



Legislation Details (With Text)

**File #:** 07732      **Version:** 1      **Name:** 1/8 parking spaces cap  
**Type:** Ordinance      **Status:** Filed  
**File created:** 10/9/2007      **In control:** COMMON COUNCIL  
**On agenda:** 1/6/2015      **Final action:** 1/6/2015  
**Enactment date:**      **Enactment #:**

**Title:** Amending Sections 28.11(3)(k) of the Madison General Ordinances to cap the number of parking spaces at one space for each two hundred fifty (250) square feet of gross floor area for certain uses and amending Section 28.08(2)(c)5., creating Sections 28.08(5)(c)16., (6)(c)14., (7)(c)14., (8)(c)3., and (11)(c)15., 28.085(2)(c)5. and (5)(c)6., amending Section 28.09(2)(c)8., creating Section 28.09(5)(c)22., amending Section 28.10(4)(d)11., and creating Sections 28.10(4)(d)33. and (6)(d)8. of the Madison General Ordinances to create a conditional use for exceeding the maximum number of parking spaces.

**Sponsors:** Tim Gruber, Marsha A. Rummel, Satya V. Rhodes-Conway

**Indexes:**

**Code sections:**

**Attachments:** 1. 07732 Notice of Public Hearing.pdf, 2. Information.pdf, 3. Add Comments 120307.pdf, 4. OCA Report Parking Space Cap.pdf

Date	Ver.	Action By	Action	Result
1/6/2015	1	COMMON COUNCIL	Place On File Without Prejudice	Pass
10/22/2009	1	PLAN COMMISSION	Refer	
10/20/2009	1	COMMON COUNCIL	Re-refer	Pass
10/7/2009	1	Attorney's Office	Return to Lead with the Recommendation to Place on File without Prejudice	
1/8/2008	1	COMMON COUNCIL	Re-refer for Recessed Public Hearing	Pass
12/3/2007	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - RECESSED PUBLIC HEARING	Pass
11/20/2007	1	COMMON COUNCIL	Re-refer for Recessed Public Hearing	Pass
11/5/2007	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING	Pass
10/16/2007	1	COMMON COUNCIL	Refer For Public Hearing	Pass
10/10/2007	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
10/10/2007	1	Attorney's Office	Referred for Introduction	
10/9/2007	1	Attorney's Office	RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE - REPORT OF OFFICER	
10/9/2007	1	Attorney's Office	Fiscal Note Required / Approval	

**Fiscal Note**

No noteworthy fiscal impact is anticipated.

**Title**

Amending Sections 28.11(3)(k) of the Madison General Ordinances to cap the number of parking spaces at one space for each two hundred fifty (250) square feet of gross floor area for certain uses and amending Section 28.08(2)(c)5., creating

Sections 28.08(5)(c)16., (6)(c)14., (7)(c)14., (8)(c)3., and (11)(c)15., 28.085(2)(c)5. and (5)(c)6., amending Section 28.09 (2)(c)8., creating Section 28.09(5)(c)22., amending Section 28.10(4)(d)11., and creating Sections 28.10(4)(d)33. and (6) (d)8. of the Madison General Ordinances to create a conditional use for exceeding the maximum number of parking spaces.

**Body**

DRAFTER'S ANALYSIS: This ordinance sets a maximum number of parking spaces for the following uses in buildings with no residential uses: banks and financial institutions; business and professional offices; health, medical, and welfare institution offices; radio and television stations and studios; and retail stores and services. The maximum number of parking spaces shall be one space for each two hundred fifty (250) square feet of gross floor area. Conditional uses for exceeding this number of parking spaces are created in those districts where such uses are allowed.

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

1. Subdivision (k) entitled "Maximum Number of Spaces for All Uses" of Subsection (3) of Section 28.11 entitled "Off Street Parking and Loading Facilities" of the Madison General Ordinances is amended to read as follows:

"(k) Maximum Number Of Spaces For All Uses.

