



PREPARED FOR THE PLAN COMMISSION

Proposal: Zoning Text Amendments

Legistar File ID #: [61929](#), [62436](#), [62737](#) (Electric Vehicle Charging, Mission House, Live/Work)

Prepared By: Planning and Zoning Staff

[61929](#)– Create requirements for Electric Vehicle charging facilities in certain parking uses and create the use “Electric Vehicle Charging Facility”, and allows the use in certain Zoning Districts.

This amendment would create a new use in the Zoning Code, *Electric Vehicle Charging Facility*. This would be a facility existing for the purpose of providing electric vehicle charging on a retail basis—like a gas station. These facilities may not also sell other types of vehicle fuel, such as gasoline. Under this ordinance, these facilities would be permitted uses in the zoning districts where the use Auto Service Station is a Conditional Use. These uses may be allowed as incidental uses at existing Auto Service Stations.

The ordinance also creates a requirement that certain commercial and residential parking facilities of a certain number of stalls be constructed so that up to 50% of all parking spaces are electric vehicle capable ready (served with conduit/raceways and panel capacity to allow for the future installation of an EV charging station) and up to 10% of all spaces be electric vehicle ready (served by with at least a Level II electric vehicle charging station). These EV capable ready and EV ready installed requirements will phase in 5-year increments, beginning on January 1, 2021, to account for current and future market needs. The ordinance includes a requirement for installation of electric vehicle supply equipment (EVSE) so that EVSE is installed when the facility is constructed or significantly expanded, to head off an expensive cost to later retro-fit installation of EVSE.

The purpose of this amendment is to ensure and encourage the present and future availability of electric vehicle charging stations in parking facilities throughout the City. Future projections are that by 2038, EV sales nationwide will eclipse internal combustion engine vehicle sales and that by 2040 over 57% of the total new car market will be for EVs. In Madison, recent data showed that 1.9% of new vehicles sold were electric vehicles—the highest such rate in the Midwest. Additionally, EV sales in Wisconsin increased by 24% from 2017 to 2018. As electric vehicles see greater adoption by the market, and to meet the projected increased future demand for charging infrastructure, it will be necessary to retrofit older parking facilities. This ordinance ensures that not only will current and near-term charging station demand be met, but that future charging station demand can be cost-effectively provided. It is far cheaper and more efficient to build EV capable ready and EV installed spaces at the time of new construction than to retrofit parking facilities in the future.

When this ordinance was reviewed by the Sustainable Madison Committee on October 6, recommendations to clarify definitions and suggestion to add E-Bicycles to the ordinance was included. In consultation with the sponsoring alders, a substitute has been prepared, which clarifies the definitions. The sponsoring alders have decided not to include e-bike infrastructure, because this particular ordinance clearly relates to parking for electric vehicles, and a separate ordinance amendment will be undertaken next year relative to Bicycle parking facilities, which can then include e-bike requirements.

The ordinance was reviewed by the Transportation Policy and Planning Board on November 2. The TPPB was made aware of the recommendations from Sustainable Madison, and unanimously recommended approval of the ordinance, clarifying the definitions and not including any language relative to E-bike facilities.

The substitute clarifies the definitions used to make it clear that an EV ready space is a parking space that has the existing infrastructure capacity to be served with EVSE in the future, while an EV installed space is a space that is actually served by an electric vehicle charging station. In addition, this substitute includes an applicability subsection, to make it clear that these requirements apply to new parking lots, or existing parking lots where significant additions occur (50% or more new spaces added) or where significant reconstruction occurs (50% or more of the existing paving and base is removed and replaced). The substitute also clarifies computation when fractional space calculations exist.

Staff supports this amendment.

[62436](#)- Amend the use list to allow Mission House (principal Use) as a Permitted/Conditional Use in the CC and CC-T Districts and amend supplemental regulations for the use Mission House (Principal Use).

This amendment identifies the use “Mission House (Principal Use) as a *permitted use* if the use is funded by the City of Madison and if the operator has an executed contract for service delivery with the City of Madison.

