

Mailed 8/10/07

NOTICE OF PUBLIC HEARING

The Common Council of the City of Madison having before it for consideration a proposed ordinance relating to zoning and city planning.

NOTICE IS HEREBY GIVEN, that a public hearing will be held in the Council Chambers, Room 201, in the City-County Building on Monday, August 20, 2007 at 6:00 p.m. before the Plan Commission, where opportunity will be afforded to all interested in being heard; and on Tuesday, September 4, 2007 at 6:45 p.m. before the regular meeting of the Common Council, at which time action on the ordinance will be considered.

Public Hearing items may be called at any time after the beginning of the Plan Commission public hearings – 6:00 pm. Anyone wishing to speak on an item must fill out a registration slip and give it to the person running the meeting. The registration slips are on a table near the front of the meeting room, just inside the doors to the room.

The Plan Commission uses a "consent agenda", which means that the Commission can consider any item at 6:00 pm, if there are no registrants wishing to speak in opposition regardless of where the item is listed on the agenda".

Outdoor eating areas of restaurants as permitted use
ORDINANCE FILE #06955

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

1. Paragraph 10. 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 created to read as follows:

"10. Outdoor eating areas of restaurants serving only nonalcoholic beverages and food provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

2. Paragraph 4. of Subdivision (c) entitled "Conditional 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:

"4. Outdoor eating areas of restaurants serving only nonalcoholic beverages and food unless permitted in (c) above."

3. Paragraph 5. of Subdivision (b) entitled "Permitted Uses" of Subsection (8) entitled "OR Office Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"5. Outdoor eating areas of restaurants located in hotels or motels provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

4. Paragraph 2. of Subdivision (c) entitled "Conditional Uses" of Subsection (8) entitled "OR Office Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is amended to read as follows:

"2. Outdoor eating areas of restaurants located in hotels or motels unless permitted in (b) above."

5. Paragraph 8. of Subdivision (c) entitled "Permitted Uses" of Subsection (5) entitled "O-4 Administrative Office and Research and Development District" of Section 28 085 entitled "Office Districts" of the Madison General Ordinances is created to read as follows:

"8. Outdoor eating areas of restaurants provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

6. Paragraph 3. of Subdivision (d) entitled "Conditional Uses" of Subsection (5) entitled "O-4 Administrative Office and Research and Development District" of Section 28.085 entitled "Office Districts" of the Madison General Ordinances is amended to read as follows:

"3. Outdoor eating and recreation areas, when accessory to another use unless permitted in (c) above

7. Paragraph 57 of Subdivision (c) entitled "Permitted Uses" of Subsection (2) entitled "C1 Limited Commercial District" of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is created to read as follows:

"57. Outdoor eating areas of restaurants provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

8. Paragraph 6. of Subdivision (d) entitled "Conditional Uses" of Subsection (2) entitled "C1 Limited Commercial District" of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is amended to read as follows:

"6. Outdoor eating areas of restaurants unless permitted in (c) above."

9. Paragraph 82. of Subdivision (c) entitled "Permitted Uses" of Subsection (3) entitled "C2 General Commercial District" of Section 28.09 entitled ""Commercial Districts" of the Madison General Ordinances is created to read as follows:

"82. Outdoor eating areas of restaurants provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

10. Paragraph 2. of Subdivision (d) entitled "Conditional Uses" of Subsection (3) entitled "C2 General Commercial District" of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is hereby repealed.

11. Paragraph 32. of Subdivision (d) entitled "Conditional Uses" of Subsection (3) entitled "C2 General Commercial District" of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is amended to read as follows:

"32. Outdoor eating and recreation areas, when accessory to another use unless permitted in (c) above."

12. Paragraph 3. of Subdivision (c) entitled "Permitted Uses" of Subsection (5) entitled "C4 Central Commercial District" of Section 28.09 entitled ""Commercial Districts" of the Madison General Ordinances is created to read as follows:

"3. Outdoor eating areas of restaurants provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

13. Subparagraph a. of Paragraph 3. of Subdivision (d) entitled "Conditional Uses" of Subsection (5) entitled "C4 Central Commercial District" of Section 28.09 entitled ""Commercial Districts" of the Madison General Ordinances is amended to read as follows:

"3. a. Outdoor eating areas of restaurants or taverns except in the public right-of-way when permitted under Section 9.13, or permitted in (c) above and"

14. Paragraph 16. of Subdivision (c) entitled "Permitted Uses" of Subsection (2) entitled "RPSM Research Park - Specialized Manufacturing District" of Section 28.10 entitled "Manufacturing Districts" is created to read as follows:

"16. Outdoor eating areas of restaurants, provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

15. Paragraph 6. of Subdivision (d) entitled "Conditional Uses" of Subsection (2) entitled "RPSM Research Park - Specialized Manufacturing District" of Section 28.10 entitled "Manufacturing Districts" is amended to read as follows:

"6. Outdoor eating and recreation areas, when accessory to another use unless permitted in (d) above."

16. Paragraph 67. of Subdivision (c) entitled "Permitted Uses" of Subsection (4) entitled "M1 Limited Manufacturing District" of Section 28.10 entitled "Manufacturing Districts" is created to read as follows:

"67. Outdoor eating areas of restaurants, provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

17. Paragraph 9. of Subdivision (d) entitled "Conditional Uses" of Subsection (4) entitled "M1 Limited Manufacturing District" of Section 28.10 entitled "Manufacturing Districts" is hereby repealed.

18. Paragraph 29. of Subdivision (d) entitled "Conditional Uses" of Subsection (4) entitled "M1 Limited Manufacturing District" of Section 28.10 entitled "Manufacturing Districts" is amended to read as follows:

"29. Outdoor eating and recreation areas, when accessory to another use unless permitted in (c) above."

19. Paragraph 14. of Subdivision (c) entitled "Permitted Uses" of Subsection (6) entitled "RDC Research and Development Center District of Section 28.10 entitled "Manufacturing Districts" is created to read as follows:

"14. Outdoor eating areas of restaurants, provided that the outdoor eating area is not less than two hundred (200) feet from a building containing a residential use, is not open after 10:00 p.m., and there is no amplified sound."

20. Paragraph 6. of Subdivision (d) entitled "Conditional Uses" of Subsection (6) entitled "RDC Research and Development Center District of Section 28.10 entitled "Manufacturing Districts" of the Madison General Ordinances is amended to read as follows:

"6. Outdoor eating and recreation areas, when accessory to another use unless permitted in (c) above."

EDITOR'S NOTE:

1. Section 28.09(3)(d)2. currently reads as follows:

"2. Outdoor eating and recreation areas of restaurants and taverns."

2. Section 28.10(4)(d)9. currently reads as follows:

"9. Outdoor eating and recreation areas of restaurants and taverns."

PUBLICATION DATE: ICT: August 6 & August 13, 2007 MARIBETH WITZEL-BEHL CITY CLERK

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