

LEGISTAR No. 63902 Body Version 2

DRAFTER’S ANALYSIS: This ordinance makes changes to the conditional use thresholds and allowable densities in most multi-family residential districts. Similarly, this ordinance makes changes to the conditional use thresholds and the standards for lot area, maximum height, and usable open space for most mixed-use districts.

These changes will allow for the construction of more multi-family dwelling units (“higher densities”) as permitted uses (“by right”). In that way, this ordinance takes one step toward removing barriers in the zoning code that have historically tended to exclude the construction of multi-family housing in areas of the City that are otherwise appropriate for it.

For further information related to the changes contained in this ordinance, please see the Planning Division Staff Report.

The changes contained in this Substitute Ordinance implement recommendations made by the Plan Commission. First, this Substitute decreases the number of units that may be built as a permitted use in the mixed-use and commercial districts. These changes are found in the Mixed-Use and Commercial District Uses Table in paragraph 18 of this ordinance. Second, this Substitute Ordinance changes Multi-family dwelling (13-24 units) from a permitted to conditional use. Finally, this ordinance changes the amount of ground floor commercial frontage facing the primary street to 50%.

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

Editor’s Note: Changes to Conditional Use Thresholds in Most Multi-family Residential Districts

1. Table 28C-1of Section 28.032 entitled “Residential District Uses” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “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 | Supp Regs |
| Multi family dwelling (5-8 units) | | | | <u>PG</u> | P | | | | | | <u>PG</u> | P | P | | P | |
| Multi-family dwelling (<8 dwelling units) | | | | | <u>C</u> | | | | | | <u>C</u> | <u>C</u> | <u>C</u> | | <u>P</u> | |
| Multi-family dwelling (9-12 units) | | | | | <u>P</u> | | | | | | <u>P</u> | <u>P</u> | <u>P</u> | | <u>P</u> | |
| Multi-family dwelling (13-24 units) | | | | | <u>P</u> | | | | | | <u>C</u> | <u>P</u> | <u>P</u> | | <u>P</u> | |
| Multi-family dwelling | | | | | <u>C</u> | | | | | | <u>C</u> | <u>C</u> | <u>P</u> | | <u>P</u> | |

| | | | | | | | | | | | | | | | | |
|-----------------------------------|--|--|--|--|----------|--|--|--|--|--|----------|----------|--|--|----------|--|
| (25-60 units) | | | | | | | | | | | | | | | | |
| Multi-family dwelling (>60 units) | | | | | <u>C</u> | | | | | | <u>C</u> | <u>C</u> | | | <u>P</u> | |

Editor’s Note: Changes to Allowable Density in Most Multi-family Residential Districts

2. Table entitled “SR-C3 District” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.037 entitled “SR-C3 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “SR-C3 District | | | | |
|--------------------------------------|------------------------------------------------|------------------------------------------------|------------------------------------------------|-----------------------------------------------------------|
| | Single-family detached | Two-family Two unit | Two-family - Twin | Nonresidential |
| Lot Area (sq. ft.) | 6,000 | 8,000 | 4,000/d.u. | 6,000 |
| Lot Width | 50 | 50 | 25/d.u. | 50 |
| Front Yard Setback | 25 | 25 | 25 | 25 |
| Side Yard Setback | One-story: 5 Two-story: 6 | Two-story: 6 | One-story: 5 Two-story: 6 (one side only) | One-story: 5 Two-story or more: 6 |
| Reversed Corner Side Yard Setback | 15 | 15 | 15 | 25 |
| Rear Yard Setback | Lesser or 30% lot depth or 35 See (b) below | Lesser or 30% lot depth or 35 See (b) below | Lesser or 30% lot depth or 35 See (b) below | Equal to building height but at least 35 See (b) below |
| Maximum height | 2 stories/35 | 2 stories/35 | 2 stories/35 | 35 |
| Maximum lot coverage | 60% | 60% | 60% | 60% |
| Maximum building coverage | n/a | n/a | n/a | 50% |
| Usable open space (sq. ft. per d.u.) | 750 | 750 | 750 | n/a” |

3. Subdivision (a) entitled “Dispersion of Dwellings” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.037 entitled “SR-C3 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by eliminating (a) herein and amending (b) as follows:

~~(a) — Dispersion of Dwellings. No two-family twin dwelling shall be constructed or converted within three hundred (300) feet of a zoning lot containing another two-family twin building, as measured from the perimeter of each zoning lot, unless approved by conditional use.~~

(b_a) Rear Yard Setback. If the existing principal structure and any additions to it, covers twenty percent (20%) or less of the lot area, the rear yard setback may be reduced by twenty-five percent (25%).