The City of Madison has been actively searching for locations for new shelter facilities in the community to serve families and individuals experiencing homelessness. The CC and CC-T zoning districts are attractive, due to acceptable location-related characteristics, availability in the market, and affordability. This amendment allows the use as a Permitted Use when the City is a funding partner and has an executed contract for service delivery.

The City carefully selects its non-profit partners when funding a mission house use, and the requirement for a contract for service assures the property is being managed correctly and has an acceptable plan for service delivery. Such funding and agreements ultimately require Common Council approval.

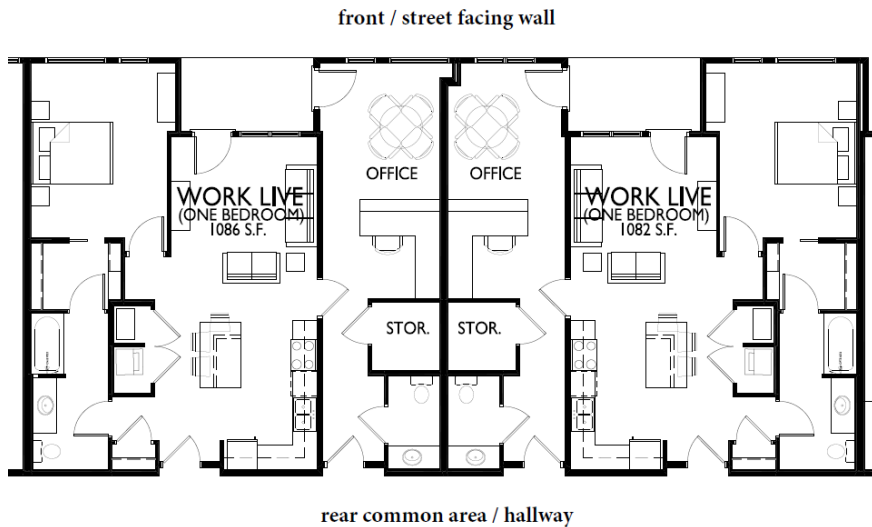
Staff supports this amendment.

[62737](#) - Amending Madison General Ordinance 28.151, *Supplemental Regulations*, to allow a dwelling space to be located alongside a work space in a Live/Work Unit.

A Live/Work Unit is defined as: *A dwelling unit in combination with a shop, office, studio, or other work space within a mixed-use building, where the resident occupant both lives and works.* Live/Work units are a common use allowed in certain Commercial and Mixed-Use Districts and Employment Districts. Supplemental regulations for this use require the residential portion of the Live/Work Unit to be located *above* or *behind* the commercial space, which is the typical historic arrangement for the living spaces relative to the work spaces. In certain building forms and uses, such as mixed-use multi-family development, the commercial and residential

portion of a Live/Work unit could be designed be side-by side, with individual entrances toward the front/street and entranced toward the rear/common corridor area, where a common bathroom could be available for the commercial uses.

Example floor plan (with bathrooms in the commercial part of the Live/Work spaces):



All other supplemental regulations for Live/Work Units remain in effect. The Supplemental Regulations follow:

Live/Work Unit.

- (a) The work space component shall be located on the first floor or basement of the building, with an entrance facing the primary abutting public street.
- (b) The dwelling unit component shall be located above or behind the work space, and maintain a separate entrance located on the front or side facade and accessible from the primary abutting public street.
- (c) The office or business component of the unit shall not exceed fifty percent (50%) of the total floor area of the unit.
- (d) The business component of the building may include offices, small service establishments, homecrafts which are typically considered accessory to a dwelling unit, or limited retailing associated with fine arts, crafts, or personal services. The business component shall be limited to those uses otherwise permitted in the district which do not require a separation from residentially zoned or occupied property, or other protected use. It shall not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.
- (e) In the TE District, new residential uses, whether in new or existing buildings shall not be located where potential nuisances exist, including but not limited to: excessive vibration, dust, noise, light, glare, smoke, odor, or truck traffic.
- (f) In the TE District, new residential uses shall be adequately separated or buffered from adverse impacts from existing industrial uses.

Staff supports this amendment.