

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED
REFERRED

November 27, 2013
Plan Commission; Public
Hearings: PC 12/3/12; CC
1/8/13

Amending Chapter 28 of the Madison General Ordinances to correct various errors in the recently adopted Zoning Code.

Drafted by: Maureen O'Brien

Date: November 19, 2012

SPONSOR: Aids. King, Rummel & Schmidt

DRAFTER'S ANALYSIS: This amendment corrects various errors that staff have found since the adoption of the new zoning code.

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

1. Subsection (1) entitled "Residential Districts" of Section 28.021 entitled "Establishment of Zoning Districts" of the Madison General Ordinances is amended to read as follows:

"(1) Residential Districts.*

- (a) SR-C1 Suburban Residential - Consistent District 1
- (b) SR-C2 Suburban Residential - Consistent District 2
- (c) SR-C3 Suburban Residential - Consistent District 3
- (d) SR-V1 Suburban Residential - Varied District 1
- (e) SR-V2 Suburban Residential - Varied District 2
- (f) TR-C1 Traditional Residential - Consistent District 1
- (g) TR-C2 Traditional Residential - Consistent District 2
- (h) TR-C3 Traditional Residential - Consistent District 3
- (i) TR-C4 Traditional Residential - Consistent District 4
- (j) TR-V1 Traditional Residential - Varied District 1
- (k) TR-V2 Traditional Residential - Varied District 2
- (l) TR-U1 Traditional Residential - Urban District 1
- (m) TR-U2 Traditional Residential - Urban District 2
- (n) TR-R Traditional Residential - Rustic District
- (n) TR-P Traditional Residential - Planned District

* When other Chapters of the Madison General Ordinances refer to residential districts, the Downtown Residential Districts, DR1 and DR2, shall be included."

2. Subsection (6) of Section 28.031 entitled "General Provisions for Residential Districts" of the Madison General Ordinances is created to read as follows:

"(6) When other chapters of the Madison General Ordinances refer to residential districts, the Downtown Residential Districts, DR1 and DR2, shall be included."

3. Table 28C-1 of Subsection (1) of Section 28.032 entitled "Residential District Uses" of the Madison General Ordinances is amended by amending therein the following:

Approved as to form:

"Residential Districts"																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
Agriculture																
Keeping of honeybees	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y

"Accessory Uses and Structures"																
Keeping of honeybees	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y

4. The table of Subdivision (2) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.037 entitled "SR-C3 District" of the Madison General Ordinances is amended by amending therein the following:

"SR-C3 District"				
	Single-family detached	Two-family Two unit	Two-family - Twin	Nonresidential
Lot Area (sq. ft.)	6,000	8,000	8,000 44	6,000"

5. Table 28D-2 of Section 28.061 entitled "Mixed-Use and Commercial Districts Uses" of the Madison General Ordinances is amended by amending and creating therein the following:

"Mixed-Use and Commercial Districts"							
	LMX	NMX	TSS	MXC	CC-T	CC	Supplemental Regulations
Agriculture Uses							
Keeping of honeybees	P	P	P	P	P	P	Y
Accessory Uses and Structures							
Keeping of honeybees	P	P	P	P	P	P	Y

6. The Table of Subsection (3) entitled "Dimensional Requirements" of Section 28.065 entitled "Traditional Shopping Street (TSS) District is amended by amending and creating therein the following:

"Traditional Shopping Street District"	
Rear yard setback	The lesser of 20% of lot depth, but no less than or 20 feet
Rear yard setback: For corner lots, where all abutting property is in a nonresidential zoning district	The required rear yard setback shall be the same as the required side yard setback."

7. 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 amending therein the following:

“Commercial Corridor - Transitional District	
Rear yard setback	<u>The lesser of 20% of lot depth, but no less than or 20 feet</u>
Rear yard setback: For corner lots, where all <u>abutting property is in a nonresidential zoning district</u>	<u>The required rear yard setback shall be the same as the required side yard setback.”</u>

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

“Commercial Center District	
Rear yard setback	<u>The lesser of 20% of lot depth, but no less than or 20 feet</u>
Rear yard setback: For corner lots, where all <u>abutting property is in a nonresidential zoning district</u>	<u>The required rear yard setback shall be the same as the required side yard setback.”</u>

9. The Table 28E-2 of Subsection (1) of Section 28.072 entitled “Downtown District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Accessory Uses and Structures						
<u>Accessory use: General Retail, Service business, Restaurant, Coffee Shop, Tea House, Office, professional and general</u>		C			C	Y
<u>Service business</u>		C			C	Y
<u>Restaurant</u>		C			C	Y
<u>Coffee Shop, Tea House</u>		C			C	Y
<u>Office, professional and general</u>		C			C	Y

10. The Table 28F-1 of Subsection (1) of Section 28.082 entitled “Employment District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Employment Districts							
	TE	SE	SEC	EC	IL	IG	Supplemental Regulations
Residential - Group Living							
<u>Assisted living facility, congregate care facility, skilled nursing facility</u>	C	C					Y

"Employment Districts							
	CTE	ICSE	SEC	EC	IL	IG	Supplemental Regulations
Community living arrangement (> 8 residents)	C	IC					Y"

11. Subdivision (c) entitled "Additional Height" of Subsection (3) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.084 entitled "Traditional Employment District" of the Madison General Ordinances is created to read as follows:

"(c) Additional Height. Building heights exceeding the maximum may be allowed with conditional use approval."

12. Section 28.151 entitled "Applicability" of the Madison General Ordinances is amended by creating therein the following:

"Accessory Use: General Retail, Service Business, Restaurant, Coffee Shop, Tea House, Office, professional and general. In the DR2 and UOR Districts, must be accessory to a multi-family residential use or a permitted commercial use, accessible to the public only through a lobby, and shall not exceed three thousand (3,000) square feet of floor area."

13. The Table of Section 28.206 entitled "Fees" of the Madison General Ordinances is amended by amending therein the following:

"Type of Action	Fee
Conditional use application for telecommunication facilities and antennas under Sec. 28.143	\$1,750 <u>in addition to the Conditional Use Application Fee</u> "