

LEGISTAR 47022 - Body

DRAFTER'S ANALYSIS: This ordinance lowers the lot area requirements in the Neighborhood Mixed Use (NMU), Commercial Corridor – Transitional (CC-T), Commercial Center, Traditional Employment, and Suburban Employment Districts when approved as a conditional use.

Currently, the zoning code is very rigid with regard to density for purely residential buildings in the above-mentioned districts. As a result, applicants do not propose purely residential buildings. Instead, they often propose mixed-use buildings that are primarily residential, but include a small commercial space so that they can be eligible for the higher densities allowed for a mixed-use building. Often, these small commercial spaces seem out of place and are ultimately not viable.

Staff believes that the above districts can support higher density purely residential buildings because of the numerous commercial spaces that are already in these districts. Accordingly, the purpose of this change is to change the lot area requirements in these districts for purely residential buildings in order to provide greater flexibility for allowing increased density for purely residential buildings.

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

1. The table of Subsection (3) entitled “Dimensional Requirements” of Section 28.064 entitled “Neighborhood Mixed-Use District” of the Madison General Ordinances is amended by creating therein the following:

“Neighborhood Mixed Use District	
<u>Side yard setback (for exclusive residential use)</u>	<u>One-story: 5</u> <u>Two-story or higher: 6</u>
<u>Lot area (for exclusive residential use)</u>	<u>1000 sq. ft./unit”</u>

2. Subdivision (c) entitled “Exclusive Residential Use” of Subsection (3) entitled “Dimensional Requirements” of Section 28.064 entitled “Neighborhood Mixed-Use District” of the Madison General Ordinances is hereby repealed.

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

“Commercial Corridor - Transitional District	
<u>Side yard setback (for exclusive residential use)</u>	<u>10</u>
<u>Lot area (for exclusive residential use)</u>	<u>750 sq. ft./unit”</u>

4. Subdivision (b) entitled “Exclusive Residential Use” of Subsection (3) entitled “Dimensional Requirements” of Section 28.067 entitled “Commercial Corridor - Transitional District” of the Madison General Ordinances is hereby repealed.

5. The table of Subsection (3) entitled “Dimensional Requirements” of Section 28.068 entitled “Commercial Center District” of the Madison General Ordinances is amended by creating therein the following:

“Commercial Center District	
<u>Side yard setback: for exclusive residential use</u>	<u>10</u>
<u>Lot area (for exclusive residential use)</u>	<u>750 sq. ft./unit”</u>

6. Subdivision (b) entitled “Exclusive Residential Use” of Subsection (3) entitled “Dimensional Requirements” of Section 28.068 entitled “Commercial Center District” of the Madison General Ordinances is hereby repealed.

7. The table 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 creating therein the following:

“Traditional Employment District	
<u>Lot area (for exclusive residential use)</u>	<u>2000 sq. ft./unit</u>
<u>Side yard setback: for exclusive residential use</u>	<u>5 ft.: 1 story</u> <u>6 ft.: 2 or more stories”</u>

8. Subdivision (a) entitled “Exclusive Residential Use” of Subsection (3) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.084 entitled “Traditional Employment District” of the Madison General Ordinances is hereby repealed.

9. The table 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 creating therein the following:

“Suburban Employment District	
<u>Lot area (for exclusive residential use)</u>	<u>2000 sq. ft./unit</u>
<u>Side yard setback (for exclusive residential use)</u>	<u>15 or 20% of building height”</u>

10. Subdivision (b) entitled “Exclusive Residential Use” of Subsection (3) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.085 entitled “Suburban Employment District” of the Madison General Ordinances is hereby repealed.

EDITOR’S NOTES:

1. Section 28.064(3)(c), MGO, currently reads as follows:
“(c) Exclusive Residential Use. Buildings with exclusively residential uses shall meet the lot area, lot width, and side yard setback requirements in the TR-V2 District, Sec. 28.047.”
2. Section 28.067(3)(b), MGO, currently reads as follows:
“(b) Exclusive Residential Use. Buildings with exclusively residential uses shall meet the Lot Area, Lot Width, and Side Yard Setback requirements in the TR-V2 District, Sec. 28.048.”
3. Section 28.068(3)(b), MGO, currently reads as follows:
“(b) Exclusive Residential Use. Buildings with exclusively residential uses shall meet the Lot Area, Lot Width, and Side Yard Setback Requirements in the TR-V2 District, Sec. 28.047.”
4. Section 28.084(3)(a), MGO, currently reads as follows:
“(a) Exclusive Residential Use. Buildings with exclusively residential uses shall meet the Lot Area, Lot Width, and Side Yard Setback Requirements in the TR-V2 District, Section 28.047.”
5. Section 28.085(3)(b), MGO, currently reads as follows:
“(b) Exclusive Residential Use. Buildings with exclusively residential uses shall meet the Lot Area, Lot Width, and Side Yard Setback requirements in the TR-V2 District, Section 28.047.”