4. Table entitled “SR-V1 District: Permitted Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.039 entitled “SR-V1 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “SR-V1 District: Permitted Uses | | | | | |
|----------------------------------------|-------------------------------|-------------------------------|------------------------------------------------|--------------------------------------------------------------|------------------------------------------------|
| | Single-family detached | Two-family Two unit | Two-family - Twin | Three-four unit Multi-family (3-8 units) | Single-family attached, three-four unit |
| Lot Area (sq. ft.) | 6,000 | 8,000 <u>6,000</u> | 4,000/d.u. 3,000/d.u. | 8,000-1,500/d.u. | 2,000/d.u.-1,500/d.u. |
| Usable open space (sq. ft. per d.u.) | 750 | 750 <u>500</u> | 750 <u>500</u> | 500-160/one bedroom. 320/2+bedrooms | 100” |

5. Table “SR-V1 District: Conditional and Nonresidential Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.039 entitled “SR-V1 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “SR-V1 District: Conditional and Nonresidential Uses | | | |
|-------------------------------------------------------------|-------------------------------------------|---------------------------------|-----------------------|
| | Single-family attached (5-8 units) | Multi-family (5-8 units) | Nonresidential |
| Lot Area (sq. ft.) | 2,000/d.u.-1,500/d.u. | 2,000/d.u. | 6,000 |
| Usable open space (sq. ft. per d.u.) | 100 | 500 | n/a” |

6. Subdivision (a) entitled “Dispersion of Dwellings” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.039 entitled “SR-V1 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by eliminating herein the following:

~~“(a) — Dispersion of Dwellings. No two-family twin dwelling, three-unit, multi-family dwelling, or single-family attached shall be constructed within three hundred (300) feet of any other two-family twin~~

dwelling, three-unit dwelling, multi-family dwelling(s), or single-family attached as measured from the perimeter of each zoning lot, except by conditional use.”

7. Table entitled “SR-V2 District: Permitted Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.040 entitled “SR-V2 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “SR-V2 District: Permitted Uses | | | | | | |
|----------------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|---------------------------------------------|------------------------------------------|
| | Single-family detached | Two-family Two unit | Two-family – Twin | Three-unit | Single-family attached (8 units max) | Multi-family (3-24 units max) |
| Lot Area (sq. ft.) | 6,000 | 6,000 | 4,000/d.u. 3,000/d.u. | 8,000 | 2,000/d.u. 1,500/d.u. | 2,000/d.u. 1,500/d.u. |
| Lot Width | 50 | 50 | 25/d.u. | 60 | 20/d.u. | 60 |
| Front Yard Setback | 25 | 25 | 25 | 25 | 25 | 25 |
| Side Yard Setback | One-story: 5 Two-story: 6 | Two-story: 6 | One-story: 5 Two-story: 6 | 6 | Exterior end walls: 6 | 10 |
| Reversed Corner Side Yard Setback | 12 | 12 | 12 | 12 | 12 | 12 |
| Rear Yard | Lesser of 25% lot depth or 30 | Lesser of 25% lot depth or 30 | Lesser of 25% lot depth or 30 | Lesser of 25% lot depth or 30 | Lesser of 25% lot depth or 30 | Lesser of 25% lot depth or 30 |
| Maximum height | 2 stories/35 | 2 stories/35 | 2 stories/35 | 3 stories/40 | 3 stories/40 | 3 stories/40 |
| Maximum lot coverage | 60% | 60% | 60% | 60% | 90% | 60% |
| Usable open space (sq. ft. per d.u.) | 500 | 500 | 500 | 500 | 100 | 500-160/one bedroom, 320/2+ bedrooms” |

