

CITY OF MADISON, WISCONSIN

AN ORDINANCE

PRESENTED
REFERRAL(S)

July 11, 2023
Plan Commission (7/24/23),
Common Council (8/1/23)

Amending Various Sections of Chapter 28
of the Madison General Ordinances to
Reduce Some Minimum Setback
Requirements for Consistency with
Existing Lots.

78690

Drafted by: Kate Smith
Date: July 20, 2023
SPONSOR(S): Alders Figueroa Cole,
Duncan, Field

DRAFTER'S ANALYSIS: This proposed ordinance change amends several sections of MGO Chapter 28 to reduce some minimum setback requirements in areas where they would be consistent with existing lots. The changes are in MGO Secs. 28.047, 28.048, 28.050, 28.051 28.078(2) and 28.079(2). The changes calibrate the set-back limits in Chapter 28 to meet the existing lot widths found in properties in the TR-VI, TR-V2, TR-U1, TR-U2, Downtown Residential 1 and Downtown Residential 2 Districts. The setback change will create consistency for various permissible residential uses in the above-listed districts and align the bulk standards with the existing built environment.

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

1. Section 28.047 entitled "TR-V1 District" of the Madison General Ordinances is amended as follows:

"28.047 TR-V1 DISTRICT.

- (1) Permitted and Conditional Uses.
See Table 28C-1 for a complete list of allowed uses within the residential districts.
- (2) Dimensional Requirements, Permitted and Conditional Uses.
Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

TR-V1 District: Permitted Uses					
	Single-family detached	Two-family Two unit	Two-family - Twin	Three-four unit	Single-family attached, three-four unit
Lot Area (sq. ft.)	3,000	3,000	1,500/d.u.	1,500/d.u.	1,500/d.u.
Lot Width	30	40 30	25 15/d.u.	50 30	20 15 d.u.
Front Yard Setback	20	20	20	20	20

Approved as to form:

Maximum Front Yard Setback	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average
Side Yard Setback	One-story: 5 Two-story: 6 Lot width <50: 10% of lot width	Two-story: 6 See (a) below <u>Lot width <50: 10% of lot width</u>	One-story: 5 Two-story: 6 (one side only) See (a) below <u>Lot width <50: 10% of lot width</u>	One-story: 5 Two-story or more: 6 See (a) below <u>Lot width <50: 10% of lot width</u>	Exterior end walls: <u>One-story: 5</u> <u>Two-story: 6</u>
Reversed Corner Side Yard Setback	12	12	12	12	12
Rear Yard	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25
Maximum height	2 stories/35	2 stories/35	2 stories/35	3 stories/40	3 stories/40
Maximum lot coverage	70%	70%	70%	70%	90%
Usable open space (sq. ft. per d.u.)	500	500	500	160/one bedroom, 320/2+ bedrooms	100

TR-V1: Nonresidential (permitted or conditional)	
	Nonresidential
Lot Area (sq. ft.)	6,000
Lot Width	50
Front Yard Setback	20
Side Yard Setback	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	20
Rear Yard	Equal to building height but at least 30
Maximum Height	35
Maximum Lot Coverage	65%
Maximum Building Coverage	50%

- (a) ~~Side Yard Setback. Lots with two-family, three-unit and four-unit dwellings that are existing on the effective date of this ordinance and have a lot width less than fifty (50) feet shall have a minimum side yard setback of ten percent (10%) of the lot width.~~

2. Section 28.048 entitled "TR-V2 District" of the Madison General Ordinances is amended as follows:

"28.048 TR-V2 DISTRICT.

- (1) Permitted and Conditional Uses.
See Table 28C-1 for a complete list of allowed uses within the residential districts.
- (2) Dimensional Requirements, Permitted and Conditional Uses.

TR-V2 District: Conditional and Nonresidential Uses			
	Single-family attached (>8 units)	Multi-family (>12 units)	Nonresidential
Lot Area (sq. ft.)	1,500/d.u.	1,500/d.u.	6,000
Lot Width	20 15/d.u.	60	50
Front Yard Setback	20	20	20
Maximum Front Yard Setback	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average
Side Yard Setback	Exterior end walls: <u>One-story: 5</u> <u>Two-story: 6</u>	10	One-story: 6 Two-story or more: 7
Reversed Corner Side Yard Setback	12	12	20
Rear Yard	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25	Equal to building height but at least 30
Maximum height	3 stories/40	3 stories/40	40
Maximum lot coverage	90%	70%	65%
Maximum building coverage	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)	100	160/one bedroom 320/2+ bedrooms	n/a

Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

TR-V2 District: Permitted Uses					
	Single-family detached	Two-family Two unit	Two-family - Twin	Multi-family (3-12 units)	Single-family attached (8 units max)
Lot Area (sq. ft.)	3,000	3,000	1,500/d.u.	1,500/d.u.	1,500/d.u.
Lot Width	30	40 30	25 15/d.u.	50 30	20 15 d.u.
Front Yard Setback	20	20	20	20	20
Maximum Front Yard Setback	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average
Side Yard Setback	One-story: 5 Two-story: 6 Lot width <50: 10%	Two-story: 6 <u>See (a) below</u> <u>Lot width <50: 10%</u>	One-story: 5 Two-story: 6 (<u>one side only</u>)	One-story: 5 Two-story or more: 6 <u>See (a) below</u> <u>Lot width <50: 10% of lot width</u>	Exterior end walls: <u>One-story: 5</u> <u>Two-story: 6</u>

	of lot width	of lot width	See (a) below <u>Lot width <50: 10% of lot width</u>		
Reversed Corner Side Yard Setback	12	12	12	12	12
Rear Yard	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25	Lesser of 25% lot depth or 25
Maximum height	2 stories/35	2 stories/35	2 stories/35	3 stories/40	3 stories/40
Maximum lot coverage	70%	70%	70%	70%	90%
Usable open space (sq. ft. per d.u.)	500	500	500	160/one bedroom, 320/2+bedrooms	100

- (a) ~~Side Yard Setback. Lots with two-, three-, or four-unit dwellings that are existing on the effective date of this ordinance and have a lot width of less than fifty (50) feet shall have a minimum side yard setback of ten percent (10%) of the lot width.~~

3. Section 28.050 entitled "TR-U1 District" of the Madison General Ordinances is amended as follows:

"28.050 TR-U1 DISTRICT.

- (1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

- (2) Dimensional Requirements, Permitted and Conditional Uses.

TR-U1 District: Conditional and Nonresidential Uses			
	Single-family attached (> 8 units)	Multi-family (> 24 units)	Nonresidential
Lot Area (sq. ft.)	1,000/d.u.	750/d.u.	6,000
Lot Width	20 15/d.u.	50	50
Front Yard Setback	15 or avg.	15 or avg.	15 or avg.
Maximum Front Yard Setback	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	n/a
Side Yard Setback	Exterior end walls: <u>One-story: 5</u> <u>Two-story: 6</u>	10	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	12	12	15
Rear Yard	Lesser of 25% lot depth or 20 Alley accessed: 2	Lesser of 25% lot depth or 25	Equal to building height but at least 30
Maximum height	3 stories/40 See (b) below	5 stories/65 See (b) below	40

Maximum lot coverage	90%	75%	70%
Maximum building coverage	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)	100	160	n/a

Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

TR-U1 District: Permitted Uses						
	Single-family detached	Two-family Two unit	Two-family - Twin	Three-four unit	Single-family attached (max. 8 units)	Multi-family (5 - 24 units)
Lot Area (sq. ft.)	3,000	3,000	1,500/d.u.	3,000	1,000/d.u.	750/d.u.
Lot Width	30	40 30	25 15/d.u.	40 30	15/d.u.	50 30
Front Yard Setback	15	15	15	15	15	15
Maximum Front Yard Setback	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average
Side Yard Setback	One-story: 5 Two-story: 6 Lot width <50: 10% of lot width	Two-story: 6 See (a) below <u>Lot width <50: 10% of lot width</u>	One-story: 5 Two-story: 6 <u>Lot width <50: 10% of lot width</u>	<u>One-story: 5</u> Two-story: 6 See (a) below <u>Lot width <50: 10% of lot width</u>	Exterior end walls: <u>One-story: 5</u> Two-story: 6	<u>One-story: 5</u> Two-story: 6 <u>Lot Width <50: 10% of lot width</u>
Reversed Corner Side Yard Setback	12	12	12	12	12	12
Rear Yard	Lesser of 25% lot depth or 30	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20
Maximum height	2 stories/35 See (b) below	2 stories/35 See (b) below	2 stories/35 See (b) below	3 stories/40 See (b) below	3 stories/40 See (b) below	4 stories/52 ft. See (b) below
Maximum lot coverage	75%	75%	75%	75%	90%	75%

Usable open space (sq. ft. per d.u.)	320	320	320	160	100	160
--------------------------------------	-----	-----	-----	-----	-----	-----

- (a) Side Yard Setback. ~~Lots with two-family two-unit, three-unit or four-unit dwellings that are existing on the effective date of this ordinance and have a lot width of less than fifty (50) feet, shall have a minimum side yard setback of ten percent (10%) of the lot width.~~
- (b) Heights exceeding the maximum may be allowed with conditional use approval.”

4. Section 28.051 entitled “TR-U2 District” of the Madison General Ordinances is amended as follows:

“28.051 TR-U2 DISTRICT.

