

**BODY – 30724**

DRAFTER'S ANALYSIS: This amendment prohibits ground-floor residential dwellings in areas within the Downtown and Urban Districts which the Downtown Plan recommends be reserved for non-residential uses. It does so by establishing a supplemental regulation for Mixed Use Buildings and Multi Family Dwellings which prohibits residential use on the ground floor of buildings on specifically listed streets.

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

1. The Table 28E-2 of Subsection (1) of Section 28.072 entitled “Downtown District Uses” of the Madison General Ordinances is amended by amending therein the following:

<b>“Downtown and Urban Districts</b>						
	<b>DC</b>	<b>UOR</b>	<b>UMX</b>	<b>DR1</b>	<b>DR2</b>	<b>Supplemental Regulations</b>
<b>Residential - Family Living</b>						
Dwelling units in mixed-use buildings	P	C	P			<u>Y</u>
Multi-family dwelling (4 dwelling units)	P	P	P	P	P	<u>Y</u>
Multi-family dwelling (5-8 dwelling units)	P	P	P	C	P	<u>Y</u>
Multi-family dwelling (> 8 dwelling units)	P	C	C	C	C	<u>Y</u>

2. Subsection entitled “Dwelling Units in Mixed-Use Buildings” of Section 28.151 entitled “Applicability” of the Madison General Ordinances is amended to read 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 eight (8) dwelling units requires conditional use approval.
- (c) In the TSS and CC-T Districts, more than twenty-four (24) dwelling units requires conditional use approval.
- (d) In the LMX, NMX, TSS and CC-T Districts, ~~F~~or buildings with a street-facing width of forty (40) feet or less, the entire ground floor frontage facing the primary street shall be non-residential. Less non-residential frontage requires conditional use approval.

- (e) In the LMX, NMX, TSS and CC-T Districts, For building with a street-facing width greater than forty (40) feet, at least seventy-five percent (75%) 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.
- (f) In the LMX, NMX, TSS and CC-T Districts, At least seventy-five percent (75%) of the ground floor area shall be non-residential use(s). Less than seventy-five percent (75%) non-residential ground floor area requires conditional use approval.
- (g) No residential use shall be allowed on the ground floor of buildings on King Street; South Pinckney Street; East Wilson Street; the 100 blocks of West and East Mifflin Streets; the 100 blocks of West and East Main Streets; and the portions of North and South Carroll Street, West and East Main Street, North and South Pinckney Street and West and East Mifflin Street which abut the Wisconsin State Capitol property and form the Capitol Square.”

3. Subsection entitled “Multi-Family Dwelling” of Section 28.151 entitled “Applicability” of the Madison General Ordinances is amended by creating therein the following:

“Multi-Family Dwelling.

- (a) In the TE District, new residential uses, whether in new or existing buildings, shall not be located where potential nuisances exist, including but not limited to: excessive vibration, dust, noise, light, glare, smoke, odor, or truck traffic.
- (b) In the TE District, new residential uses shall be adequately separated or buffered from adverse impacts from existing industrial uses.
- (c) In the NMX District, a multi-family dwelling shall contain no more than twelve (12) dwelling units.
- (d) No residential use shall be allowed on the ground floor of buildings on King Street; South Pinckney Street; East Wilson Street; the 10 blocks of East and West Mifflin, North and South Pinckney, East and West Main, and North and South Carroll Streets which abut the Wisconsin State Capitol property and form the Capitol Square.”