

**Legistar File No. 80308 Body**

DRAFTER’S ANALYSIS: This proposed ordinance makes several changes to Chapter 28 to clean up Madison’s zoning code based on previously adopted edits, grammatical errors and other similar changes. The proposed ordinance does not make substantive changes to the zoning code but instead corrects drafting errors currently found in Chapter 28. For example, this proposed ordinance removes the reference to small engine repair supplemental regulations because they no longer exist in Chapter 28. The following sections are amended:

1. Sec. 28.032, Table 28C-1
2. Sec. 28.033
3. Sec. 28.039
4. Sec. 28.061, Table 28D-2
5. Sec. 28.062, Table 28D-3
6. Sec. 28.066(2)(d)
7. Sec. 28.069
8. Sec. 28.072, Table 28E-2
9. Sec. 28.073
10. Sec. 28.082, Table 28F-1
11. Sec. 28.087(5)(d)
12. Sec. 28.091, Table 28G-1
13. Sec. 28.097(5)(c)2.g.
14. Sec. 28.098(2)(d)
15. Sec. 28.131
16. Sec. 28.151
17. Sec. 28.183(6)(a)6.
18. Sec. 28.211

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

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

**“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 Sec. 28.454
<b>Residential - Family Living</b>																
Single-family				P	P					P	P	P	P		P	

attached dwelling (3-4 dwelling units)																	
Single-family attached dwelling (5-8 dwelling units)				C	P						CP	C	P			P	

2. Table within Section 28.033 entitled “Residential District Building Forms” of the Madison General Ordinances is amended by amending therein the following:

“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
Three-Unit Building				✓	✓				✓	✓	✓	✓	✓		✓

3. Table entitled “SR-V1 District: Conditional and Nonresidential Uses” of Section 28.039 entitled “SR-V1 District” of the Madison General Ordinances is amended by amending therein the following:

SR-V1 District: Conditional and Nonresidential Uses		
	Single-family attached (5-8 units)	Nonresidential
Side Yard Setback	Exterior end walls <u>walls</u> : 6	One-story: 6 Two-story or more: 7

4. Table 28D-2 entitled “Mixed-Use and Commercial Districts” within Section 28.061 entitled “Mixed-Use and Commercial District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Table 28D-2

Mixed-Use and Commercial Districts										
	LMX	NMX	TSS	MXC	CC-T	CC	RMX	THV	Supplemental Regulations Sec. 28.151	
Retail Sales and Services										

Small appliance repair	P	P	P	P	P	P	P	P	Y
Small engine repair			C	C	C	C	C	P	Y
<del>Storage locker (personal)</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>		<del>Y</del>
<b>Transportation</b>									
Taxicab or limousine business, <u>bus business</u>					C				
<b>Civic and Institutional</b>									
Colleges and universities					C	P	P		Y
<b>Public Utility and Public Service Uses</b>									
Class 2 Collations	P	P	<u>C</u> <u>P</u>	P	P	P	P"		

5. Table 28D-3 within Section 28.062 entitled "Mixed-Use and Commercial Districts Building Forms" of the Madison General Ordinances is amended by amending therein the following:

BUILDING FORM	LMX	NMX	TSS	MXC	CC-T	CC	RMX
Two-Family Building - Twin or Two Unit		✓	✓		✓		
<u>Three-Unit Buildings</u>		<u>✓</u>	<u>✓</u>		<u>✓</u>		<u>✓</u>
Parking/Liner Buildings			✓	✓	✓	✓	✓

6. Subdivision (d) of Subsection (2) entitled "Standards for Approval of Zoning Map Amendment" of Section 28.066 entitled "Mixed Use Center (MXC) District" of the Madison General Ordinances is amended as follows:

"(d) The MXC District master plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. ~~In order to determine the impacts of a MXC District, the City Traffic Engineer may require a traffic impact analysis. A Traffic Demand Management (TDM) plan may be required as a way to resolve traffic and parking concerns.~~"

7. Table entitled "Regional Mixed-Use District" within Section 28.069 entitled "Regional Mixed-Use (RMX) District" of the Madison General Ordinances is amended by amending therein the following:

<b>Regional Mixed-Use District</b>	
Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	<del>One-story: 5</del> <del>Two-story or higher: 6</del> Lot width <40: 10% lot width

8. Table 28E-1 entitled "Downtown and Urban Districts" within Section 28.072 entitled "Downtown District Uses" of the Madison General Ordinances is amended by amending therein the following:

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations Sec. 28.151
<b>Accessory Uses and Structures</b>						
Vehicle access sales and service <u>windows</u>	C		C			Y

