minimum under non-TOD regulations</u>	1 per 5,000 sq. ft. floor area
General retail Animal boarding facility, kennel Bank, financial institution Business sales and services Laundromat, self-service Liquor store Package delivery service Payday loan business Post office Service business; service business with showroom or workshop Small appliance repair	1 per 400 sq. ft. floor area	1 per 200 sq. ft. floor area	<u>1 per 325 sq. ft. floor area</u>	1 per 2,000 sq. ft. floor area
Building materials	1 per 1,000 sq. ft. floor area + 1 per 1,000 sq. ft. of outdoor sales, display	1 per 500 sq. ft. floor area + 1 per 500 sq. ft. of outdoor sales, display	<u>1 per 750 sq. ft. floor area + 1 per 750 sq. ft. of outdoor sales, display</u>	1 per 4,000 sq. ft. interior floor area
Drive-through sales and services, primary and accessory	0 or as determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	determined by Zoning Administrator
Dry cleaning, commercial laundry	1 per 2 employees	1.25 per employee	<u>1.25 per employee</u>	1 per 4,000 sq. ft. floor area
Farmers' market	0	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	determined by Zoning Administrator
Furniture and household goods sales Garden center, outdoor	1 per 1,000 sq. ft. floor area + 1 per 1,000 sq. ft. of outdoor sales, display	1 per 500 sq. ft. floor area + 1 per 500 sq. ft. of outdoor sales, display	<u>1 per 750 sq. ft. floor area + 1 per 750 sq. ft. of outdoor sales, display</u>	1 per 5,000 sq. ft. outdoor sales, display

Greenhouse, nursery				
Mortuary, funeral home	1 per 200 square feet of assembly area	1 per 100 square feet of assembly area	<u>1 per 150 square feet of assembly area</u>	1 per 2,000 sq. ft. assembly area
Outdoor uses, commercial	1 per 1,000 sq. ft. of outdoor sales, display	1 per 500 sq. ft. of outdoor sales, display	<u>1 per 750 sq. ft. of outdoor sales, display</u>	1 per 5,000 sq. ft. outdoor sales, display
Food and Beverages				
Catering	1 per 2 employees	1 per employee	<u>1 per employee</u>	1 per 5 employees
Coffee shop, tea house Restaurant, Restaurant-tavern, tavern, brewpub	15% of capacity of persons	40% of capacity of persons	<u>25% of capacity of persons</u>	5% of capacity of persons
Commercial Recreation, Entertainment and Lodging				
Bed and breakfast establishment	1 per 2 bedrooms in addition to requirement for dwelling	200% of minimum	<u>150% of minimum under non-TOD regulations</u>	1 per 2 bedrooms
Health/sports club	10% of the capacity of persons	20% of the capacity of persons	<u>15% of the capacity of persons</u>	5% of the capacity of persons
Hostel	0	1 per bedroom	<u>0.5 per bedroom</u>	1 per bedroom
Hotel, inn, motel	.75 per bedroom	1.5 per bedroom	<u>1.25 per bedroom</u>	1 per 10 bedrooms
Indoor recreation	determined by Zoning Administrator (number employees & use characteristics)	determined by Zoning Administrator	<u>determined by Zoning Administrator (number employees & use characteristics)</u>	5% of the capacity of persons
Lodge, private club, reception hall	15% of the capacity of persons	40% of the capacity of persons	<u>25% of the capacity of persons</u>	5% of the capacity of persons
Outdoor recreation	determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	determined by Zoning Administrator
Theater, assembly hall, concert hall	20% of the capacity of persons in the auditorium, or as established in Campus Master Plan (if applicable)	40% of the capacity of persons in the auditorium	<u>30% of the capacity of persons in the auditorium, or as established in Campus</u>	5% of the capacity of persons in the auditorium
Adult Entertainment				

