

LEGISTAR #49324 - Body

DRAFTER'S ANALYSIS: This amendment clarifies the lot width and lot area requirements for side-by-side duplexes in numerous residential districts, officially known as "two-family twin homes." The proposed amendment returns the requirements to the form that they were under the old 1966 Zoning Code, which will make it easier for property owners looking to use a Certified Survey Map (CSM) to split their duplex. This amendment also changes two-family twin homes in TR-V2 from conditional to permitted use, which is consistent with how the use is treated in neighboring districts. Finally, this amendment clarifies the requirements for a split duplex (separate utilities, etc.) and the requirements for two-family twin homes in certain non-residential districts.

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

1. Subsection entitled "Two-Family Dwelling - Twin" of Section 28.151 entitled "Applicability" of Subchapter 28J: Supplemental Regulations of the Madison General Ordinances is amended by amending herein the following:

"Two-Family Dwelling - Twin.

- (a) Each unit shall be separated from the abutting unit by a minimum fire separation complying with Wis. Admin. Code § SPS 321.08, providing a vertical separation of all areas from the lowest level to flush against the underside of the roof.
- (b) The common wall between dwellings units shall be approximately perpendicular to the street right-of-way line. When a parcel containing a Two Family Dwelling – Twin is divided by Certified Survey Map, the lot line shall run continuously from the front lot line to the rear lot line through the common wall.
- (c) ~~Dwellings~~ Each unit shall have separate water services, curb stops, lines and meters. The water service may be split in the terrace, with separate curb stops, lines and meters.
- (d) ~~Dwellings~~ Each unit shall have separate sanitary sewer service laterals and lines, ~~subject to including a provision in a joint access and maintenance agreement that addresses emergency access to, and the responsibility for, sanitary sewer building blockage.~~
- (e) ~~Dwellings~~ Each unit shall have separate gas and electric meters.
- (f) ~~Dwellings~~ A Two Family Dwelling – Twin divided by Certified Survey Map shall have a joint cross access and maintenance agreement that has been submitted with the land division application and which shall be recorded with the land division.
- (g) In the NMX, TSS, and CC-T Districts, Two Family Dwellings - Twin constructed after the effective date of this ordinance require conditional use approval. The lot area, lot width and usable open space required shall be the same as in the TR-C4 district. Any Two-Family Dwelling – Twin shall not have an attached garage with a door facing any street.
- (h) In the TR-C4 district, a Two-Family Dwelling - Twin shall not have an attached garage with a door facing any street."

2. 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:

"Residential Districts																Supplemental Regulations
	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	
Residential – Family Living																
Two-family dwelling - twin			P	P	P				P	P	P	P	C		P	Y

Two-family dwelling – two unit			P	P	P				P	P	C P	P	C		P	
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3. The Table of Subsection (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 4,000/d.u.	6,000
Lot Width	50	50	50 25/d.u.	50”

4. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.039 entitled “SR-V1 District” of the Madison General Ordinances is amended by amending therein the following:

“SR-V1 District: Permitted Uses				
	Single-family detached	Two-family Two unit	Two-family - Twin	Three-four unit
Lot Area (sq. ft.)	6,000	8,000	8,000 4,000/d.u.	8,000
Lot Width	50	50	50 25/d.u.	60”

5. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.040 entitled “SR-V2 District” of the Madison General Ordinances is amended by amending therein the following:

“SR-V2 District: Permitted Uses						
	Single-family detached	Two-family Two unit	Two-family - Twin	Three unit	Single-family attached (8 units max.)	Multi-family
Lot Area (sq. ft.)	6,000	6,000	4,000 (2 lots)/d.u.	8,000	2,000/d.u.	2,000/d.u.”

6. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.045 entitled “TR-C4 District” of the Madison General Ordinances is amended by amending therein the following:

“TR-C4 District					
	Single-family detached	Two-family Two unit	Two-family Twin	Three-unit	Nonresidential
Lot Area (sq. ft.)	4,000	4,000	4,000 3,000/d.u.	6,000	4,800
Lot Width	40	40	40 25/d.u.	40	40”

7. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.047 entitled “TR-V1 District” of the Madison General Ordinances is amended by amending therein the following:

“TR-V1 District: Permitted Uses					
	Single-family detached	Two-family Two unit	Two-family - Twin	Three unit	Four-unit
Lot Area (sq. ft.)	3,000	4,000	6,000 <u>3,000/d.u.</u>	6,000	8,000
Lot Width	30	40	50 <u>25/d.u.</u>	50	50”

8. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.048 entitled “TR-V2 District” of the Madison General Ordinances is amended by amending therein the following:

“TR-V2 District: Permitted Uses					
	Single-family detached	Two-family Two unit	Two-family - Twin	Three-unit	Four-unit
Lot Area (sq. ft.)	3,000	4,000	6,000 <u>3,000/d.u.</u>	6,000	8,000
Lot Width	30	40	40 <u>25/d.u.</u>	50	50”

9. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.050 entitled “TR-U1 District” of the Madison General Ordinances is amended by amending therein the following:

“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 - 8 units)
Lot Area (sq. ft.)	3,000	4,000	4,000 <u>3,000/d.u.</u>	4,000	1,000/d.u.	1,000/d.u. + 300 per bedroom >2
Lot Width	30	40	40 <u>25/d.u.</u>	50	20/d.u.	50”

10. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.051 entitled “TR-U2 District” of the Madison General Ordinances is amended by amending therein the following:

TR-U2 District: Conditional and Nonresidential Uses						
	Single-family attached (> 8 units)	Single-family detached	Two-family Two unit	Two-family - Twin	Multi-family (>8 units)	Nonresidential
Lot Area (sq. ft.)	800/d.u.	3,000	4,000	4,000 3,000/d.u.	500/d.u. + 250 per bedroom >2	6,000
Lot Width	20/d.u.	30	40	40 25/d.u.	50	50"

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2. 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:

“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
Residential – Family Living																
Two-family dwelling - twin			P	P	P				P	P	P	P	C		P	Y
Two-family dwelling – two unit			P	P	P				P	P	P	P	C		P	

3. The Table of Subsection (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:

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5. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.040 entitled “SR-V2 District” of the Madison General Ordinances is amended by amending therein the following:

“SR-V2 District: Permitted Uses						
	Single-family detached	Two-family Two unit	Two-family - Twin	Three unit	Single-family attached (8 units max.)	Multi-family
Lot Area (sq. ft.)	6,000	6,000	4,000 (2 lots)/d.u.	8,000	2,000/d.u.	2,000/d.u.”

6. The Table of Subsection (2) entitled “Dimensional Requirements, Permitted and Conditional Uses” of Section 28.045 entitled “TR-C4 District” of the Madison General Ordinances is amended by amending therein the following:

TR-C4 District					
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Lot Area (sq. ft.)	4,000	4,000	4,000 3,000/d.u.	6,000	4,800
Lot Width	40	40	40 25/d.u.	40	40"

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Lot Area (sq. ft.)	3,000	4,000	6,000 3,000/d.u.	6,000	8,000
Lot Width	30	40	50 25/d.u.	50	50"

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Lot Width	30	40	40 25/d.u.	50	20/d.u.	50"

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