

CITY OF MADISON, WISCONSIN

AN ALTERNATE ORDINANCE _____

Amending Section 28.10(4)(d)7. of the Madison General Ordinances to retroactively remove the 500 foot distance requirement between Residential Districts and auto storage yards.

PRESENTED October 20, 2009
REFERRED Plan Commission
PUBLIC HEARING P.C. 11/16/09
C.C. 12/08/09

Drafted by: Katherine C. Noonan

Date: December 1, 2009

SPONSORS: Plan Commission

DRAFTER'S ANALYSIS: This amendment reduces the distance between junkyards and automobile storage yards and residential districts for the period between January 1, 1994 and January 1, 1995 and from the effective date of this amendment to December 31, 2010. This amendment corrects an error by City staff and Plan Commission in 1994 approving a conditional use without taking into account the proper distance requirement in the ordinance and allows junkyards and automobile storage yards to locate adjacent to residential districts until December 31, 2010.

Paragraph 7. of Subdivision (d) entitled "Conditional Uses" of Subsection (4) entitled "M1 Limited Manufacturing District" of Section 28.10 entitled "Commercial Districts" of the Madison General Ordinances is amended to read as follows:

- "7. ~~Junkyards and automobile storage yards located a minimum of five hundred (500) feet from any residence district, except that the Plan Commission may reduce the "five hundred (500) feet" requirement only if such residential zoned land is not developed for residential use and upon the express recorded condition that the use shall only continue to operate until such time as the nearby residential land is developed at which time the operator's license will be suspended and the use discontinued.~~ This provision shall be retroactive to the period between January 1, 1994 and January 1, 1995. After December 31, 2010, junkyards and automobile storage yards shall be located a minimum of the five hundred (500) feet from any residence district, except that the Plan Commission may reduce the "five hundred (500)feet" requirement only if such residential zoned land is not developed for residential use and upon the express recorded condition that the use shall only continue to operate until such time as the nearby residential land is developed at which time, the operator's license will be suspended and the use discontinued."

Approved as to form: