



Legislation Details (With Text)

**File #:** 78322      **Version:** 2      **Name:** Minimum Story Requirement  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/12/2023      **In control:** COMMON COUNCIL  
**On agenda:** 7/25/2023      **Final action:** 7/25/2023  
**Enactment date:** 8/4/2023      **Enactment #:** ORD-23-00070  
**Title:** SUBSTITUTE: Amending Section 28.104(7)(c) of the Madison General Ordinances to add an exception to height and story minimum requirements.  
**Sponsors:** Charles Myadze

**Indexes:**

**Code sections:**

**Attachments:** 1. Zoning Text Memo 7-10-23 Two-Story Exemption for Counseling Community Service in TOD.pdf, 2. Alder Myadze message on item #78322 amending section 28.104(7)(c) of the Madison General Ordinances to add an exception t.pdf, 3. Zoning Text Memo 7-24-23 - Substitute - Two-Story Exemption for Counseling Community Service in TOD.pdf, 4. Public Comment 7-23-22.pdf, 5. 072323\_CC\_public\_comment

Date	Ver.	Action By	Action	Result
7/25/2023	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
7/24/2023	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
7/11/2023	1	COMMON COUNCIL	Re-refer	Pass
7/10/2023	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING	Pass
6/20/2023	1	COMMON COUNCIL	Referred	
6/12/2023	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

No City appropriation required.

**Title**

SUBSTITUTE: Amending Section 28.104(7)(c) of the Madison General Ordinances to add an exception to height and story minimum requirements.

**Body**

**DRAFTER'S ANALYSIS:** This proposed ordinance change amends MGO Sec. 28.104(7)(c) to exempt "Counseling/Community Service Organization" from requiring a minimum of two (2) stories in the Transit Oriented Development ("TOD") Overlay District. "Counseling/Community Service Organization" is defined in MGO 28.211 as "an organization that provides a variety of social and community-based services within a single tenant space. Activities include but are not limited to day treatment services, job training, office functions, counseling, neighborhood/group meetings, physical therapy, food bank, and transportation services."

The SUBSITUTE amends the exemption of a two-story minimum for "Counseling and Community Services" to only Employment Zoning Districts in the TOD. This refinement is in response to concerns expressed by the Plan Commission at their July 10, 2023 meeting that exempting all Counseling and Community Services uses would erode the density goals of the TOD.

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

1. Subdivision (c) entitled “Minimum Number of Stories and Height” of Subsection (7) entitled “Site Standards for Buildings” of Section 28.104 entitled “Transit Oriented Development Overlay District” of the Madison General Ordinances is amended as follows:

- “(c) Minimum Number of Stories and Height. A minimum of two stories is required for a minimum of seventy-five percent (75%) of the building footprint except for the following uses:
1. Greenhouse, nursery.
  2. Place of worship.
  3. Public safety or service facilities.
  4. Recreation, community, and neighborhood centers.
  5. Transit station, transfer point.
  6. Counseling/Community Service Organization, when located in an employment district.”