

**BODY – LEGISTAR #34578**

DRAFTER'S ANALYSIS: On corner sites, which are often redeveloped with mixed-use buildings, applicants are able to choose which is the side and which is the rear yard. This amendment will ensure that regardless of which side the applicant chooses, the proposed building will need to be stepped back from residential homes in an adjacent residential district.

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

1. Subdivision (d) entitled “Rear Yard Height Transition to Residential Districts” of Subsection (3) entitled “Dimensional Requirements” of Section 28.064 entitled “Neighborhood Mixed-Use District” of the Madison General Ordinances is amended to read as follows:

“(d) Rear or Side Yard Height Transition to Residential Districts. Where the NMX District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use approval.

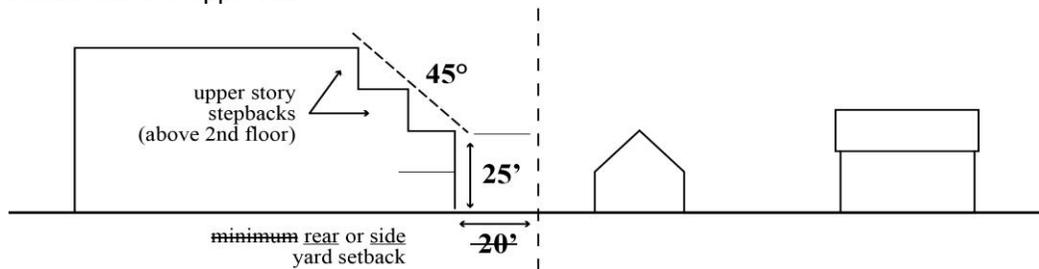


Figure D12: Rear or Side Yard Height Transition”

2. Subdivision (c) entitled “Rear Yard Height Transition to Residential Districts” of Subsection (3) entitled “Dimensional Requirements” of Section 28.065 entitled “Traditional Shopping Street (TSS) District” of the Madison General Ordinances is amended to read as follows:

“(c) Rear or Side Yard Height Transition to Residential Districts. Where the TSS District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use approval. (See Figure D12)”

3. Subdivision (c) entitled “Rear Yard Height Transitions to Residential Districts” of Subsection (4) entitled “Dimensional Requirements” of Section 28.066 entitled “Mixed Use Center (MXC) District” of the Madison General Ordinances is amended to read as follows:

“(c) Rear or Side Yard Height Transitions to Residential Districts. Where the MXC District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use approval. (See Figure D12)”

4. Subdivision (c) entitled “Rear Yard Height Transitions to Residential Districts” of Subsection (3) entitled “Dimensional Requirements” of Section 28.067 entitled “Commercial Corridor - Transitional District” of the Madison General Ordinances is amended to read as follows:

(c) Rear or Side Yard Height Transitions to Residential Districts. Where the CCT District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall

not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use approval. (See Figure D12)”

5. Subdivision (c) entitled “Rear Yard Height Transitions to Residential Districts” of Subsection (3) entitled “Dimensional Requirements” of Section 28.068 entitled “Commercial Center District” of the Madison General Ordinances is amended to read as follows:

“(c) Rear or Side Yard Height Transitions to Residential Districts. Where the CC District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use approval. (See Figure D12)”

6. Subdivision (b) entitled “Rear Yard Height Transitions to Adjacent Residential Districts” 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 to read as follows:

“(b) Rear or Side Yard Height Transitions to Adjacent Residential Districts. Where the TE District abuts a residential district, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.”

7. Subdivision (c) entitled “Rear Yard Height Transitions to Adjacent Residential Districts” 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 to read as follows:

“(c) Rear or Side Yard Height Transitions to Adjacent Residential Districts. Where the SE District abuts a residential district, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.”