Adult entertainment establishment, adult entertainment tavern	20% of capacity of persons	40% of capacity of persons	<u>30% of the capacity of persons</u>	5% of capacity of persons
Automobile Services				
Auto service station, body shop, repair station	1 per 2,000 sq. ft. of floor area excluding service bays + 2 spaces per service bay	1 per 1,000 sq. ft. of floor area excluding service bays + 2 spaces per service bay	<u>1 per 2,000 sq. ft. of floor area excluding service bays + 2 spaces per service bay</u>	1 per 5 employees
Auto convenience store	1 per 1,000 sq. ft. of floor area	1 per 500 sq. ft. of floor area	<u>1 per 750 sq. ft. of floor area</u>	1 per 1,000 sq. ft. floor area
Auto sales and rental Note: rental vehicles on site may be stacked	1 per 1,000 sq. ft. floor area + 2 spaces per service bay, if any	1 per 500 sq. ft. floor area + 4 spaces per service bay	<u>1 per 1,000 sq. ft. floor area + 2 spaces per service bay, if any</u>	1 per 5 employees
Automobile storage and towing (excluding wrecked or junked vehicles)	determined by Zoning Administrator (number trucks and storage area size)	determined by Zoning Administrator	<u>determined by Zoning Administrator (number trucks and storage area size)</u>	1 per 5 employees
Car wash	determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	1 per 5 employees
Public Utility and Public Service Uses				
Electric power production	determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	1 per 10 employees
Electric substations, gas regulator stations, telecommunications facilities, sewerage system lift stations, water pumping stations and other public utility uses	0	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	0
Transportation Uses				
Bus or railroad passenger depot, railroad or intermodal freight yard, motor freight terminal, railroad yard or shop, taxi or limousine dispatching, maintenance and storage	0	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	1 per 5 employees 50% short-term 50% long-term

Airport	determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	Short-term: 1 per 10 employees Long-term: 1 per 50 long-term automobile parking spaces provided
Airport - Limited Production, Processing and Storage				
Artisan workshop	0	1 per employee/artist	<u>1 per employee/artist</u>	1 per 5 employees
Bakery, wholesale Bottling plant Laboratories - research, development and testing Limited production and processing Mail order house Printing and publishing Recycling collection center, drop-off station	1 per 2 employees	1 per employee	<u>1 per 2 employees</u>	1 per 5 employees
Contractor's yard	1 per 500 sq. ft. office or sales area + 1 per 3,000 sq. ft. storage area	1 per 250 sq. ft. office or sales area + 1 per 1,500 sq. ft. storage area	<u>1 per 350 sq. ft. office or sales area + 1 per 3,000 sq. ft. storage area</u>	1 per 5,000 sq. ft. floor area
Storage - personal indoor facility	0	1 per employee	<u>1 per employee</u>	1 per 10 employees
Industrial Uses				
Brewery General manufacturing Hazardous waste collection, storage or transfer Light manufacturing Recycling center	1 per 2 employees	1 per employee	<u>1 per employee</u>	1 per 10 employees
Asphalt, concrete batching or ready-mix plant Concrete, asphalt and rock crushing facility Extraction of gravel, sand, other raw materials	determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	1 per 10 employees

Motor vehicle salvage				
Lumberyard	1 per 1,000 sq. ft. floor area + 1 per 1,000 sq. ft. of outdoor sales, display	1 per 500 sq. ft. floor area + 1 per 500 sq. ft. of outdoor sales, display	<u>1 per 750 sq. ft. floor area + 1 per 750 sq. ft. of outdoor sales, display</u>	1 per 10 employees
Recycling center	1 per 2 employees	1 per employee	<u>1 per employee</u>	1 per 10 employees
Agricultural Uses				
Animal husbandry Cultivation	0	1 per employee	<u>1 per employee</u>	1 per 5 employees
Intensive agriculture On-site agricultural retail, farm stand	determined by Zoning Administrator	determined by Zoning Administrator	<u>determined by Zoning Administrator</u>	1 per 5 employees"

9. Table 28I-4 entitled "Minimum Parking Adjustments/Reductions" Subsection (5) entitled "Adjustments to Minimum Number of Required Spaces" of Section 28.141 entitled "Parking and Loading Standards" of the Madison General Ordinances is amended as follows:

"Table 28I-4. Minimum Parking Adjustments/Reductions.

	Adjustment
Shared car availability	A reduction in residential parking may be approved by the Zoning Administrator if a shared or community car is available for use by residents on or within reasonable proximity of the site.
Transit corridor proximity	Within 600 feet of a high-frequency transit corridor, a reduction in minimum parking requirements of up to 50% may be approved as a conditional use, with due consideration of the frequency of transit service and adequacy of pedestrian and bicycle linkages to transit stops or stations.
Off-site parking availability	Parking for nonresidential uses may be reduced by one space for each space in a public parking lot or public parking structure located within 1,320 feet of the use, as measured by using the shortest pedestrian route from the nearest corner of the parking lot or structure to the main public entrance of the use served."

