

**LEGISTAR #44260 - Body**

DRAFTER'S ANALYSIS: This amendment adds three restrictions to the ability to count roof decks, porches, and balconies towards useable open space requirements. Any roof deck, porch, or balcony counted against the useable open space requirement must be available for use by all occupants. Also, any porches counted toward the useable open space requirement must have a minimum width of fifteen (15) feet and minimum depth of six (6) feet and be used as the main source of ingress and egress from the building. Finally, this amendment amends the minimum dimension requirement for balconies from 4½ to 6 feet.

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

Subdivisions (d) and (e) of Subsection (1) of Section 28.140 entitled "Usable Open Space" of the Madison General Ordinances are amended to read as follows:

- "(d) Within the TR-U1 and TR-U2 Districts and within all Mixed-Use, Employment, Downtown and Urban Districts, roof decks, porches, and balconies that are available for use by all occupants may be used to meet up to seventy-five percent (75%) of the minimum open space requirements, provided that:
1. Balconies shall have minimum dimension of ~~four and one-half (4½)~~ six (6) feet.
  2. Roof decks shall have minimum dimension of fifteen (15) feet and shall be free of any obstructions, improved and available for safe and convenient access.
  3. Porches shall have a minimum width of fifteen (15) feet and minimum depth of six (6) feet and be used as the main source of ingress and egress to the building.
- (e) Within the TSS and MXC Districts, roof decks, porches, and balconies may be used to meet up to one hundred percent (100%) of the minimum open space requirements, provided that the dimensions set forth in sub. (d) 1., ~~and 2., and 3.~~ are met."