

LEGISTAR 34792 - Body

DRAFTER'S ANALYSIS: This amendment removes Secondhand Good Sales from the Definitions section and use tables in the zoning code. The reason for this amendment is that city staff has found the definition to be slightly inconsistent with the definitions for secondhand sales contained in Section 9.24, Madison General Ordinances, requiring licensure of secondhand dealers. Moreover, city staff has found that zoning code's definition of "Retail, General" is written broadly enough to include secondhand good sales. Thus, this amendment eliminates the ambiguity of dueling definitions while not compromising the city's ability to regulate secondhand good sales.

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

1. Section 28.211 entitled "Definitions" of the Madison General Ordinances is amended by repealing herein the following:

~~"Secondhand Goods Sales. A retail establishment that sells used merchandise, such as clothing, furniture, books, shoes, or household appliances, on consignment or a retail store that sells used merchandise donated to a charitable, tax exempt organization that also sorts, cleans, and marks goods for resale."~~

2. Table 28D-2 of Section 28.061 entitled "Mixed-Use and Commercial Districts Uses" of the Madison General Ordinances is amended by repealing therein the following:

"Mixed-Use and Commercial Districts							
	LMX	NMX	TSS	MXC	CC-T	CC	Supplemental Regulations
Retail Sales and Services							
Secondhand goods sales	C	C	C	P	P	P"	

3. 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:

"Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Retail Sales and Services						
Secondhand goods sales	P		P"			

4. Table 28I-3 of Subdivision (g) entitled "Unlisted Uses" 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 by amending herein the following:

"Use	Automobile Minimum	Automobile	Bicycle Minimum
Retail Sales and Services			
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 Secondhand goods sales Service business; service business with showroom or workshop	1 per 400 sq. ft. floor area	1 per 200 sq. ft. floor area	1 per 2,000 sq. ft. floor area ⁷