

# PLANNING DIVISION STAFF REPORT

August 24, 2015



PREPARED FOR THE PLAN COMMISSION

**Proposal:** Zoning Text Amendments

**Legistar File ID #:** [39494](#), [39497](#), and [39500](#)

**Prepared By:** Planning and Zoning Staff

The following is a summary of the proposed zoning text amendments for Plan Commission consideration.

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## **[39494](#) – Creating Section 28.102(28) of the Madison General Ordinances to establish Wellhead Protection District No. 31.**

The proposed ordinance creates a Wellhead Protection Zone for Madison Water Utility Unit Well 31, which will be constructed on an approximately 3-acre parcel addressed as 4901 Tradewinds Parkway in the Genesis industrial subdivision. The Plan Commission approved a conditional use for a public well and reservoir with related outdoor storage area at its May 4, 2015 meeting (project information can be found [here](#)). The site and most of the surrounding properties are zoned IL (Industrial–Limited District) consistent with the land use recommendations in the adopted 1999 Marsh Road Neighborhood Development Plan. The Wellhead Protection District for the new well, District 31, will restrict certain land uses that may introduce contaminants into the City water system from being established within specified distances of the well, as shown on the map attached to the ordinance. Uses in proposed District 31, as well as the 23 other existing wellhead protection districts in the Zoning Code, are regulated by MGO Section 13.22, which is informed by a list of hazardous chemicals maintained by the United States Environmental Protection Agency.

Staff recommends approval of the text amendment as presented.

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## **[39497](#) – Amending Sections 28.042, 28.043, 28.044, 28.045, 28.047, 28.048, 28.050, 28.051 and 28.053 of the Zoning Code to allow a maximum front yard setback of greater than 30 feet in the TR-C1, TR-C2, TR-C3, TR-C4, TR-V1, TR-V2, TR-U1, TR-U2 and TR-P [respectively] Traditional Residential districts.**

In the specified districts, the current maximum front yard setback is 30 feet. The proposed amendment will allow front yard setbacks of greater than 30 feet by allowing a setback of 20% greater than the block average. This is particularly applicable in areas with deep narrow lots where the homeowner may wish to push the home toward the rear of the lot. By relating the maximum setback to the block average, this amendment ensures that the homes on the block have similar front setbacks.

Staff recommends approval of the text amendment as presented.

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## **[39500](#) – Amending Sections 28.151, 28.211 and 28.061 of the Zoning Code to allow limited production and processing as a conditional use in TSS, CC-T and the CC Districts.**

The proposed text amendment allows limited production and processing in the TSS (Traditional Shopping Street), CC-T (Commercial Corridor–Transitional) and CC (Commercial Center) zoning districts.

Currently, limited production and processing of certain items, including food and beverage products, is not allowed in these districts. As a result, activities like coffee roasting, baking and brewing are currently not

allowed in most of the City's commercial and shopping areas, which tend to be zoned various mixed-use and commercial districts. A number of businesses in such districts, including Atwood Avenue, Williamson Street, S. Park Street, and Monroe Street, have either started or attempted to start the limited production of products, including food and beverages.

The amendment will allow limited production and processing of specified items as a conditional use in the specified districts subject to an additional supplemental regulation that any such use has a retail component. As conditional uses, the Plan Commission will be able to consider the potential impacts of each proposed production and processing use and attach relevant conditions following a public hearing as prescribed in Section 28.183 of the Zoning Code. Further, as conditional uses, the Commission will maintain continuing jurisdiction over such uses to ensure that any potential side effects of the manufacturing process are managed following approval.

Staff recommends approval of the text amendment as presented. The introduction of limited production and processing as conditional uses in the TSS, CC-T and CC districts with the required retail component is consistent with the statement of purpose for those districts as well as the intensity of uses otherwise allowed therein.