



PREPARED FOR THE PLAN COMMISSION

Proposal: **Zoning Text Amendment**

Legistar File ID #: [70198](#) Ground Floor

Zoning Prepared By: Planning and Zoning

Staff

[87019](#) – This amendment modifies ordinance requirements for mixed-use developments in some Downtown and Urban Zoning Districts. In the Supplemental Regulations for “Dwelling Units in Mixed-Use Buildings (MGO 28.151), the code currently prohibits residential use on the ground floor of buildings on specific downtown street frontages. The purpose of this prohibition is to ensure active, destination commercial streets in the downtown. The proposed code change allows some first floor residential use toward the rear of lots, while preserving commercial storefronts along key street frontages.

The amendment gives first preference to ensuring a viable non-residential space is provided along the street frontages. A minimum of the lesser of 40’ or 40% of the lot depth must be devoted to first floor non-residential use. Assuming buildings are positioned close to the street property line, this provision ensures a viable non-residential tenant space depth while allowing residential on the remainder of the floorplate. Some of the properties where the regulation applies may be shallow in depth so the minimum 40% lot depth requirement would allow for a shallower but still viable space.

Some regulated streets are at angles to one another, such as King Street at E. Wilson Street. On lots with frontage on two listed streets, an overlap of the regulation may result in no allowable first-floor residential use. Balancing non-residential and residential first-floor uses seems impractical on these lots, and it is likely more important to ensure viable non-residential space that activates the street than to allow ground-floor residential.

First floor residential uses on deeper lots could front a central courtyard or rear yard area. On lots on Wilson Street, where the ground-floor at Wilson is one to two stories above John Nolen Drive, residential units on the southern halves of the lots could have views of Law Park and Lake Monona.

The amendment also adds State Street to the list of first floor residential restricted street frontages. The Downtown Plan recommends first-floor retail sales and service uses on State. Adding State Street to the code as a first floor residential restricted street frontage will support implementation of the plan.

Staff supports this amendment.