1. The total number of accessory spaces for a residential building shall not exceed that required by this ordinance for such use or for an equivalent new use by more than fifty percent (50%) or four (4) spaces, whichever number is greater. Provided, however, this prohibition shall not apply where such parking is allowed as a conditional use.
2. The total number of accessory spaces for any other building, other than a residential building or a building in Paragraph 3. below, shall not exceed that required by this ordinance for such use or for an equivalent new use by more than one hundred percent (100%) or fifteen (15) spaces, whichever number is greater. Provided, however, this prohibition shall not apply where such parking is allowed as a conditional use.
3. The total number of accessory spaces for a building used as a bank or financial institution; business or professional office; health, medical, or welfare institution office; radio or television studio or station; or retail store or service shall not exceed one space for each two hundred fifty (250) square feet to gross floor area. Provided, however, this prohibition shall not apply were such parking is allowed as a conditional use."

2. Paragraph 5. of Subdivision (c) entitled "Conditional Uses" of Subsection (2) entitled "R1 Single-Family Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is amended to read as follows:

- "5. Parking facilities, accessory and located outside of the central area, subject to the applicable provisions of Section 28.11:
- a. Accessory off-street parking facilities for a residential building where the proposed total number of spaces will exceed that required by this ordinance for such use or for an equivalent new use by more than fifty percent (50%) or four (4) spaces, whichever number is greater.
  - b. Accessory off-street parking facilities for any building, other than a residential building or a building in c. below, where the proposed total number of spaces will exceed that required by this ordinance for such use or for an equivalent new use by more than one hundred percent (100%) or fifteen (15) spaces, whichever number is greater.
  - c. Accessory off-street parking facilities for a building used as a health, medical, or welfare institution office pursuant to Sec. 28.08(2)(b)10., or a business and professional office pursuant to Sec. 28.08(2)(c)10. or Sec. 28.08(2)(c)20., and where the proposed total number of spaces will exceed one space for each two hundred fifty (250) square feet of gross floor area."

3. Paragraph 16. of Subdivision (c) entitled "Conditional Uses" of Subsection (5) entitled "R4 General Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"16. Parking facilities, subject to the provisions of Sec. 28.11: Accessory off-street parking facilities for a building used as a professional or business office; a medical or dental clinic; or a retail store pursuant to Sec. 28.08(5)(c)4., where the proposed total number of spaces will exceed one space for each two hundred fifty (250) square feet of gross floor area."

4. Paragraph 14. of Subdivision (c) entitled "Conditional Uses" of Subsection (6) entitled "R5 General Residence

District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"14. Parking facilities, subject to the provisions of Sec. 28.11: Accessory off-street parking facilities for a building used as a health, medical or welfare institution office pursuant to Sec. 28.08(6)(c)5., where the proposed total number of spaces will exceed one space for each two hundred fifty (250) square feet of gross floor area.

5. Paragraph 14. of Subdivision (c) entitled "Conditional Uses" of Subsection (7) entitled "R6 General Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"14. Parking facilities, subject to the provisions of Sec. 28.11: Accessory off-street parking facilities for a building used as a health, medical or welfare institution office pursuant to Sec. 28.08(7)(b)4., or a business or professional office pursuant to 28.08(7)(c)10, and where the proposed total number of spaces will exceed one space for each two hundred fifty (250) square feet of gross floor area."

6. Paragraph 3. of Subdivision (c) entitled "Conditional Uses" of Subsection (8) entitled "OR Office Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"3. Parking facilities, subject to the provisions of Sec. 28.11: Accessory off-street parking facilities for a building used as a business or professional office pursuant to 28.08(8)(b)3, and where the proposed total number of spaces will exceed one space for each two hundred fifty (250) square feet of gross floor area."

7. Paragraph 15. of Subdivision (c) entitled "Conditional Uses" of Subsection (11) entitled "R4A Limited General Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"15. Parking facilities, subject to the provisions of Sec. 28.11: Accessory off-street parking facilities for a building used as a health, medical or welfare institution office pursuant to Sec. 28.08(11)(b)10., or a business or professional office pursuant to 28.08(11)(c)8., and where the proposed total number of spaces will exceed one space for each two hundred fifty (250) square feet of gross floor area."

8. Paragraph 5. of Subdivision (c) entitled "Conditional Uses" of Subsection (5) entitled "O-1 Limited Office - Residence District" of Section 28.085 entitled "Office Districts" of the Madison General Ordinances is created to read as follows:

"5. Parking facilities, subject to the provisions of Sec. 28.11: Accessory off-street parking facilities for a building used as a business or professional office; a bank or financial institution; or a medical, dental, or optical clinic where the proposed total number of spaces will exceed one space for each two hundred fifty (250) square feet of gross floor area."

