

REVISED
DRAFT

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED _____
REFERRED _____

Amending Sections 38.07(g)5. and (h) of the Madison General Ordinances to clarify the two provisions and make them consistent and to add six months to the time period for obtaining a building permit.

RULES SUSPENSION _____
PUBLIC HEARING _____

Drafted by: Katherine Noonan

Date: February 14, 2006

SPONSORS:

DRAFTER'S ANALYSIS:

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

1. Paragraph 5. entitled "Recording of Approved General or Specific Implementation Plan and Zoning Ordinance Amendments" of Subdivision (g) entitled "Procedure" of Subsection (6) entitled "Planned Unit Development District (PUD)" of Section 28.07 entitled "Special Districts" of the Madison General Ordinances is amended to read as follows:

5. Recording of Approved General Development Plan or Specific Implementation Plan and Zoning Ordinance Amendments. Whenever the Common Council adopts a zoning ordinance amendment designating a tract of land as a Planned Unit Development District, the owner of such development shall provide the Zoning Administrator, within twelve (12) months of the date of approval by the Common Council, a facsimile copy of the approved General or Specific Development Plan and/or Specific Implementation Plan together with a certified copy of the related zoning ordinance amendment and any other action taken thereon by the Common Council. The cost for preparing a facsimile copy of the Plan in recordable form and the recording fee, as determined by the Dane County Register of Deeds, shall be paid by the owners of the lands included in the Planned Unit Development. Upon receipt of such plans, documents and fees and upon determination that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds office. If the specific implementation either plan is not recorded as approved within twelve (12) months of the date of approval by the Common Council, the approval shall be null and void, and a new petition and approval process shall be required to obtain specific implementation plan approval. Where the plans have not been altered from the Plan Commission's Common Council's approval, and the PUD has expired, the Director of Planning and Development may, after consultation with the Alderperson of the District, approve an extension according to Section 28.12(11)(h)2. for of up to twenty-four (24) months from the expiration date to record either plan."

2. Subdivision (h) entitled "Construction Required" of Subsection (6) entitled "Planned Unit Development District (PUD)" of Section 28.07 entitled "Special Districts" of the Madison General Ordinances is amended to read as follows:

Approved as to form:

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"(h) Construction Required. Within ~~thirty-six (36)~~ ^{thirty-six (36)} months of Common Council approval of the general development plan ~~or within eighteen (18) months of the recording of the specific implementation plan, whichever is less,~~ the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. Prior to the expiration of the thirty-six (36) month period, the Plan Commission may, after a public hearing pursuant to Sec. 28.12(10)(e), approve an extension of up to twenty-four (24) additional months to obtain a building permit if it determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the GDP by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval."

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