9. Table within 28.073 entitled “Downtown District Building Forms” of the Madison General Ordinances is amended by amending therein the following:

	DC	UOR	UMX	DR1	DR2
Single-Family Attached		✓	✓	✓	✓
Live/Work Building	✓	✓	✓		

10. Table 28F-1 entitled “Employment Districts” within Section 28.082 entitled “Employment District Uses” of the Madison General Ordinances is amended by amending therein the following:

**“Table 28F-1**

Employment Districts							
	TE	SE	SEC	EC	IL	IG	Supplemental Regulations Sec. 28.151
<b>Transportation Uses</b>							
Taxicab, or limousine, or bus <u>business</u>	C				C	P”	

11. Subsection (5) entitled “Master Plan” of Section 28.087 entitled “Employment Campus District” of the Madison General Ordinances is amended as follows:

“(5) Master Plan.

A master plan for each employment campus shall be prepared as part of any rezoning submittal. The plan must be approved by the Plan Commission and include the following:

- (a) A site plan, including:
  - 1. Conceptual plan showing lots and approximate building footprints, parking and service areas.
  - 2. Landscape plan and landscape design standards.
  - 3. Street layout and street design standards.
  - 4. Signage and street graphics standards.
  - 5. Stormwater management plan.
- (b) Plan submittal and review procedures for individual sites within the campus.
- (c) A parking plan, meeting standards of this chapter for automobile and bicycle parking.
- (d) ~~A Transportation Demand Management Plan, which must also be approved by the Traffic Engineer. The Plan shall include measurable goals, strategies, and actions to encourage travelers to use alternatives to driving alone, especially at congested times of day. Strategies and actions may include, but are not limited to, carpools and vanpools; public and private transit; promotion of bicycling, walking, and other non-motorized travel; flexible work schedules; and parking management programs to substantially reduce automobile trips. The TDM Plan shall be managed by a property owners' association or other entity acceptable to the Director of the Department of Planning and Community and Economic Development. This association shall provide annual reports on the implementation of the TDM Plan to the Traffic Engineer.~~

12. Table 28G-1 within Section 28.091 entitled “Special District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Table 28G-1

	A	UA	CN	PR	AP	MC	Supplemental Regulations Sec. 28.151
<b>Retail Sales and Services</b>							
ATM				P	P		

<u>Bicycle-sharing facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Y</u>
Farmers' market	C	C		P			Y
<b>Civic and Institutional Uses</b>							
Civic auditorium complex				C			
<u>Cemetery</u>				<u>C</u>			
Community center				C"			

13. Paragraph 2. entitled "Proposed Conditions" of Subdivision (c) entitled "Facilities Plan" of Subsection (5) entitled "Contents of Master Plan" of Section 28.097 entitled "Campus-Institutional District" of the Madison General Ordinances is amended as follows:

"2. Proposed Conditions

- a. Future needs/capital improvements.
- b. Phasing of proposed improvements.
- c. Future land uses and buildings.
- d. Building Form (building type, height, bulk, etc.).
- e. Landscape treatment.
- f. Open-space areas and other open-space uses.
- g. Relationship to transportation/access plan (parking, ~~transportation demand management,~~ etc.)."

14. Subdivision (d) of Subsection (2) entitled "Standards for Approval of Zoning Map Amendment" of Section 28.098 entitled "Planned Development District" of the Madison General Ordinances is amended as follows:

"(d) The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. ~~A traffic demand management plan may be required as a way to resolve traffic and parking concerns. The Plan shall include measurable goals, strategies, and actions to encourage travelers to use alternatives to driving alone, especially at congested times of day. Strategies and actions may include, but are not limited to, carpools and vanpools; public and private transit; promotion of bicycling, walking and other non-motorized travel; flexible work schedules and parking management programs to substantially reduce automobile trips.~~"

15. Subdivision (f) entitled "Side and Rear Yard Garage Replacement" of Subsection (1) of Section 28.131 entitled "Accessory Buildings and Structures on Lots Used Exclusively for Residential and Mixed-Use Purposes" of the Madison General Ordinances is amended as follows:

"(f) Side and Rear Yard Garage Replacement. A detached garage located in a side or rear yard may be replaced within the existing setbacks provided that:

1. The garage is replaced within one (1) year of demolition.
2. The location and size of the existing or demolished garage shall be verified by the Zoning Administrator.