8. Table entitled “SR-V2 District: Conditional and Nonresidential Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.040 entitled “SR-V2 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “SR-V2 District: Conditional and Nonresidential Uses | | | |
|-------------------------------------------------------------|---------------------------------------------|----------------------------------------|-----------------------|
| | Single-family attached (>8 units) | Multi-family (>24 units) | Nonresidential |
| Lot Area (sq. ft.) | 2,000/d.u.-1,500/d.u. | 2,000/d.u.-1,500/d.u. | 6,000 |
| Usable open space (sq. ft. per d.u.) | 100 | 500-160/one bedroom, 320/2+bedrooms | n/a” |

9. Subdivision (a) entitled “Dispersion of Dwellings” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.045 entitled “TR-C4 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by eliminating herein the following:

~~(a) — Dispersion Requirement . No two-family twin dwelling three-unit dwelling, multi-family dwelling, or single-family attached shall be constructed within three hundred (300) feet of any other two-family twin dwelling, three-unit dwelling, multi-family dwelling or single-family attached, as measured from the perimeter of each zoning lot, except by conditional use.~~

10. Table entitled “TR-V1 District: Permitted Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.047 entitled “TR-V1 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “TR-V1 District: Permitted Uses | | | | | | |
|--------------------------------------|-----------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------------|------------------------------------------------|
| | Single-family detached | Two-family Two unit | Two-family - Twin | Three-Four Unit | Four-unit | Single-family attached, three-four unit |
| Lot Area (sq. ft.) | 3,000 | 4,000 3,000 | 3,000/d.u. 1,500/d.u. | 6,000-1,500/d.u. | 8,000 | 2,000/d.u. 1,500/d.u. |
| Lot Width | 30 | 40 | 25/d.u. | 50 | 50 | 20 d.u. |
| Front Yard Setback | 20 | 20 | 20 | 20 | 20 | 20 |
| Maximum Front Yard Setback | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average |
| Side Yard Setback | One-story: 5 Two-story: 6 Lot width <50: 10% of lot width | Two-story: 6 See (ba) below | One-story: 5 Two-story: 6 (one side only) See (ba) below | One-story: 5 Two-story or more: 6 See (ba) below | One-story: 5 Two-story or more: 6 See (b) below | Exterior end walls: 6 |
| Reversed Corner Side Yard Setback | 12 | 12 | 12 | 12 | 12 | 12 |
| Rear Yard | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 |
| Maximum height | 2 stories/35 | 2 stories/35 | 2 stories/35 | 3 stories/40 | 3 stories/40 | 3 stories/40 |
| Maximum lot coverage | 70% | 70% | 70% | 70% | 70% | 90% |
| Usable open space (sq. ft. per d.u.) | 500 | 500 | 500 | 500-160/one bedroom, 320/2+bedrooms | 500 | 100” |

11. Subdivision (a) entitled “Dispersion Requirement” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.047 entitled “TR-V1 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by eliminating (a) herein and amending (b) as follows:

~~(a) — Dispersion Requirement . No two-family twin dwelling three-unit dwelling, multi-family dwelling, or single-family attached shall be constructed within three hundred (300) feet of any other two-family twin dwelling, three-unit dwelling, multi-family dwelling or single-family attached, as measured from the perimeter of each zoning lot, except by conditional use.~~

(b) Side Yard Setback. Lots with two-family, three-unit and four-unit dwellings that are existing on the effective date of this ordinance and have a lot width less than fifty (50) feet shall have a minimum side yard setback of ten percent (10%) of the lot width.

