



## Legislation Details (With Text)

**File #:** 63902      **Version:** 2      **Name:** Conditional Use Thresholds  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/26/2021      **In control:** Attorney's Office  
**On agenda:** 6/1/2021      **Final action:** 6/1/2021  
**Enactment date:** 6/15/2021      **Enactment #:** ORD-21-00044

**Title:** SUBSTITUTE - Amending various sections of Subchapters 28C and 28D of Madison General Ordinances in order to increase allowable densities and decrease conditional use thresholds in certain multi-family residential, mixed-use, and commercial districts.

**Sponsors:** Satya V. Rhodes-Conway, Keith Furman, Patrick W. Heck, Lindsay Lemmer, Tag Evers, Christian A. Albouras

**Indexes:**

**Code sections:**

**Attachments:** 1. 63902 Body.pdf, 2. Housing\_Ordinance\_Staff\_Memo\_2-17-21.pdf, 3. Staff\_Overview\_Video, 4. Staff\_Overview\_Slides.pdf, 5. Emailed Public Comments 2-25-21 Housing Strategy Committee.pdf, 6. RegistrantsReport-Public Comments 2-25-21 Housing Strategy Committee.pdf, 7. Public\_Comments\_03-09-21\_03-19-21.pdf, 8. 03-19-21\_Additional\_Staff\_Comments.pdf, 9. Public\_Comments\_03-20-21\_03-22-21.pdf, 10. Ald\_Kemble\_Comments\_03-22-21.pdf, 11. Public\_Comments\_03-22-21\_Post 3 pm.pdf, 12. 63902 Version 1.pdf, 13. 63902 Body Version 2.pdf, 14. Alternate Ordinance 63902v.3.pdf, 15. 03-26-21\_Additional\_Staff\_Comments.pdf, 16. 3-30-21-StaffPresentation.pdf, 17. Public\_Comment\_03-29-21.pdf, 18. 3/30/21 CC Mtg\_Emails 63902.pdf, 19. 210330\_Common Council Registrants Report Final.pdf, 20. Public\_Comments\_05-12-21\_05-13-21.pdf, 21. Public\_Comments\_05-14-21\_05-17-21.pdf, 22. 5-28-21-RESJIAAnalysis.pdf, 23. Second Alternate Ordinance 63902v.4.pdf, 24. Attachment A - Second Alternate Parcels 63902.pdf, 25. Attachment B - Second Alternate F35\_zoning.pdf, 26. Written Public Comment 6-1-21 63902.pdf, 27. FW\_Agenda Item Number 5 -- In Support.pdf, 28. FW\_Proposed Changes to the Zoning Ordinance\_Legistar #63902.pdf, 29. FW\_Upzoning and Land Banking.pdf, 30. 060121\_Evers\_Amendment\_63902.pdf, 31. 060121\_Halverson\_Amendment\_63902.pdf, 32. 210601\_Common Council Registrants Report.pdf

Date	Ver.	Action By	Action	Result
6/1/2021	2	COMMON COUNCIL	Adopt the following Amendment(s) to the Substitute	Fail
6/1/2021	2	COMMON COUNCIL	Place on File without Prejudice and Close the Public Hearing	Fail
6/1/2021	2	COMMON COUNCIL	Adopt the following Amendment(s) to the Substitute	Fail
6/1/2021	2	COMMON COUNCIL	Adopt as Substituted and Close the Public Hearing	Pass
3/30/2021	2	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
3/22/2021	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - RECESSED PUBLIC HEARING	Pass
3/16/2021	1	COMMON COUNCIL	Refer For Public Hearing	Pass
3/8/2021	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING	Pass
2/25/2021	1	HOUSING STRATEGY COMMITTEE (end 11/2024)	Return to Lead with the Recommendation for Approval	Pass

2/3/2021	1	PLAN COMMISSION	Refer	
2/2/2021	1	COMMON COUNCIL	Refer	Pass
1/26/2021	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

No City appropriation required.

**Title**

SUBSTITUTE - Amending various sections of Subchapters 28C and 28D of Madison General Ordinances in order to increase allowable densities and decrease conditional use thresholds in certain multi-family residential, mixed-use, and commercial districts.

**Body**

DRAFTER'S ANALYSIS: This ordinance makes changes to the conditional use thresholds and allowable densities in most multi-family residential districts. Similarly, this ordinance makes changes to the conditional use thresholds and the standards for lot area, maximum height, and usable open space for most mixed-use districts.

These changes will allow for the construction of more multi-family dwelling units ("higher densities") as permitted uses ("by right"). In that way, this ordinance takes one step toward removing barriers in the zoning code that have historically tended to exclude the construction of multi-family housing in areas of the City that are otherwise appropriate for it.

For further information related to the changes contained in this ordinance, please see the Planning Division Staff Report.

The changes contained in this Substitute Ordinance implement recommendations made by the Plan Commission. First, this Substitute decreases the number of units that may be built as a permitted use in the mixed-use and commercial districts. These changes are found in the Mixed-Use and Commercial District Uses Table in paragraph 18 of this ordinance. Second, this Substitute Ordinance changes Multi-family dwelling (13-24 units) from a permitted to conditional use. Finally, this ordinance changes the amount of ground floor commercial frontage facing the primary street to 50%.

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

**See "63902 Body Version 2" in Attachments.**