3. The replaced garage shall not exceed twenty-four (24) feet in length or width.
4. Neither the length, width, nor height of the replaced garage shall be more than two (2) feet greater than the length, width, or height of the demolished garage.
5. No side of the enlarged structure is moved closer to any lot line with which there is a non-conforming setback.
6. ~~The replaced garage shall not exceed the maximum size allowed under Sub. (2)(b) above.~~

16. Section 28.151 entitled "Applicability" of the Madison General Ordinances is amended by amending therein the following:

"Automobile Body Shop, Automobile Sales and Rental, Automobile Service Station, Automobile Repair Station, Convenience Store.

- (a) All automobile servicing and repair activities shall be carried on within an enclosed building.
- (b) No automobile servicing and repair activities may take place between the hours of 7:00 p.m. and 7:00 a.m. unless all of the building's windows and doors are closed.
- (c) A convenience store shall not be located within one thousand nine hundred eighty (1,980) feet distance of three (3) or more existing convenience stores, as measured along the center lines of streets.
- (d) The following activities and equipment are allowed outside if located within the rear yard and building envelope, and at least fifty (50) feet from a residential zoning district:
  1. Storage of vehicle parts and refuse.
  2. Temporary storage of vehicles during repair and pending delivery to the customer.
  3. Vacuuming and cleaning.
- (e) Outside storage or parking of any disabled, wrecked, or partially dismantled vehicle is not allowed for a period exceeding ten (10) days during any thirty (30) day period.
- (f) No building, structure, canopy, gasoline pump, or storage tank shall be located within twenty-five (25) feet of a residential zoning district. In the NMX, DC, UMX and TSS Districts, this requirement may be modified as part of the conditional use approval so that pump islands are located in front of the building if provides more effective circulation, aesthetics or buffering of neighboring uses.
- ~~(g) In the NMX, DC, UMX and TSS Districts, the requirement in (g) above, may be modified as part of the conditional use approval so that pump islands are located in front of the building if provides more effective circulation, aesthetics or buffering of neighboring uses."~~

"Clinic-Health.

- (a) In the IL Districts, Clinic-Health uses shall not exceed five thousand (5,000) square feet in floor area.

- (b) ~~For uses established in employment districts, the applicant shall submit a Transportation Demand Management plan to be approved by the Traffic Engineer and Madison Metro Transit Manager, to be kept on file with the Zoning Administrator.”~~

~~“Colleges and Universities. For uses established in employment districts and commercial and mixed-use districts, the applicant shall submit a Traffic Demand Management plan to be approved by the Traffic Engineer and to be kept on file with the Zoning Administrator.”~~

“Physical, Occupational, or Massage Therapy.

- (a) In the IL Districts, Physical, Occupational, or Massage Therapy uses shall not exceed five thousand (5,000) square feet in floor area.
- (b) ~~For uses established in employment districts, the applicant shall submit a Transportation Demand Management plan to be approved by the Traffic Engineer and Madison Metro Transit Manager, to be kept on file with the Zoning Administrator.”~~

“School, Arts, Technical or Trade.

- (a) 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.
- (b) Where the 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.
- (c) With the exception of facilities located in industrial districts, all activities shall occur within enclosed buildings.
- (d) ~~For uses established in employment districts, the applicant shall submit a Traffic Demand Management plan to be approved by the Traffic Engineer and to be kept on file with the Zoning Administrator.”~~

17. Paragraph 6. of Subdivision (a) of Subsection (6) entitled “Approval Standards” of Section 28.183 entitled “Conditional Uses” of the Madison General Ordinances is repealed.

18. Paragraphs 7. through 17. of Section Subdivision (a) of Subsection (6) entitled “Approval Standards” of Section 28.183 entitled “Conditional Uses” of the Madison General Ordinances are hereby renumbered to 6. through 16., respectively.

19. Section 28.211 entitled “Definitions” of the Madison General Ordinances is amended by amending therein the following:

“Cemetery. Any land, including any mausoleum on the land, that is used for the burial of human remains.”

“Taxicab, or Limousine, or Bus Business. A service which offers transportation in passenger automobiles, and vans, or busses to persons including those who have a disability in

return for remuneration. The business may include facilities for dispatching, servicing, repairing, and fueling the taxicabs, ~~or vans~~ or busses.”

~~“Transportation Demand Management (TDM). Measures, including but not limited to carpooling, vanpooling, public transit bicycling, walking, telecommuting, and compressed or deviated work schedules, that reduce individual vehicle trips and promote alternatives to single occupant vehicle use especially at peak commuting times.”~~

~~“Transportation Management Association. A membership group of owners and/or tenants of residences or places of employment within close proximity that provides support and administration for a Transportation Demand Management program operated for the benefit of its members.”~~

EDITOR'S NOTE:

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

- “6. Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.”