12. Table entitled “TR-V2 District: Permitted Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.048 entitled “TR-V2 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “TR-V2 District: Permitted Uses | | | | | | |
|----------------------------------------|-----------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------|------------------------------------------------|-------------------------------------------------------|--------------------------------------------------------------|
| | Single-family detached | Two-family Two unit | Two-family - Twin | Three-unit Multi-family (3-12 units) | Four-unit | Single-family attached, three-four unit (8 units max) |
| Lot Area (sq. ft.) | 3,000 | 4,000-3,000 | 3,000/d.u.-1,500/d.u. | 6,000-1,500/d.u. | 8,000 | 2,000/d.u.-1,500/d.u. |
| Lot Width | 30 | 40 | 25/d.u. | 50 | 50 | 20 d.u. |
| Front Yard Setback | 20 | 20 | 20 | 20 | 20 | 20 |
| Maximum Front Yard Setback | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average | 30 ft. or up to 20% greater than block average |
| Side Yard Setback | One-story: 5 Two-story: 6 Lot width <50: 10% of lot width | Two-story: 6 See (a) below | One-story: 5 Two-story: 6 (one side only) See (a) below | One-story: 5 Two-story: 6 See (a) below | One-story: 5 Two-story or more: 6 See (a) below | Exterior end walls: 6 |
| Reversed Corner Side Yard Setback | 12 | 12 | 12 | 12 | 12 | 12 |
| Rear Yard | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 | Lesser of 25% lot depth or 25 |
| Maximum height | 2 stories/35 | 2 stories/35 | 2 stories/35 | 3 stories/40 | 3 stories/40 | 3 stories/40 |
| Maximum lot coverage | 70% | 70% | 70% | 70% | 70% | 90% |
| Usable open space (sq. ft. per d.u.) | 500 | 500 | 500 | 500-160/one bedroom, 320/2+bedrooms | 500 | 100” |

13. Table entitled “TR-V2 District: Conditional and Nonresidential Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.048 entitled “TR-V2 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “TR-V2 District: Conditional and Nonresidential Uses | | | |
|-------------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------------|-----------------------|
| | Single-family attached (>4 units) (>8 units) | Multi-family (>12 units) | Nonresidential |
| Lot Area (sq. ft.) | 2,000/d.u. <u>1,500/d.u.</u> | 2,000/d.u. <u>1,500/d.u.</u> | 6,000 |
| Usable open space (sq. ft. per d.u.) | 100 | 500-160/one bedroom, <u>320/2+bedrooms</u> | n/a” |

14. Table entitled “TR-U1 District: Permitted Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.050 entitled “TR-U1 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “TR-U1 District: Permitted Uses | | | | | | |
|----------------------------------------|-------------------------------|-------------------------------|--------------------------------------------|-------------------------------|----------------------------------------------|---------------------------------------------------------------------|
| | Single-family detached | Two-family Two unit | Two-family - Twin | Three-four unit | Single-family attached (max. 8 units) | Multi-family (5 - 8 <u>24</u> units) |
| Lot Area (sq. ft.) | 3,000 | 4,000 <u>3,000</u> | 3,000/d.u. <u>1,500/d.u.</u> | 4,000 <u>3,000</u> | 1,200/d.u. <u>1,000/d.u.</u> | 1,000/d.u. <u>750/d.u.</u> |
| Lot Width | 30 | 40 | 25/d.u. | 50 <u>40</u> | 15/d.u. | 50 |
| Maximum height | 2 stories/35 See (b) below | 2 stories/35 See (b) below | 2 stories/35 See (b) below | 3 stories/40 See (b) below | 3 stories/40 See (b) below | 3 stories/40 <u>4 stories/52 ft.</u> See (b) below |
| Usable open space (sq. ft. per d.u.) | 320 | 320 | 320 | 320 <u>160</u> | 100 | 320 <u>160”</u> |

15. Table entitled “TR-U1 District: Conditional and Nonresidential Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.050 entitled “TR-U1 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “TR-U1 District: Conditional and Nonresidential Uses | | | |
|-------------------------------------------------------------|---------------------------------------------|---------------------------------------------|-----------------------|
| | Single-family attached (>8 units) | Multi-family (>8 <u>24</u> units) | Nonresidential |
| Lot Area (sq. ft.) | 1,000/d.u. | 1,000/d.u. <u>750/d.u.</u> | 6,000 |
| Usable open space (sq. ft. per d.u.) | 100 | 320 <u>160</u> | n/a” |

16. Table entitled “TR-U2 District: Permitted Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.051 entitled “TR-U2 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “TR-U2 District: Permitted Uses | | | |
|----------------------------------------|-------------------------------|----------------------------------------------|---------------------------------------------|
| | Three-four unit | Single-family attached (max. 8 units) | Multi-family (5 – 8 <u>60</u> units) |
| Lot Area (sq. ft.) | 4,000 <u>3,000</u> | 1,200/d.u. <u>800/d.u.</u> | 500/d.u. <u>350/d.u.</u> |
| Lot Width | 50 <u>40</u> | 15/d.u. | 50 |
| Usable open space (sq. ft. per d.u.) | 140 <u>40</u> | 100 | 140 <u>40</u> ” |