- (1) Permitted and Conditional Uses.
See Table 28C-1 for a complete list of allowed uses within the residential districts.
- (2) Dimensional Requirements, Permitted and Conditional Uses.
Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

TR-U2 District: Permitted Uses			
	Three-four unit	Single-family attached (max. 8 units)	Multi-family (5 - 36 units)
Lot Area (sq. ft.)	3,000	800/d.u.	350/d.u.
Lot Width	40 30	15/d.u.	50 30
Front Yard Setback	15	15	15
Maximum Front Yard Setback	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average
Side Yard Setback	One-story: 5 Two-story: 6 See (a) below <u>Lot width <50: 10% of lot width</u>	Exterior end walls: <u>One-story: 5</u> <u>Two-story: 6</u>	<u>One-story: 5</u> <u>Two-story: 6</u> <u>Lot Width <50: 10% of lot width</u>
Reversed Corner Side Yard Setback	12	12	12
Rear Yard	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20
Maximum height	3 stories/40 See (b) below	3 stories/40 See (b) below	4 stories/52 See (b) below
Maximum lot coverage	75%	90%	75%
Usable open space (sq. ft. per d.u.)	40	100	40

TR-U2 District: Conditional and Nonresidential Uses

	Single-family attached (>8 units)	Single-family detached	Two-family Two unit	Two-family - Twin	Multi-family (>36 units)	Nonresidential
Lot Area (sq. ft.)	800/d.u.	3,000	3,000	1,500/d.u.	350/d.u.	6,000
Lot Width	20 15/d.u.	30	40 30	25 15/d.u.	50	50
Front Yard Setback	15	15	15	15	15	15
Maximum Front Yard Setback	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	30 ft. or up to 20% greater than block average	n/a
Side Yard Setback	Exterior end walls: <u>One-story:</u> 5 <u>Two-story:</u> 6	One-story: 5 Two-story: 6 Lot width <50: 10% lot width	Two-story: 6 See (a) below <u>Lot width <50: 10% of lot width</u>	One-story: 5 Two-story: 6 See (a) below <u>Lot width <50: 10% of lot width</u>	10	One-story: 5 Two-story or more: 6
Reversed Corner Side Yard Setback	12	12	12	12	12	15
Rear Yard	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20	Lesser of 25% lot depth or 20	Equal to building height but at least 30
Maximum height	3 stories/40 See (b) below	3 stories/40 See (b) below	2 stories/35 See (b) below	2 stories/35 See (b) below	6 stories/78 See (b) below	40
Maximum lot coverage	90%	75%	75%	75%	80%	75%
Maximum building coverage	n/a	n/a	n/a	n/a	n/a	50%
Usable open space (sq. ft. per d.u.)	100	320	320	320	40/d.u.	n/a

(a) Side Yard Setback. Lots with two-family, three, or four unit dwellings that are existing on the effective date of this ordinance and have a lot width of less than fifty (50) feet shall have a minimum side yard setback of ten percent (10%) of the lot width.

(b) Heights exceeding the maximum may be allowed with conditional use approval.”

5. Table within Subsection (2) entitled “Dimensional Standards” of Section 28.078 entitled “Downtown Residential 1 District” of the Madison General Ordinances is amended as follows:

“Downtown Residential 1 District	
Lot area (sq. ft.)	3,000
Lot width	1-, 2-, and 3-unit dwellings Residential Buildings: 30 >3-unit dwellings, and non <u>Non</u> -residential and mixed-use buildings: 40
Front yard setback	15 See (a) below and Downtown Setback Map
Side yard setback	5 Lot width <40: 10% lot width See Downtown Setback Map
Rear yard setback	Lesser of 20% lot depth or 30 See (b) below
Maximum lot coverage	75%
Maximum height	See Downtown Height Map
Stepback	See Downtown Stepback Map
Usable open space	40 sq. ft. per bedroom See (c) below

6. Table within Subsection (2) entitled “Dimensional Standards” of Section 28.079 entitled “Downtown Residential 2 District” of the Madison General Ordinances is amended as follows:

“Downtown Residential 2 District	
Lot area	3,000 sq. ft.
Lot width	30 for 1-, 2-, and 3-unit <u>residential</u> buildings 40 for 4-unit buildings and higher, and for non-residential and mixed-use buildings
Front yard setback	10 See (a) below and Downtown Setback Map
Side yard setback	5 Lot width <40: 10% See Downtown Setback Map
Rear yard setback	Lesser of 20% lot depth or 20 See (b) below
Maximum lot coverage	80%
Minimum height	2 stories
Maximum height	See Downtown Height Map
Stepbacks	See Downtown Stepback Map
Usable open space	20 sq. ft. per bedroom See (c) below”