



## Legislation Details (With Text)

<b>File #:</b>	44254	<b>Version:</b>	2	<b>Name:</b>	Allowing electric generator as permitted use in Mixed-Use & Commercial Districts
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	8/29/2016	<b>In control:</b>	PLAN COMMISSION		
<b>On agenda:</b>	11/1/2016	<b>Final action:</b>	11/1/2016		
<b>Enactment date:</b>	11/10/2016	<b>Enactment #:</b>	ORD-16-00093		
<b>Title:</b>	SUBSTITUTE Amending Sections 28.061, 28.132(1), and 28.151 of the Madison General Ordinances to allow emergency electric generators as permitted uses in certain districts, to allow them to encroach into the side and rear yard setbacks, and to eliminate supplemental regulations related to location and noise mitigation.				
<b>Sponsors:</b>	Ledell Zellers, Sheri Carter				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Body-Substitute, 2. Body, 3. Zoning Text Memo_10-17-16.pdf				

Date	Ver.	Action By	Action	Result
11/1/2016	2	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
10/17/2016	2	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
9/6/2016	1	COMMON COUNCIL	Refer For Public Hearing	Pass
8/29/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

The proposed resolution has no fiscal impact.

### Title

SUBSTITUTE Amending Sections 28.061, 28.132(1), and 28.151 of the Madison General Ordinances to allow emergency electric generators as permitted uses in certain districts, to allow them to encroach into the side and rear yard setbacks, and to eliminate supplemental regulations related to location and noise mitigation.

### Body

DRAFTER'S ANALYSIS: This substitute amendment changes from conditional to permitted the on-site use of an emergency electric generator in the mixed-use and commercial districts. This amendment also allows emergency electric generators in all districts to project into the side and rear yard setbacks. Finally, this amendment eliminates the requirement that there be a 20 foot buffer from any residential use and, because this is now a permitted instead of conditional use, eliminates supplemental regulation (d) pertaining to noise mitigation where approved as a conditional use.

This substitute was necessary because after introduction staff learned that MGE uses several emergency electric generators to provide off-site energy to support the power grid during emergency situations. In making edits to the definition of emergency electric generator in Sec. 28.211 deleting reference to the provision of off-site energy, staff never intended to impact MGE's operations in this way. Therefore, this substitute removes the changes made by the initial ordinance to the definition of emergency electric generator.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:  
Please see "Body-Substitute" in attachments.