17. Table entitled “TR-U2 District: Conditional and Nonresidential Uses” of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.051 entitled “TR-U2 District” of Subchapter 28C entitled “Residential Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “TR-U2 District: Conditional and Nonresidential Uses | | | | | | |
|-------------------------------------------------------------|---------------------------------------------|-------------------------------|-------------------------------|-----------------------------------------|---------------------------------------------|-----------------------|
| | Single-family attached (>8 units) | Single-family detached | Two-family Two unit | Two-family - Twin | Multi-family (>8 <u>60</u> units) | Nonresidential |
| Lot Area (sq. ft.) | 800/d.u. | 3,000 | 4,000 <u>3,000</u> | 3,000/d.u. <u>1,500/d.u.</u> | 500/d.u. <u>350/d.u.</u> | 6,000 |
| Usable open space (sq. ft. per d.u.) | 100 | 320 | 320 | 320 | 140/d.u. <u>40</u> | n/a” |

Editor’s Note: Changes to Mixed-Use and Commercial Districts Uses Table

18. Table entitled “Mixed-Use and Commercial Districts Uses” of Section 28.061 entitled “Mixed-Use and Commercial Districts Uses” Subchapter 28D entitled “Mixed-Use and Commercial Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “Mixed-Use and Commercial Districts Uses | | | | | | | |
|--------------------------------------------------------------|------------|----------------|------------|------------|-------------|-----------|------------------|
| | LMX | NMX | TSS | MXC | CC-T | CC | Supp Regs |
| Dwelling units in mixed-use buildings | P/C | P/C | P/C | P/C | P/C | C | Y |
| Live-work unit | P | P | P | P | P | P | Y |
| Multi-family dwelling (4 units) | | P/C | C | P | C | C | |
| Multi-family dwelling (5-8 <u>12</u> units) | | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>C</u> | |
| Multi-family dwelling (>8 <u>13-24</u> units) | | <u>C</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>C</u> | Y |
| Multi-family dwelling (49-60 <u>25-36</u> units) | | | <u>C</u> | <u>P</u> | <u>P</u> | <u>C</u> | <u>Y</u> |
| Multi-family dwelling (>60 <u>36</u> units) | | | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Y</u> |
| Residential building complex | | | | | <u>C</u> | <u>C</u> | Y |
| Single family attached dwelling (3-8 units) | | C | C | P | C | C | |
| Single family attached dwelling (>8 units) | | C | C | P | C | C | |
| Single family detached dwellings | | P/C | P/C | | P/C | | Y |
| Three-family dwelling – three unit | | C | C | | C | | |
| Two-family dwelling – two unit | | P/C | P/C | | P/C | | Y |
| Two-family dwelling - twin | | P/C | P/C | | P/C | | Y |

Editor’s Note: Changes to Lot Area, Max Height, and Usable Open Space for most Mixed-Use Districts

19. Table entitled “Neighborhood Mixed Use District” of Subsection (3) entitled “Dimensional Requirements” of Section 28.064 entitled “Neighborhood Mixed-Use District” of Subchapter 28D entitled “Mixed-Use and Commercial Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “Neighborhood Mixed Use District | |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Lot area (for exclusive residential use) | 1000 <u>500</u> sq. ft./unit |
| Usable open space - residential only. | 160 sq. ft. per lodging room or 1-bedroom unit, 320 sq. ft. for >1-bedroom units <u>40 sq. ft./unit</u> |

20. Table entitled “Traditional Shopping Street District” of Subsection (3) entitled “Dimensional Requirements” of Section 28.065 entitled “Traditional Shopping Street (TSS) District” of Subchapter 28D entitled “Mixed-Use and Commercial Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “Traditional Shopping Street District | |
|----------------------------------------------|-----------------------------------------|
| Lot area (for exclusive residential use) | 500 <u>350</u> sq. ft./unit” |

21. Table entitled “Mixed-Use Center District” of Subsection (5) entitled “Dimensional Requirements” of Section 28.066 entitled “Mixed Use Center (MXC) District” of Subchapter 28D entitled “Mixed-Use and Commercial Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “Mixed-Use Center District | |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Maximum height | The maximum height of any building in the MXC district shall be established on the approved master plan. Any building exceeding 5 stories/ 68 <u>78</u> feet shall require approval as a conditional use” |

