



Legislation Details (With Text)

File #: 74680 **Version:** 2 **Name:** Land Use Approvals
Type: Ordinance **Status:** Passed
File created: 11/15/2022 **In control:** Attorney's Office
On agenda: 1/3/2023 **Final action:** 1/3/2023
Enactment date: 1/13/2023 **Enactment #:** ORD-23-00005

Title: SUBSTITUTE: Amending Sections of Chapter 28 of the Madison General Ordinances to change Land Use Approval expirations and extensions.

Sponsors: Keith Furman, Jael Currie, Patrick W. Heck

Indexes:

Code sections:

Attachments: 1. 74680Body_SUBSTITUTE, 2. Zoning Text Memo 12-12-22 Land Use Expirations and Floodplain Update.pdf, 3. 74680Body_V1

Date	Ver.	Action By	Action	Result
1/3/2023	2	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
12/12/2022	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
11/22/2022	1	COMMON COUNCIL	Refer	Pass
11/15/2022	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 to change Land Use Approval expirations and extensions.

Body

DRAFTER'S ANALYSIS: This ordinance amends several sections of Chapter 28 to extend scopes of approval for conditional uses, demolitions, variances and planned developments. Currently, conditional use permits and variances are valid for twelve (12) months with extensions of an additional twenty four (24) months. Staff regularly approve extensions for approvals for many reasons, among them supply chain disruptions, complicated land sales and financing deals that extend project construction start dates. This proposed change would increase the initial scope of approval to twenty four (24) months, for a total scope of approval of forty eight (48) months for conditional uses and variances. This ordinance also codifies a change to planned development recording timelines already practiced by staff. In 2018, state law changed to ban political subdivisions from establishing an expiration date for an approval related to a planned development district of less than five (5) years after the date of the last approval required for completion of the project. Since then, staff has abided by state law but this proposed ordinance amendment would codify existing practice.

The substitute decreases the extension period from twenty-four (24) to twelve (12) months, for a total scope of approval of thirty-six (36) months, as recommended by the Plan Commission.

Please see Legistar File No. 74680 Body (Substitute) in Attachments.