

Legistar File No. 73474 Body

DRAFTER'S ANALYSIS: This ordinance amends several sections of Chapter 28 to create "Missions Boxes" as a permitted use in all residential, mixed-use, commercial downtown and urban and employment districts. Mission Boxes are structures constructed or authorized by the owner of a parcel for the purpose of providing free items to the public, including, but not limited to, books, food, clothing and home goods. Mission Boxes will be permitted setback encroachments in the front, side and rear yard setbacks and MGO 28.132(1) is amended to reflect that allowance. Mission Boxes will also have several supplemental regulations, including size and structural limitations such as restrictions against impeding the right-of-way. MGO Sec. 28.151 (Supplemental Regulations) is amended to reflect those restrictions. Finally, the "Accessory Uses and Structures" section in the Downtown and Urban Districts Use Table 28E-2 in MGO Sec. 28.072 is reordered in alphabetical order.

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

1. Table 28-C1 entitled "Residential Districts" of Section 28.032 entitled "Residential District Uses" of the Madison General Ordinances is amended as follows:

"Table 28-C1

Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
Accessory Uses and Structures																
Management office, restaurant, limited retail, recreation facilities within multi-family building					C						C	C	C			Y
<u>Mission box</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Y</u>
Outdoor cooking operation	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	Y"

2. Table 28-D2 entitled "Mixed-Use and Commercial Districts" of Section 28.061 entitled "Mixed-Use and Commercial District Uses" of the Madison General Ordinances is amended as follows:

"Table 28-D2

Mixed-Use and Commercial Districts

	LMX	NMX	TSS	MXC	CC-T	CC	RMX	THV	Supplemental Regulations
Accessory Uses and Structures									
Management office, restaurant, limited retail, recreation facilities within multi-family building			P	P	P	P	P		Y
<u>Mission box</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Y</u>
Mission house	P	P	P	P	P	P	P		Y"

3. Table 28E-2 entitled "Downtown and Urban Districts" of Section 28.072 entitled "Downtown and Urban District Uses" of the Madison General Ordinances is reordered and amended as follows:

"Table 28E-2

Downtown District Uses							
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations	
Accessory Uses and Structures							
Accessory building or structure	P/C	P/C	P/C	P/C	P/C	Y	
Accessory dwelling unit				P	P	Y	
Accessory retail alcohol sales	P		P				
Accessory use: General retail service business, restaurant, coffee shop, tea house, office, professional and general		C			C	Y	
Daycare, home, family	P/C	P/C	P/C	P/C	P/C	Y	
Daycare center in school or religious institution	P	P	P	C	C	Y	
Emergency electric generator	P		P	P	P	Y	
Farmers market		P		P	P	Y	
Keeping of chickens	P	P	P	P	P	Y	
Keeping of honeybees	P	P	P	P	P	Y	
Lease of off-street parking facility accessory to residential use to non-tenants	P	P	P	P	P	Y	
Mission house	P	P	P	P	P	Y	
<u>Mission box</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Y</u>	
Outdoor cooking operation	P/C	P/C	P/C	P/C	P/C	Y	
Outdoor display	P	P	P		C	Y	
Outdoor eating area associated with food and beverage establishment	P/C		P/C		P/C	Y	

Outdoor eating area, temporary, associated with food and beverage establishment	P/C		P/C		P/C	Y
Outdoor recreation	C	C	C	C	C	Y
Outdoor storage	P	P	P			Y
Portable shelter mission		P	P	P	P	Y
Real estate sales office	P		P	P	P	Y
Solar energy systems	P	P	P	P	P	Y
Temporary buildings for storage of construction materials and equipment	P	P	P	P	P	Y
Temporary outdoor events	P/C		P/C			Y
Vehicle access sales and service	C		C			Y
Vending machine	C	C	C			Y
Walk-up service window	P/C		P/C			Y
Wind energy systems	C	C	C	C	C	Y
Yard sales	P		P	P	P	Y"

4. Table 28F-1 entitled "Employment Districts" of Section 28.082 entitled "Employment District Uses" of the Madison General Ordinances is amended as follows:

"Table 28F-1

Employment Districts							
	TE	SE	SEC	EC	IL	IG	Supplemental Regulations
Accessory Uses and Structures							
Keeping of chickens	P	P	P	P	P	P	Y
<u>Mission box</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Y</u>
Outdoor display	C	C	C	C	C	C	Y"

5. Table 28I-1 of Subsection (1) entitled "Permitted Setback Encroachments" of Section 28.132 entitled "Encroachments into Setback Areas" of the Madison General Ordinances is amended as follows:

"Table 28I-1

Structure or Feature	Front Yard Setback	Side Yard Setback	Rear Yard Setback
Licensed radio towers <75 feet and receiving devices			✓
<u>Mission box</u>	✓	✓	✓
Open porches	7"		

6. Section 28.151 entitled "Applicability" of the Madison General Ordinances is amended as follows:

Market Garden .

