

Legistar File No. 90908 Body

DRAFTER'S ANALYSIS: This proposed set of Zoning Code amendments changes several sections of Madison General Ordinances Chapter 28 to allow for a reduced rear setback when adjacent to a public multi-use path. In those cases, the rear setback is proposed to be five (5) feet. One example of a publicly-owned multi-use path is a bike path. In addition, the code is amended to clarify that "side yard setback" is "street side yard setback" to help with ordinance comprehension; no substantive change to setback distance or intent of the standard is proposed. A side yard setback of 5' where proposed buildings or abutting buildings have window openings inside wall(s) that are within 6 feet of lot line is removed to allow building code to control required setback in these circumstances.

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

1. Table entitled "Limited Mixed-Use District" of Subsection (3) entitled "Dimensional Requirements" of Section 28.063 entitled "Limited Mixed-Use District" of the Madison General Ordinances is amended by amending therein the following:

"Limited Mixed-Use District"	
Side Street side yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
Side yard setback: other cases	No minimum <u>0</u>
<u>Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'</u>	<u>5</u>

2. Table entitled "Neighborhood Mixed Use District" of Subsection (3) entitled "Dimensional Requirements" of Section 28.064 entitled "Neighborhood Mixed-Use District" of the Madison General Ordinances is amended by amending therein the following:

"Neighborhood Mixed-Use District"	
Side Street side yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or

	shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line.	<u>5</u> Lot width <40: 10% lot width
Side yard setback: other cases (i.e., infill between party wall storefront buildings).	None unless needed for access <u>0</u>
<u>Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'</u>	<u>5</u>

3. Table entitled "Traditional Shopping Street" of Subsection (3) entitled "Dimensional Requirements" of Section 28.065 entitled "Traditional Shopping Street (TSS) District" of the Madison General Ordinances is amended by amending therein the following:

"Traditional Shopping Street District"	
Side Street side yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	<u>5</u> Lot width <40: 10% lot width
Side yard setback: Other cases (i.e., infill between party wall storefront buildings)	none unless needed for access <u>0</u>
<u>Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'</u>	<u>5</u>

4. Table entitled “Mixed-Use Center District” of Subsection (5) entitled “Dimensional Requirements” of Section 28.066 entitled “Mixed Use Center (MXC) District” of the Madison General Ordinances is amended by amending therein the following:

“Mixed-Use Center District	
Side Street side yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.”

5. Table entitled “Commercial Corridor - Transitional District” of Subsection (3) entitled “Dimensional Requirements” of Section 28.067 entitled “Commercial Corridor - Transitional District” of the Madison General Ordinances is amended by amending therein the following:

“Commercial Corridor - Transitional District	
Side Street side yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	5 Lot width <40: 10% lot width
Side yard setback: Other cases (i.e., infill between party wall storefront buildings)	none unless needed for access <u>0</u>
Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'	5

6. Table entitled “Commercial Center District” of Subsection (3) entitled “Dimensional Requirements” of Section 28.068 entitled “Commercial Center District” of the Madison General Ordinances is amended by amending therein the following:

“Commercial Center District	
Side Street side yard setback	0' or 5'

	0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
<u>Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'</u>	<u>5</u>

7. Table entitled "Regional Mixed-Use District" of Subsection (3) entitled "Dimensional Requirements" of Section 28.069 entitled "Regional Mixed-Use (RMX) District" of the Madison General Ordinances is amended by amending therein the following:

"Regional Mixed-Use District"	
Side <u>Street side</u> yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	5 Lot width < 40: 10% lot width
Side yard setback: Other cases (i.e., infill between party wall storefront buildings)	none unless needed for access <u>0</u>
<u>Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'</u>	<u>5</u>

8. Table entitled "Downtown Core District" of Subsection (3) entitled "Dimensional Standards" of Section 28.074 entitled "Downtown Core District" of the Madison General Ordinances is amended by amending therein the following:

"Downtown Core District"	
Side <u>Street side</u> yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-

	build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map."
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9. Table entitled "Urban Office-Residential District" of Subsection (3) entitled "Dimensional Standards" of Section 28.075 entitled "Urban Office-Residential (UOR) District" of the Madison General Ordinances is amended by amending therein the following:

"Urban Office-Residential District"	
Rear yard setback	20% of lot depth, but at least 30 See (b) below
<u>Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'</u>	<u>5</u>
Maximum lot coverage	75%"

10. Table entitled "Urban Mixed-Use District" of Subsection (3) entitled "Dimensional Standards" of Section 28.076 entitled "Urban Mixed-Use (UMX) District" of the Madison General Ordinances is amended by amending therein the following:

"Urban Mixed-Use District"	
Side <u>Street side</u> yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
Rear yard setback	10 See (b) below
<u>Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'</u>	<u>5</u>
Maximum lot coverage	90%"

11. Table entitled "Traditional Employment District" of Subsection (3) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.084 entitled "Traditional Employment District" of the Madison General Ordinances is amended by amending therein the following:

"Traditional Employment District"	
Side <u>Street side</u> yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or

	shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
Side yard setback: other cases (i.e. infill between party wall storefront buildings)	None unless needed for access
Rear yard setback: For corner lots, where all abutting property is in a nonresidential zoning district	The required rear yard setback shall be the same as the required side yard setback
<u>Rear yard setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100'</u>	<u>5</u>
Maximum lot coverage	85%"

12. Table entitled "Suburban Employment District" of Subsection (3) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.085 entitled "Suburban Employment District" of the Madison General Ordinances is amended by amending therein the following:

<u>"Suburban Employment District"</u>	
Side <u>Street side</u> yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.
Side yard setback (for exclusive residential use)	15 or 20% of building height"

13. Table entitled "Suburban Employment Center District" of Subsection (3) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.086 entitled "Suburban Employment Center District" of the Madison General Ordinances is amended by amending therein the following:

<u>"Suburban Employment Center District"</u>	
Maximum floor area ratio	

14. Table entitled "Employment Campus District" of Subsection (3) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.087 entitled "Employment Campus District" of the Madison General Ordinances is amended by amending therein the following:

<u>"Employment Campus District"</u>

Industrial - Limited District	
Side <u>Street side</u> yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map."

15. Table entitled "Industrial - Limited District" of Subsection (3) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.088 entitled "Industrial - Limited District" of the Madison General Ordinances is amended by amending therein the following:

Industrial - Limited District	
Side <u>Street side</u> yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map."

16. Table entitled "Industrial - General District" of Subsection (3) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.089 entitled "Industrial - General District" of the Madison General Ordinances is amended by amending therein the following:

Industrial - General District	
Side <u>Street side</u> yard setback	0' or 5' 0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map."

17. Table entitled "Campus-Institutional District" of Subsection (3) entitled "Dimensional Requirements" of Section 28.097 entitled "Campus-Institutional District" of the Madison General Ordinances is amended by amending therein the following:

Campus-Institutional District	
Side <u>Street side</u> yard setback	0' or 5'

	0' if the distance between the curb and property line is equal to or greater than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. 5' if the distance between the curb and property line is less than 15'. See (a) below and Downtown Setback Map and Setback Exceptions Map.”
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