



Legislation Text

File #: 03842, Version: 1

Fiscal Note

No expenditure required.

Title

Amending Sec. 28.10(4)(c)56.d., of the zoning code of the Madison General Ordinances to provide that the 1,000 foot buffer between adult entertainment establishments and certain other uses shall not be measured to cross state or federal highways with more than four lanes and a posted speed limit of 45 mph or more, except where legal pedestrian access exists.

Body

DRAFTER'S ANALYSIS: Under Madison's current zoning ordinance, Adult Entertainment Establishments may only locate in the M1 Manufacturing District. These establishments are also subject to a 1,000 foot buffer from a number of other uses, including, places of worship, residential lots, public parks, schools, day care centers, libraries, youth recreation areas or another such adult entertainment establishment. These buffers eliminate many areas in the M-1 district. This amendment modifies the method of measuring the 1,000 feet to recognize the effective buffer formed by a state or federal highway with at least 4 lanes and a posted speed limit of 45 mph or more, by providing that the 1,000 feet shall not be measured in such a way as to cross such a highway except in places where there is a legally authorized pedestrian access across, over or under the highway.

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

Subparagraph d of Paragraph 56. of Subdivision (c) entitled "Permitted Uses" of Subsection 4 entitled "M1 Limited Manufacturing District of Section 28.10 entitled "Manufacturing Districts" of the Madison General Ordinances is amended to read as follows:

"d. The distance requirement under Subdivision (c), above shall be measured along a straight line from the nearest property line of any church, synagogue, temple, mosque or any other place of worship, any lot in a residence district, either in the City of Madison or in a municipality adjacent to the City of Madison, any of the following planned developments which allow residential dwelling units: planned community development, planned unit development, and planned community mobile home parks; any public park, any private or public elementary, secondary, or vocational school, any public or private playground, any day care center, any public library, any youth recreation area including little league baseball fields, soccer fields, and YMCAs/YWCAs, or any other adult entertainment establishment or adult entertainment tavern to the closest property line of the adult entertainment establishment. However, the City recognizes that high-speed highways serve the purpose of an effective buffer in the same way as the 1,000 foot line set forth in Subdivision (c). hereof; therefore, in measuring the 1,000 foot line under Subdivision (c), the line shall not be measured across any state or federal highway with four (4) or more lanes and a posted speed limit at or above forty-five (45) miles per hour, except the line may be measured across said highway at any legally authorized pedestrian access across, over or under said highway."