10. Supplemental Regulations related to "Accessory Dwelling Unit in Districts Other than the TR-P District" of Section 28.151 entitled "Applicability" of the Madison General Ordinances is renumbered as follows:

"Accessory Dwelling Unit in Districts Other than the TR-P District.

~~(a) Required Standards~~

- ~~1-(a)~~ The principal dwelling or the accessory dwelling unit must be owner-occupied except that a temporary absence of up to six (6) months is allowed.
- ~~2-(b)~~ The principal dwelling must be a single-family detached dwelling.
- ~~3-(c)~~ No more than one (1) accessory dwelling unit may be located on a lot.

- ~~4-(d)~~ The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals.
- ~~5-(e)~~ The accessory dwelling unit shall not be sold separately from the principal dwelling.
- ~~6-(f)~~ The maximum height of a detached building containing an accessory dwelling unit, including one built above a garage or similar space, shall be twenty-five (25) feet. Height shall be measured as a principal building pursuant to Sec. 28.134(1)(b).
- ~~7-(g)~~ The maximum size of an accessory dwelling unit shall be nine hundred (900) square feet.
- ~~8-(h)~~ An accessory dwelling unit shall contain no more than two (2) bedrooms.
- ~~9-(i)~~ The minimum setback requirements shall be those for accessory building or structures of the underlying zoning district.
- ~~10-(j)~~ Accessory dwelling unit entry ways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.
- ~~11-(k)~~ For accessory dwelling units constructed within the principal building, the appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a single-family dwelling."

11. Supplemental Regulations related to "Accessory Dwelling Unit in the TOD Overlay District" of Section 28.151 entitled "Applicability" of the Madison General Ordinances is created as follows:

"Accessory Dwelling Unit in the TOD Overlay District .

- (a) The principal dwelling or the accessory dwelling unit must be owner-occupied except that a temporary absence of up to six (6) months is allowed.
- (b) The principal dwelling must be a single-family detached dwelling, two-family dwelling – twin, or two-family dwelling - two unit.
- (c) No more than one (1) accessory dwelling unit may be located on a lot.
- (d) The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals.
- (e) The accessory dwelling unit shall not be sold separately from the principal dwelling.
- (f) The maximum height of a detached building containing an accessory dwelling unit, including one built above a garage or similar space, shall be twenty-five (25) feet. Height shall be measured as a principal building pursuant to MGO Sec. 28.134(1)(b).
- (g) The maximum size of an accessory dwelling unit shall be nine hundred (900) square feet.
- (h) An accessory dwelling unit shall contain no more than two (2) bedrooms.
- (i) The minimum setback requirements shall be those for accessory building or structures of the underlying zoning district.
- (j) Accessory dwelling unit entry ways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.
- (k) For accessory dwelling units constructed within the principal building, the appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a single-family dwelling, two-family dwelling – twin, or two-family dwelling - two unit."

12. Supplemental Regulations related to “Dwelling Units in Mixed-Use Buildings” of Section 28.151 entitled “Applicability” of the Madison General Ordinances is amended as follows:

“Dwelling Units in Mixed-Use Buildings .

- ~~(a) In the LMX District, there shall be no more than two (2) dwelling units per lot.~~
- ~~(b) In the NMX District, more than twenty-four (24) dwelling units requires conditional use approval.~~
- ~~(c) In the TSS District, more than forty-eight (48) dwelling units requires conditional use approval.~~
- ~~(d) In the CC-T and MXC Districts, more than sixty (60) dwelling units requires conditional use approval.~~
- (ea) In the LMX, NMX, TSS and CC-T Districts, at least fifty percent (50%) of the ground-floor frontage facing the primary street, including all frontage at a street corner, shall be non-residential. Less non-residential frontage requires conditional use approval.
- (fb) Residential use shall be limited on the ground floor of buildings on King Street; South Pinckney Street; State Street; the 10 through 500 blocks of East Wilson Street; the 100 blocks of West and East Mifflin Streets; the 100 blocks of West and East Main Streets; and on the Capitol Square, which is formed by the 10 blocks of East and West Mifflin, the 10 blocks of North and South Pinckney, the 10 blocks of East and West Main, and the 10 blocks of North and South Carroll Streets. Residential use is prohibited within the following areas:
 - 1. The area of the lot abutting street frontages in Sub. (f) above, the lesser of a depth of forty feet (40') or forty percent (40%) of the depth of the lot as measured along these frontages.
- (gc) In residential districts, allowed uses are those specifically included and identified as permitted and conditional uses in the district use tables. The bulk requirements for the multi-family use in the district apply.”

