City of Madison

Legislation Details (With Text)

File #:	90552	**Version:** 2	**Name:**	Housing & Auto-Oriented Uses in TOD District
Type:	Ordinance		**Status:**	Passed
File created:	10/21/2025		**In control:**	PLAN COMMISSION
On agenda:	10/28/2025		**Final action:**	12/9/2025
Enactment date:	12/21/2025		**Enactment #:**	ORD-25-00094

Title: SUBSTITUTE: Amending Sections of Chapter 28 of the Madison General Ordinances related to Housing and Auto-Oriented Uses in the Transit Oriented Development Overlay District.

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Indexes:

Code sections:

Attachments: 1. 90552 Body Version 2, 2. 90552 Body, 3. Alder Tishler Proposed Amendment - UHF Natl Reg, 4. 2025-11-18-Staff Presentation to HPC.pdf, 5. 11-19-2025 TC TOD Presentation.pdf, 6. 90552-6999ProhibitedUsesTOD Auto Sales Rental Proposal.pdf, 7. Zoning Text Memo 12-1-25 TOD 3-4 Unit Prohibited Auto Uses Drive Through Bldg Design 90552.pdf, 8. Public Comment 11-26-25.pdf, 9. 90552-UHF_NRHD_CU_map.pdf, 10. 90552-TishlerAmendment.pdf, 11. Zoning Text Memo 12-1-25 TOD 90552 Addendum, 12. 90552 Version 1 Report, 13. 103025-120925_CC_public_comments.pdf

Date	Ver.	Action By	Action	Result
12/9/2025	2	COMMON COUNCIL	Adopt the Following Amendment(s)	Fail
12/9/2025	2	COMMON COUNCIL	Adopt with Conditions and Close the Public Hearing	Pass
12/1/2025	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING	Pass
11/19/2025	1	TRANSPORTATION COMMISSION	Return to Lead with the Following Recommendation(s)	Pass
11/18/2025	1	HOUSING POLICY COMMITTEE	Return to Lead with the Following Recommendation(s)	Pass
10/28/2025	1	PLAN COMMISSION	Refer	
10/28/2025	1	PLAN COMMISSION	Refer	
10/28/2025	1	COMMON COUNCIL	Refer For Public Hearing	Pass
10/21/2025	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No City appropriation required.

Title

SUBSTITUTE: Amending Sections of Chapter 28 of the Madison General Ordinances related to Housing and Auto-Oriented Uses in the Transit Oriented Development Overlay District.

Body

DRAFTER'S ANALYSIS: This proposed ordinance makes several changes in the Zoning Code, MGO Chapter 28, focused on allowing more housing and further restrict auto-centric uses in the Transit Oriented Development ("TOD") Overlay District. This proposal allows four (4) dwelling units to be permitted throughout the TOD Overlay District. It prohibits car washes, automobile sales and rentals, and standalone surface parking lot facilities as principal land uses within the TOD Overlay District. Surface parking lots are still allowed

in the TOD Overlay District as an accessory use. The proposed changes also amend the drive-through window requirements to curtail their auto-oriented design in the TOD Overlay District. This proposal would only allow drive-throughs in the TOD Overlay District if incorporated into more intensive development.

The SUBSTITUTE includes recommendations from the December 1, 2025, Plan Commission meeting to allow automobile rental in the Transit Oriented Development ("TOD") Overlay District. The proposed SUBSTITUTE separates the uses 'auto sales' and 'auto rental,' which were previously considered as one combined use in parts of the Zoning Code (MGO Chapter 28). By separating the two types of services, the amendment proposes to only prohibit 'auto sales' as a prohibited principal use in the TOD District, but allow establishments where the principal use is 'auto rental' to exist. The policy behind the change is to support individuals and households who may not have a car and primarily use public transportation to be able to take a bus to an auto rental establishment if they need to rent a motor vehicle (for example, a college student renting a car to return home during a school break).

To facilitate the uses being separated, a new definition was created in Sec. 28.211. MGO Sec. 28.151 is amended to separate the uses. The proposed MGO Sec. 28.104(6) is modified to remove 'auto rental' from prohibited principal uses in the TOD District. Not connected to the proposed TOD District changes, but since the existing code contains 'auto sales and rental' as a combined use, MGO Secs. 28.061, 28.072 and 28.141 are proposed to be changed to be consistent with the use separation

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Please see Legistar File No. 90552 Body - Version 2 in Attachments.

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