

CITY OF MADISON, WISCONSIN

AN 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: October 21, 2009

SPONSORS: Ald. Kerr

DRAFTER'S ANALYSIS: 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.

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. The "five hundred (500) feet" requirement shall not apply to junkyards or automobile storage yards applying for a conditional use under this provision prior to January 1, 1995. The preceding sentence shall be retroactive to January 1, 1994."

Approved as to form: