



Legislation Details (With Text)

**File #:** 01483      **Version:** 1      **Name:** notification of business associations  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/15/2005      **In control:** PLAN COMMISSION  
**On agenda:** 8/2/2005      **Final action:** 8/2/2005  
**Enactment date:** 8/19/2005      **Enactment #:** ORD-05-00140  
**Title:** Amending Sections 28.12(10)(c) and 28.12(11)(d) of the Madison General Ordinances to require notification of business associations prior to submitting an application for rezoning or conditional use.  
**Sponsors:** David J. Cieslewicz, Zachariah Brandon, Judy Compton, Larry Palm, Noel T. Radomski  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. July 14 Memo.pdf

Date	Ver.	Action By	Action	Result
8/3/2005	1	ECONOMIC DEVELOPMENT COMMITTEE	Return to Lead with the Following Recommendation(s)	
8/2/2005	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
7/18/2005	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
6/21/2005	1	COMMON COUNCIL	Refer For Public Hearing	
6/21/2005	1	PLAN COMMISSION	Refer	
6/15/2005	1	Attorney's Office/Approval Group	Approved As To Form	
6/15/2005	1	Attorney's Office	Fiscal Note Required / Approval	
6/15/2005	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
6/15/2005	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

No appropriation required.

**Title**

Amending Sections 28.12(10)(c) and 28.12(11)(d) of the Madison General Ordinances to require notification of business associations prior to submitting an application for rezoning or conditional use.

**Body**

DRAFTER'S ANALYSIS: This amendment adds notification of appropriate business associations to the existing requirement to notify neighborhood associations and alderpersons at least thirty (30) days prior to submitting an application for a rezoning or conditional use. The City has a list of associations available to applicants.

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

1. Subdivision (c) entitled "Application for a Map or Text Amendment" of Subsection (10) entitled " Map and Text Amendments" of Section 28.12 entitled "Administration and Enforcement" of the Madison General Ordinances is amended to read as follows:

"(c) Application for a Map or Text Amendment. An application for an amendment to this ordinance shall be filed with the Zoning Administrator. At least 30 days prior to filing an application for a map amendment, the applicant shall notify an

Aldersperson of the proposed map amendment in her/his district. In addition, the applicant shall notify any neighborhood association registered with the City that serves the area in which the property that is the subject of the proposed map amendment is located and any business association that serves the area and is listed by the City. Notification shall be by mail. Failure to provide such notification shall not invalidate any action taken on the application by the Plan Commission or Common Council. The notice requirement may be waived, if approved by the Aldersperson, President of the Neighborhood Association, and Director of the Department of Planning and Development. The Zoning Administrator shall transmit said application to the City Clerk, who shall file all such applications with the Common Council. The application shall be on such form and accompanied by such information as shall be required from time to time by the City Plan Commission. For those applications for a map amendment to a lower classification or where higher density would be permitted, the applicant shall provide information with the application necessary to complete the impact report required per 28.12(10)(f). Such information shall be furnished to the Department of Planning and Development not less than twenty-one (21) days prior to the Plan Commission public hearing and shall be reviewed by the City Engineer, Department of Transportation, Water Utility, Department of Planning and Development, Zoning Administrator and other City departments as necessary. Failure to furnish said information in a timely and complete manner may be reason for referral of consideration of the zoning."

2. Subdivision (d) entitled "Application for Conditional Use" of Subsection (10) entitled "Conditional Uses" of Section 28.12 entitled "Administration and Enforcement" of the Madison General Ordinances is amended to read as follows:

" (d) Application For Conditional Use. An application for a conditional use shall be filed with the Zoning Administrator on a form prescribed by the Zoning Administrator. At least 30 days prior to filing an application for a conditional use, the applicant shall notify an Aldersperson of the proposed conditional use in her/his district. In addition, the applicant shall notify any neighborhood association registered with the City that serves the area in which the property that is the subject of the proposed conditional use is located and any business association that serves the area and is listed by the City. Notification shall be by mail or electronic mail, with a copy to the Director of the Planning Unit. Failure to provide such notification shall not invalidate any action taken on the application by the Plan Commission or Common Council. The notice requirement may be waived, if approved by the Aldersperson and Director of the Department of Planning and Development. The application shall be accompanied by such plans and other information as may be prescribed by the Zoning Administrator or the City Plan Commission, and shall include a statement in writing by the applicant and adequate information to enable the Plan Commission to make a determination that the proposed conditional use shall conform to the standards set forth in (11)(g) hereinafter."