

**Legistar File No. 93403 Body**

DRAFTER’S ANALYSIS: This proposed change removes the requirement under the zoning code’s supplemental regulations (MGO Sec. 28.151) for ten different uses to need vehicular access to a collector or higher classification street. Those uses are “assisted living facility, congregate care facility, skilled nursing facility,” “covenant, monastery, similar residential group,” “farmers market,” “hospital,” “library, museum,” “mission house (accessory),” “outdoor recreation,” “place of worship,” “school, arts, technical or trade,” and “schools, public or private.” Tables 28C-1 and 28G-1 are also amended to remove the “Y” in the Supplemental Regulations column for “library, museum” since there are no longer any supplemental regulations for that use as a result of this change.

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

1. Table 28C-1 entitled “Residential Districts” of Subsection (1) of 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-V22	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations Sec. 28.151
Civic and Institutional																
Health/sports club, fitness center or studio					C						C	C	C		C	Y
Library, museum	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y
Parks and playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

2. Table 28.091 of Subsection (1) of 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
Civic and Institutional Uses							
Land and water preserves			P	P			Y
Library/museum				P			Y
Parks and playgrounds	P	P	P	P"			

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

"Assisted Living Facility, Congregate Care Facility, Skilled Nursing Facility.

- (a) The yard requirements for multi-family use in the district apply
- (b) ~~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.~~
- (eb) 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.
- (cd) The owner shall submit a Management Plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.

Convent, Monastery, Similar Residential Group.

- (a) The use shall be accessory to a place of worship. The use may be located on a separate zoning lot where separated by a public right-of-way from the primary use.
- (b) The yard requirements for multi-family use in the district apply.
- (c) ~~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.~~
- (dc) Where the principal use is a conditional use, 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.

Farmers Market.

- (a) Within the NMX, DC and UMX Districts, a farmer's market with more than fifteen (15) vendor stalls requires conditional use approval.
- (b) ~~Within any district, a permanent facility established after the effective date of this ordinance shall have vehicular access to a collector or higher classification street.~~

- (e~~b~~) Within any residential district, a farmer's market shall be accessory to a non-residential use and located in the parking facility of such use.
- (d~~c~~) In the EC, IG, and IL Districts, a farmer's market shall only be an accessory use.

Hospital.

- (a) ~~The facility shall have vehicular access to a collector or higher classification street.~~
- (b~~a~~) 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.
- (e~~b~~) The boundaries of the institution shall be as defined in the conditional use permit or Master Plan. The institution that is defined by the boundaries shall be a minimum of three (3) acres.

~~Library, Museum. A library or museum established after the effective date of this ordinance within a predominantly residential area shall have vehicular access to a collector or higher classification street.~~

Mission House (Accessory).

- (a) The use shall be accessory to a religious institution or a non-profit organization.
- (b) The yard requirements for multi-family use in the district apply.
- (e) ~~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.~~
- (d~~c~~) Where the principal 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.
- (e~~d~~) The owner shall submit a Management Plan for the facility:
  1. Required management plan contents: floor plan showing sleeping areas, emergency exits and bathrooms.
  2. Recommended management plan contents: parking, bicycle parking, storage of belongings, trash storage/removal, transportation support.

Outdoor Recreation.

- (a) A minimum twenty-five (25) foot setback area maintained as open space shall be provided along the perimeter of the site wherever it abuts a residential district.
- (b) ~~If the use will be available to the general public, an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate shall serve the site. Ease of access to the site by automobiles, transit, bicycles, and pedestrians shall be considered as a factor in the review of any application.~~
- (e~~b~~) The site shall be designed in such a way as to minimize the effects of lighting and noise on surrounding properties. Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use approval.
- (d~~c~~) 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.

Place of Worship.

- (a) ~~A facility established after the effective date of this ordinance with seating capacity of greater than six hundred (600) persons in the sanctuary or main activity area and within a predominantly residential or mixed use area shall have vehicular access to a collector or higher classification street.~~

- (ba) Any facility with seating capacity of greater than six hundred (600) persons in the sanctuary or main activity area shall be a conditional use. Such facility shall be located with vehicular access to a collector or higher classification street.
- (eb) 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.

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.~~
- (ba) 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.
- (eb) With the exception of facilities located in industrial districts, all activities shall occur within enclosed buildings.

Schools, Public and Private. 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.

- (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.”~~