



Legislation Details (With Text)

**File #:** 41715      **Version:** 1      **Name:** Updating & clarifying Mixed-Use Center District ordinance

**Type:** Ordinance      **Status:** Passed

**File created:** 2/4/2016      **In control:** PLAN COMMISSION

**On agenda:** 2/23/2016      **Final action:** 3/29/2016

**Enactment date:** 4/9/2016      **Enactment #:** ORD-16-00039

**Title:** Amending Sections 28.066, 28.140(1)(e), and 28.151 of the Madison General Ordinances to add more substance and clarity to the Mixed-Use Center District ordinance so that it can be more effectively implemented to achieve the purposes for which it exists.

**Sponsors:** Steve King, Ledell Zellers

**Indexes:**

**Code sections:**

**Attachments:** 1. Body, 2. ZT Memo 032116.pdf

Date	Ver.	Action By	Action	Result
3/29/2016	1	COMMON COUNCIL	Adopt with Conditions and Close the Public Hearing	Pass
3/21/2016	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
2/23/2016	1	COMMON COUNCIL	Referred for Public Hearing	Pass
2/4/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No fiscal impact.

**Title**

Amending Sections 28.066, 28.140(1)(e), and 28.151 of the Madison General Ordinances to add more substance and clarity to the Mixed-Use Center District ordinance so that it can be more effectively implemented to achieve the purposes for which it exists.

**Body**

DRAFTER'S ANALYSIS: The 2012 zoning code created the Mixed-Use Center (MXC) District to encourage the development or redevelopment of mixed-use centers that combine new or existing retail development with a variety of housing, offices, studios, live-work space, civic buildings, and other complementary uses. The MXC District was created keeping in mind the successes of the Hilldale development and with the purpose of encouraging other similar developments throughout the city.

One of the key components of the MXC district is that it is based on the master planning principle, which is similar to the general development plan principle in a planned development, but relies on the base-line building design and use restrictions in the commercial and mixed-use zoning districts. In an MXC District, a map amendment and a master plan are approved at the same time. Like other master-plan districts, the master plan is key to allowing the development to build out over time according to the master plan.

There have been no MXC developments under the new code. Staff believes one reason for this is that the current language is insufficiently clear and robust to provide developers with the direction and certainty necessary to undertake a MXC development. Staff has been working with two developers interested in pursuing a MXC development and identified areas of the ordinance that need more clarity and substance. Therefore, this amendment substantially revises the MXC district to provide more clarity and substance. For

example, this amendment:

- Clarifies the standards of approval for these districts and associated master plans;
- Clarifies the requirements for contents of a master plan;
- Establishes a clear approval process, including a requirement that the application go to the UDC for review/recommendation;
- Re-orders some of the base requirements of the district, such as the maximum height requirement;
- Cross-references the "large retail establishments" section of the ordinances (Sec. 33.24, MGO);
- Provides an alteration process;
- Includes a timeline for implementation that requires re-approval after 10 years.

Staff believes these changes will help achieve the purpose and intent of the original MXC District ordinance.

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Please see "Body" in Attachments.