

## CITY OF MADISON, WISCONSIN

AN ORDINANCE \_\_\_\_\_

Amending Secs. 28.08(7)(b)5. and 28.08(12)(b)2.; and creating Secs. 28.08(2)(b)8.l., 28.08(9)(b)7.e., and 28.08(11)(b)7.e. of the Madison General Ordinances to allow farmers markets in all residential districts as a permitted accessory use in parking lots of non-residential uses.

PRESENTED \_\_\_\_\_

March 17, 2009

REFERRED \_\_\_\_\_

Plan Commission

PUBLIC HEARING \_\_\_\_\_

P.C. 4/20/09

C.C. 5/05/09

Drafted by: Katherine Noonan

Date: March 5, 2009

SPONSORS: Ald. Rummel

DRAFTER'S ANALYSIS: These amendments allow farmers markets to locate in the parking lots of non-residential uses in all residential districts.

\*\*\*\*\*

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

1. Paragraph 5. of Subdivision (b) entitled "Permitted Uses" of Subsection (7) entitled "R6 General Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is amended to read as follows:

"5. Accessory Uses- including but not limited to the following:  
a. Farmers markets for the sale of personally prepared food and handcrafted goods, as defined in Sec. 9.13(6)(e), in the parking lots of non-residential uses."

2. Paragraph 2. of Subdivision (b) entitled "Permitted Uses" of Subsection (12) entitled "R1-R Rustic Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is amended to read as follows:

"2. Accessory uses, including but not limited to:  
a. Keeping of up to four (4) chickens per dwelling unit, provided that:  
i. No person shall keep any rooster.  
ii. No person shall slaughter any chickens.  
iii. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.  
iv. No enclosure shall be located closer than twenty-five (25) feet to any residential structure on an adjacent lot.  
v. The owner, operator, or tenant obtains a license under Sec. 9.52, MGO.  
vi. The applicant for a license notifies all residents within two hundred (200) feet of the lot.  
vii. Not more than fifty percent (50%) of the residents notified in vi. above object within fourteen (14) days of notification.  
b. Farmers markets for the sale of personally prepared food and handcrafted goods, as defined in Sec. 9.13(6)(e), in the parking lots of non-residential uses."

Approved as to form:

3. Subparagraph l. of Paragraph 8. of Subdivision (b) entitled "Permitted Uses" of Subsection (2) entitled "R1 Single-Family Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"l. Farmers markets for the sale of personally prepared food and handcrafted goods, as defined in Sec. 9.13(6)(e), in the parking lots of non-residential uses."

4. Subparagraph e. of Paragraph 7. of Subdivision (b) entitled "Permitted Uses" of Subsection (9) entitled "R4L Limited General Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"e. Farmers markets for the sale of personally prepared food and handcrafted goods, as defined in Sec. 9.13(6)(e), in the parking lots of non-residential uses."

5. Subparagraph e. of Paragraph 7. of Subdivision (b) entitled "Permitted Uses" of Subsection (11) entitled "R4A Limited General Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"e. Farmers markets for the sale of personally prepared food and handcrafted goods, as defined in Sec. 9.13(6)(e), in the parking lots of non-residential uses."