- (a) Submission of a Management Plan to the Zoning Administrator, Alderperson of the district where the garden is located, Public Health Madison and Dane County, and any neighborhood and/or business association that serves the area where the garden is located for the following activities as part of a market garden:
 - 1. Animal husbandry.
 - 2. Off-street parking of more than ten (10) vehicles.
 - 3. Processing of food produced on site.
 - 4. Spreading of manure.
 - 5. Application of agricultural chemicals, including fertilizers and pesticides.
 - 6. Use of heavy equipment such as tractors.

Mission Box (Accessory).

- (a) The Mission Box shall be accessory to an established principal use.
- (b) The Mission Box shall be no greater in size than sixty (60) inches wide, twenty-four (24) inches deep, and seventy-two (72) inches tall.
- (c) The Mission Box shall be secure to the ground with posts, anchoring or ballasting, in order to prevent tipping because of wind or snow.
- (d) The Mission Box shall not block, interfere, or impede the right-of-way, including that any doors to the Mission Box may not, when open, project into the right-of-way.
- (e) The Mission Box may not be operated in a manner that requires or facilitates the exchange of money or other forms of payment for items contained in the Mission Box.
- (f) All items provided for free to the public must be contained inside the Mission Box.
- (g) The Mission Box shall comply with all other applicable City of Madison ordinances and regulations, including the sign code, traffic engineering vision triangle requirements, and property maintenance requirements.

Mission Camp .

- (a) The use shall be operated by a religious institution, nonprofit organization, or a governmental entity.
- (b) The Mission Camp use shall be permitted if owned, operated, or funded by the City of Madison. Conditional use approval is required for Mission Camp uses owned, operated, or funded by entities other than the City of Madison.
- (c) An appropriate transition area between the use and adjacent property may be required.
- (d) The owner or operator shall submit a Management Plan to the Zoning Administrator for the facility prior to issuance of a zoning certificate:
 - 1. Required management plan contents: contact information for the owner or operator of the campground, site plan showing tent or portable shelter unit locations, roads and/or paths, accessory buildings, parking, bicycle parking, storage of belongings, trash storage/removal, transportation support, and a severe weather plan.
 - 2. Recommended management plan contents: contact information for individuals living at the campground.
- (e) Any changes to the Management Plan must be filed with the Zoning Administrator.
- (f) Open, recreational and warming fires are prohibited. Cooking fires contained in manufactured cooking devices, such as a grill or hibachi, are permitted.

- (g) The owner or operator shall obtain a campground permit pursuant to Wis. Admin Code Chapter ATCP 79, if applicable.

7. Section 28.211 entitled "Definitions" of the Madison General Ordinances is amended as follows:

Massage Therapy . A profession in which the practitioner applies massage techniques, and may apply adjunctive therapies, with the intention of positively affecting the health and well-being of the client. Massage therapy does not include diagnosis, except to the extent of determining whether massage therapy is indicated. Further, "massage" is manual manipulation of the human body, including holding, positioning, causing movement, and applying touch and pressure to the body; "therapy" is action aimed at achieving or increasing health and wellness; "adjunctive therapies" may include (1) application of heat, cold, water, mild abrasives, topical preparations not classified as prescription drugs, (2) the use of mechanical devices and tools which mimic or enhance manual actions and (3) instructed self care and stress management.

Mission Box (Accessory) . A structure constructed or authorized by the owner of a parcel for the purpose of providing free items to the public, including, but not limited to, books, food, clothing and home goods.

Mission Camp . A facility owned, operated, or funded by a non-profit organization, religious institution, or governmental entity that provides a campground area where individuals may live temporarily or permanently in tents or other portable shelter units. The use may also include the provision of meals, worship services, or other supportive services.