



PREPARED FOR THE PLAN COMMISSION

Proposal: Zoning Text Amendment

Legistar File ID #: [62966](#) RMX District, [63202](#) Counseling/Community Service Use

Prepared By: Planning and Zoning Staff

[62966](#) – This amendment creates the Regional Mixed Use (RMX) Zoning District within *Subchapter D: Mixed-Use and Commercial Districts*. The new district is added to the use list of Permitted and Conditional Uses for the *Commercial and Mixed-Use* districts, and the applicable building forms subsection. The district statement of purpose and district bulk standards are created, which cover height, setback, lot coverage, and site standards for new development. Supplemental regulations for uses allowed in the district are accordingly included. The amendment also adds reference to the RMX district in a number of subsections of the zoning ordinance, similar to other zoning districts.

This district is intended to provide opportunities for high-intensity mixed-use development supporting a variety of multifamily housing options and commercial activities that serve the needs of the region. These areas typically include large-scale sites supportive of multi-story buildings and should be the most intensively developed areas in the city outside of the downtown. This district is intended to fill a gap not covered by the other mixed-use and commercial districts. Mapping of the district will typically occur at the request of property owners wishing to develop new buildings consistent with adopted plans, and in some cases following the adoption of plans specifically recommending rezoning to this district..

A few key highlights of this district:

- The use list of permitted and Conditional uses is similar to the higher-intensity mixed-use and commercial districts, CC and CC-T.
- Single and two-family dwellings are not permissible in this district.
- Automobile Services uses are not permissible in this district
- Some of the more industrial-type uses that are permissible in larger-scale mixed-use and commercial zoning districts are not permissible in this district.
- Building placement rules similar to the TSS District require placement in close proximity to the street, with additional buildings allowed once 30% of the frontage is occupied by new buildings, similar to the CC-T District.
- There is no minimum lot area per dwelling unit or usable open space requirement.
- Height maximum is five stories / 78' as a Permitted Use, with greater height allowable by Conditional Use. (*NOTE: the 78' height is consistent with the building heights we have seen for five story buildings constructed over the past 8 years, higher than the 68' found in other districts*).
- The district is listed in *Table 28I-2 –Districts With No Minimum Automobile Parking Requirements; Exceptions*. There is no minimum parking requirement, with limited exceptions consistent with CC-T and CC.

Staff supports this amendment.

[63202](#) - This amendment allows the use *Counseling/Community Service Organization*, currently as permitted or conditional uses in limited zoning districts, to be classified as permitted uses in a broader group of zoning districts but remain as conditional uses in the two residential districts where the use is allowed: SR-V2 and TR-V2. The amendment also expands the districts where the use may locate, aligning as a permitted use where general/professional office uses are permissible (except IL and IG).

Current districts where the use is allowed include:

Conditional use: SR-V2, TR-V2, NMX, TSS, CC-T, TE, SE, SEC, EC
Permitted use: DC, UOR, UMX

Proposed districts where the use is allowed:

Conditional use: SR-V2, TR-V2
Permitted use: LMX, NMX, TSS, MXC, CC-T, CC, TE, SE, SEC, EC DC, UOR, UMX

Districts added include LMX, MXC and CC. IL and IG districts were excluded because these tend to be industrial in nature, less compatible with human services uses, and not well served by transit.

The amendment also modifies the definition of the use, to more clearly describe the use. Language is added to clarify that the use must include a variety of social and community-based services, and provides examples: *including but not limited to job training, office functions, counseling, neighborhood/group meetings, physical therapy, food bank, and transportation services.*

The use counseling, community service organization applies to service providers which often include the delivery of a variety of public services and office functions, not otherwise classifiable in a specific use. These uses can include an office function, training, childcare, transportation services, counseling, food pantry and clothing distribution etc. but not singularly any one of these uses. These uses tend to be nonprofits. A recent example of a *counseling community service* use is the Jobs and training center operated by the Urban League of Greater Madison at 1233 McKenna Boulevard (Conditional Use approved July 10, 2017).

This use was created in 2001 as a Conditional Use, for the purpose of encouraging geographic distribution across the City. At that time, concerns from the District 14 Alder about a concentration of human service serving organizations locating in south Madison prompted an interest in creating the use and reviewing the use on a case-by-case basis as a conditional use. From the Zoning Administrator's experience administering the code, he has indicated these uses are relatively rare. It is not clear exactly how many of these uses are in operation in the community, likely under twenty. Staff is aware of one organization that dropped services in order to be classified as an *office* use, to avoid the Conditional Use requirement and associated process.

Staff supports this amendment.