

**LEGISTAR #39500 – Alternate Body**

DRAFTER'S ANALYSIS: This amendment allows the limited production and process in the TSS, CC-T and CC Districts. Currently, limited production and processing of certain items, including food and beverage products, is not allowed in these districts. As a result, certain activities, such as coffee roasting, baking and brewing are currently not allowed in some of the City's commercial and shopping districts. Given the City's demand for locally produced foods, numerous businesses in such districts have either started or attempted to start the limited production of products, including food and beverages.

This amendment will allow limited production of specified items as a conditional use in the specified districts. This ordinance ensures that each such use is conditional and therefore subject to the Plan Commission's ability to attach conditions to and maintain jurisdiction over such uses. This will ensure that any potential side effects of the manufacturing process are controlled. Moreover, the ordinance guarantees that any such use must be accompanied by a retail component, so that area visitors and residents will have immediate access to the locally produced items.

In addition, this Alternate creates a standard by which the Plan Commission will be required to consider the potential side effects of production and processing on surrounding properties, including the side effects of odor, noise, vibration, glare and hours of operation, when considering a conditional use application for limited production and processing.

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

1. Subsection entitled "Limited Production and Processing" of Section 28.151 entitled "Applicability" of Subchapter 28J: Supplemental Regulations of the Madison General Ordinances is amended by amending herein the following:

"Limited Production and Processing. All such uses shall be compatible with adjacent nonindustrial uses. ~~Odors, noise, vibration, glare and other potential side effects of manufacturing processes shall not be discernable beyond the property line~~ and be accompanied by a retail component."

2. Paragraph 16. of Subdivision (a) of Subsection (6) entitled "Approval Standards" of Section 28.183 entitled "Conditional Uses" of the Madison General Ordinances is created to read as follows:

"16. When applying the above standards to an application for limited production and processing use, the Plan Commission shall consider the effect of such a use on the surrounding properties, including the effects of odors, noise, vibration, glare, hours of operation, and other potential side effects of a manufacturing process."

3. Subsection entitled "Limited Production and Processing" of Section 28.211 entitled "Definitions" of the Madison General Ordinances is amended by creating therein the following:

"Limited Production and Processing. Uses that produce minimal off-site impacts due to their limited nature and scale, are compatible with office, retail and service uses, and may include wholesale and off-premises sales. Limited production and processing includes, but is not limited to, the following:

- (a) Apparel and other finished products made from fabrics.
- (b) Blueprinting.
- (c) Computers and accessories, including circuit boards and software.
- (d) Electronic components, assemblies, and accessories.

- (e) Film, video and audio production.
- (f) Food and beverage products, except no live slaughter, grain milling, cereal, vegetable oil or vinegar processing.
- (g) Jewelry, watches and clocks.
- (h) Milk, ice cream, and confections.
- (i) Musical instruments.
- (j) Novelty items, pens, pencils, and buttons.
- (k) Precision dental, medical and optical goods.
- (l) Signs, including electric and neon signs and advertising displays.
- (m) Toys.
- (n) Wood crafting and carving; ~~and~~
- (o) Wood furniture and upholstery; and
- (p) Wholesale production of foods."

4. 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:

| <b>"Mixed-Use and Commercial Districts</b>        |            |            |            |            |             |           |  |
|---|------------|------------|------------|------------|-------------|-----------|--|
|   | <b>LMX</b> | <b>NMX</b> | <b>TSS</b> | <b>MXC</b> | <b>CC-T</b> | <b>CC</b> | <b>Supplemental<br/>IR<br/>regulations</b> |
| <b>Limited Production, Processing and Storage</b> |            |            |            |            |             |           |  |
| Limited production and processing                 |            |            | IC         |            | C           | C         | Y"   |