13. Paragraph 5. of Subdivision (a) of Subsection (6) entitled “Approval Standards” of Section 28.183 entitled “Conditional Uses” of the Madison General Ordinances is amended as follows:

- “5. Adequate utilities, access roads, drainage, ~~parking supply,~~ internal circulation improvements, ~~including but not limited to vehicular, pedestrian, bicycle, public transit for pedestrians, bicyclists, public transit and vehicles, parking supply (in cases with minimum parking requirements)~~ and other necessary site improvements have been or are being provided.”

14. Definitions within Section 28.211 entitled “Definitions” of the Madison General Ordinances is amended as follows:

“Accessory Dwelling Unit. An additional dwelling unit contained within a single-family dwelling or within a detached building located on the same lot as a single- ~~or two~~-family dwelling. This definition includes accessory buildings constructed in connection with a private garage or a private garage converted into a dwelling unit. (See Sec. 28.172, “Residential Building Forms.”)

Street, Private. A named private right-of-way on a plat designed to public street standards which affords traffic circulation and a principal means of access to abutting property. For the purpose of this ordinance, an alley shall not be considered a private street.

Street, Public. A public right-of-way which affords traffic circulation and a principal means of access to abutting property. For the purpose of this ordinance, an alley shall not be considered a street. Includes officially-mapped streets.

15. Supplemental Regulations related to “Two-Family Dwelling - Twin” of Section 28.151 entitled “Applicability” of the Madison General Ordinances is amended as follows:

“Two-Family Dwelling - Twin.

- (a) Each unit shall be separated from the abutting unit by a minimum fire separation complying with Wis. Admin. Code § SPS 321.08, providing a vertical separation of all areas from the lowest level to flush against the underside of the roof.
- (b) The common wall between dwelling units shall be approximately perpendicular to the street right-of-way line. When a parcel containing a Two Family Dwelling - Twin is divided by Certified Survey Map, the lot line shall run continuously from the front lot line to the rear lot line through the common wall.
- (c) Each unit shall have separate water services, curb stops, lines and meters. The water service may be split in the terrace, with separate curb stops, lines and meters.
- (d) Each unit shall have separate sanitary sewer service laterals and lines.
- (e) Each unit shall have separate gas and electric meters.
- (f) A Two Family Dwelling - Twin divided by Certified Survey Map shall have a joint cross access and maintenance agreement that has been submitted with the land division application and which shall be recorded with the land division.
- (g) In the NMX, TSS, and CC-T Districts, Two Family Dwelling - Twin constructed after the effective date of this ordinance require conditional use approval. The lot area, lot width and usable open space required shall be the same as in the TR-C4 district. Any Two-Family Dwelling - Twin shall not have an attached garage with a door facing any street.
- (h) In the TR-C4 district, a Two-Family Dwelling - Twin shall not have an attached garage with a door facing any street.
- (i) In the TOD overlay district in base zoning districts SRC-1, SRC-2, TRC-1, TRC-2 and TRC-3, one of the dwelling units or accessory dwelling unit must be owner-occupied, except that a temporary absence of up to six (6) months is allowed.

16. Supplemental Regulations related to “Two-Family Dwelling - Two-Unit” of Section 28.151 entitled “Applicability” of the Madison General Ordinances is amended as follows:

“Two-Family Dwelling - Two-Unit.

- (a) In the NMX, TSS, and CC-T Districts, two-unit dwellings constructed after the effective date of this ordinance require conditional use approval.
- (b) In the TOD overlay district in base zoning districts SRC-1, SRC-2, TRC-1, TRC-2 and TRC-3, one of the dwelling units or accessory dwelling unit must be owner-occupied, except that a temporary absence of up to six (6) months is allowed.