22. Table entitled “Commercial Corridor – Transitional District” of Subsection (3) entitled “Dimensional Requirements” of Section 28.067 entitled “Commercial Corridor - Transitional District” of Subchapter 28D entitled “Mixed-Use and Commercial Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “Commercial Corridor - Transitional District | |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Lot area (for exclusive residential use) | 750 <u>500</u> sq. ft./unit |
| Maximum height | 5 stories/ 68 <u>78</u> See (d) below |
| Usable open space - residential only | 160 sq. ft. per lodging room or 1-bedroom unit, 320 sq. ft. for >1-bedroom units <u>40 sq. ft./unit</u> |

23. Table entitled “Commercial Center District” of Subsection (3) entitled “Dimensional Requirements” of Section 28.068 entitled “Commercial Center District” of Subchapter 28D entitled “Mixed-

Use and Commercial Districts” of the Madison General Ordinances is amended by amending and creating therein the following:

| “Commercial Center District | |
|------------------------------------|------------------------------------------------------|
| Maximum height | 5 stories/ 68 <u>78</u> See (d) below” |

Editor’s Note: Changes to Conditional Use Thresholds in Most Mixed-Use Districts

24. Subdivision (a) entitled “Maximum Size” of Subsection (4) entitled “Site Standards” of Section 28.064 entitled “Neighborhood Mixed-Use District” of Subchapter 28D entitled “Mixed-Use and Commercial Districts” of the Madison General Ordinances is amended by eliminating herein the following:

~~(a) Maximum Size. Buildings shall not exceed five thousand (5,000) square feet of floor area for an individual establishment or ten thousand (10,000) square feet floor area for a building containing two or more uses. Buildings exceeding this size may be allowed as conditional uses.~~

25. Subdivision (a) entitled “Maximum Size” of Subsection (4) entitled “Site Standards” of Section 28.065 entitled “Traditional Shopping Street (TSS) District” of Subchapter 28D entitled “Mixed-Use and Commercial Districts” of the Madison General Ordinances is amended by eliminating herein the following:

~~(a) Maximum Size. Buildings shall not exceed ten thousand (10,000) square feet floor area for an individual establishment or twenty-five thousand (25,000) square feet floor area for a mixed-use or multi-tenant building. Buildings exceeding this size may be allowed as conditional uses.~~

26. Subdivision (a) entitled “Maximum Size” of Subsection (4) entitled “Site Standards” of Section 28.067 entitled “Commercial Corridor - Transitional District” of Subchapter 28D entitled “Mixed-Use and Commercial Districts” of the Madison General Ordinances is amended by eliminating herein the following:

~~(a) Maximum Size. Buildings shall not exceed twenty-five thousand (25,000) square feet floor area for an individual establishment or forty thousand (40,000) square feet floor area for a multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards governing large retail developments in [Sec. 33.24\(4\)\(f\)](#), except that for Frontage Requirements, see [Sec. 28.065\(6\)](#), MGO.~~

27. The Section entitled “Dwelling Units in Mixed-Use Buildings” of Section 28.151 entitled “Applicability” of Subchapter 28J entitled “Supplemental Regulations” of the Madison General Ordinances is amended by amending and creating therein the following:

“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)~~ twenty-four (24) dwelling units requires conditional use approval.
- (c) In the TSS, ~~CC-T and MXG~~ Districts, more than ~~twenty-four (24)~~ forty-eight (48) dwelling units requires conditional use approval.
- (d) ~~In the LMX, NMX, TSS and CC-T Districts, for 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. In the CC-T and MXC Districts, more than sixty (60) dwelling units 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%) 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.~~

~~(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; 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.”~~

28. The Section entitled “Multi-Family Dwelling” of Section 28.151 entitled “Applicability” of Subchapter 28J entitled “Supplemental Regulations” of the Madison General Ordinances is amended by eliminating herein the following:

“Multi-Family Dwelling

~~(c) In the NMX District, a multi-family dwelling shall contain no more than twelve (12) dwelling units.”~~