

LEGISTAR # 36865 – VERSION 2 - SUBSTITUTE

DRAFTER'S ANALYSIS: This ordinance amends the definition of auto sales so that it no longer includes the sale of motorcycles. This ordinance also creates new definitions for motorcycle and moped sales and heavy traffic vehicle sales. This will allow establishments that sell motorcycles and mopeds in some areas where auto sales are prohibited and not limit auto sales to heavy-traffic vehicles in IL and IG districts.

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

1. Section 28.211 entitled "Definitions" of the Madison General Ordinances is amended by amending or creating therein the following:

"Auto Sales. An establishment providing wholesale and retail sales or leasing of new or used automobiles, ~~motorcycles~~, trucks, trailers, boats, or outdoor recreational vehicles, including outdoor sales area, incidental storage and maintenance and warranty repair work, or other repair service conducted as an accessory use."

Heavy Traffic Vehicle Sales. An establishment providing wholesale and retail sales or leasing of new or used Heavy Traffic Vehicles, including outdoor sales area, incidental storage and maintenance and warranty repair work, or other repair service conducted as an accessory use.

Motorcycle and Moped Sales. An establishment providing wholesale or retail sales or rental of motorcycles and mopeds, including storage, maintenance, servicing, repair, outdoor display, and may also include accessory retail sales."

2. Table 28D-2 of Section 28.061 entitled "Mixed-Use and Commercial Districts Uses" of the Madison General Ordinances is amended by amending and creating therein the following:

"Mixed-Use and Commercial Districts							
	LMX	NMX	TSS	MXC	CC-T	CC	Supplemental Regulations
Automobile Services							
Heavy traffic vehicle sales					P	P	
Motorcycle and moped sales					P	P"	

3. The Table 28E-2 of Subsection (1) of Section 28.072 entitled "Downtown District Uses" of the Madison General Ordinances is amended by creating therein the following:

"Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Automobile Services						
Motorcycle and moped sales	C		C"			

4. Table 28F-1 of Subsection (1) of Section 28.082 entitled "Employment District Uses" of the Madison General Ordinances is amended by creating, deleting and amending therein the following:

"Employment Districts							
	TE	SE	SEC	EC	IL	IG	Supplemental Regulations
Automobile Services							
Auto sales and rental					P	P	Y
<u>Heavy traffic vehicle sales</u>					P	P	
<u>Motorcycle and moped sales</u>					P	P	

5. Subsection entitled "Automobile Body Shop, Automobile Sales and Rental, Automobile Service Station, Automobile Repair Station, Convenience Store" of Section 28.151 entitled "Applicability" of Subchapter 28J: Supplemental Regulations of the Madison General Ordinances is amended by repealing herein the following:

~~"(h) In the IL and IG districts, auto sales are limited to heavy traffic vehicles."~~