9. Paragraph 6. of Subdivision (c) entitled "Conditional Uses" of Subsection (5) entitled "O-4 Administrative Office and Research and Development District" of Section 28.085 entitled "Office Districts" of the Madison General Ordinances is created to read as follows:

"6. Parking facilities, subject to the provisions of Sec. 28.11: Accessory off-street parking facilities for a building used as a business or professional office; a bank or financial institution; or a medical, dental, or optical clinic where the proposed total number of spaces will exceed one space for each two hundred fifty (250) square feet of gross floor area."

10. Paragraph 8. of Subdivision (d) entitled "Conditional Uses" of Subsection (2) entitled "C1 Limited Commercial District" of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is amended to read as follows:

- "8. Parking facilities, accessory and located outside of the central area, subject to the applicable provisions of Section 28.11.
- a. Accessory off-street parking facilities for a residential building where the proposed total number of spaces will exceed that required by this ordinance for such use or for an equivalent new use by more than fifty percent (50%) or four (4) spaces, whichever number is greater.
  - b. Accessory off-street parking facilities for any building, other than a residential building or a building in Paragraph c. below, where the proposed total number of spaces will exceed that required by this

ordinance for such use or for an equivalent new use by more than one hundred percent (100%) or fifteen (15) spaces, whichever number is greater.

- c. "Parking facilities, subject to the applicable provisions of Sec. 28.11: Accessory off-street parking facilities for a building used as a bank or financial institution; medical, dental, or optical clinic; business or professional office; radio or television studio or station; or retail store or service and where the proposed number of spaces will exceed one space for each two hundred fifty (250) square feet to gross floor area."

11. Paragraph 22. of Subdivision (d) entitled "Conditional Uses" of Subsection (5) entitled "C4 Central Commercial District" of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is created to read as follows:

"22. Parking facilities, subject to the applicable provision of Sec. 28.11: Accessory off-street parking facilities for a building used as a bank or financial institution; business or professional office; medical, dental, or optical clinic; radio or television studio or station; or retail store or service and where the proposed number of spaces will exceed one space for each two hundred fifty (250) square feet to gross floor area."

12. Paragraph 7. of Subdivision (d) entitled "Conditional Uses" of Subsection (2) entitled "RPSM Research Park - Specialized Manufacturing District" of Section 28.10 entitled "Manufacturing Districts" of the Madison General Ordinances is created to read as follows:

"7. Parking facilities, subject to the applicable provision of Sec. 28.11: Accessory off-street parking facilities for a building used as a business or professional office; a bank or financial institution; medical, dental, or optical clinic; or a retail store or service and where the proposed number of spaces will exceed one space for each two hundred fifty (250) square feet to gross floor area."

13. Paragraph 11. of Subdivision (d) entitled "Conditional Uses" of Subsection (4) entitled "RPSM Research Park - Specialized Manufacturing District" of Section 28.10 entitled "Manufacturing Districts" of the Madison General Ordinances is amended to read as follows:

"11. Parking facilities, subject to the applicable provisions of Section 28.11: Accessory off-street parking facilities for any building except for Paragraph 33. below where the proposed total number of spaces will exceed that required by this ordinance for such use or for an equivalent new use by more than one hundred percent (100%) or fifteen (15) spaces, whichever number is greater."

14. Paragraph 33. of Subdivision (d) entitled "Conditional Uses" of Subsection (4) entitled "RPSM Research Park - Specialized Manufacturing District" of Section 28.10 entitled "Manufacturing Districts" of the Madison General Ordinances is created to read as follows:

"33. Parking facilities, subject to the applicable provision of Sec. 28.11: Accessory off-street parking facilities for a building used as a bank or financial institution; retail store or service; business or professional office; radio or television studio or station; or medical, dental, or optical clinic; and where the proposed number of spaces will exceed one space for each two hundred fifty (250) square feet to gross floor area."

15. Paragraph 8. of Subdivision (d) entitled "Conditional Uses" of Subsection (6) entitled "RDC Research and Development Center District" of Section 28.10 entitled "Manufacturing Districts" of the Madison General Ordinances is created to read as follows:

"8. Parking facilities, subject to the applicable provision of Sec. 28.11: Accessory off-street parking facilities for a building used as a business or professional office; medical, dental, or optical clinic; or retail store or service, pursuant to Sec. 28.10(6)(c)12. and where the proposed number of spaces will exceed one space for each two hundred fifty (250) square feet to gross floor area."