



Legislation Details (With Text)

**File #:** 31719      **Version:** 1      **Name:** Detached residential units  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/24/2013      **In control:** PLAN COMMISSION  
**On agenda:** 11/19/2013      **Final action:** 11/19/2013  
**Enactment date:** 11/27/2013      **Enactment #:** ORD-13-00191

**Title:** Amending Section 28.137 of the Madison General Ordinances to allow conforming detached residential units in planned multi-use sites in applicable zoning districts.

**Sponsors:** Steve King, Scott J. Resnick, Ledell Zellers

**Indexes:**

**Code sections:**

**Attachments:** 1. ZText Staff Comments.pdf

Date	Ver.	Action By	Action	Result
11/19/2013	1	COMMON COUNCIL	Adopt	Pass
11/4/2013	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
10/1/2013	1	COMMON COUNCIL	Referred for Public Hearing	
9/24/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No appropriation is required.

**Title**

Amending Section 28.137 of the Madison General Ordinances to allow conforming detached residential units in planned multi-use sites in applicable zoning districts.

**Body**

DRAFTER'S ANALYSIS: Previously, the zoning code prohibited detached residential buildings in a planned multi-use site. This amendment will allow conforming detached residential units in planned multi-use sites so long as they are allowed in the applicable zoning district.

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

Section 28.137 entitled "Zoning Lots and Planned Multi-Use Sites" of the Madison General Ordinances is amended to read as follows:

**"28.137 ZONING LOTS AND PLANNED MULTI-USE SITES.**

(1) Residential Zoning Lots.

Except in the case of multifamily complexes and planned multi-use sites within the Mixed-Use Center District, no more than one (1) principal detached residential building shall be located on a zoning lot, nor shall a principal detached residential building be located on the same zoning lot with any other nonresidential principal building or use.

(2) Planned Multi-Use Sites.

The purpose of this subsection is to allow efficient and economical design and greater coordination and flexibility in the development of nonresidential and mixed-use properties a variety of building types and land uses, while ensuring substantial compliance with the basic intent of the Zoning Code and Subdivision Regulations.

(a) A planned multi-use site, as defined, shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and

Community and Economic Development recorded in the office of the Dane County Register of Deeds.

- (b) An existing planned multi-use site may not be changed without approval by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development, or approval of the Plan Commission.
- (c) The uses allowed within a planned multi-use site are limited to those uses that are allowed within the zoning district(s) in which the site is located.
  - 1. Residential units within planned multi-use sites are allowed only within mixed-use buildings, except that within the Mixed-Use Center District, a detached residential building may be included as part of a planned multi-use site. A property containing a non-conforming residential use shall not be made part of a planned multi-use site.
- (d) Every planned multi-use site shall front on a public street.
- (e) A planned multi-use site containing more than forty thousand (40,000) square feet of gross floor area and where twenty-five thousand (25,000) square feet of gross floor area is designed or intended for retail use or for hotel or motel use, shall require conditional use approval and be subject to review by the Urban Design Commission under the provisions of Sec. 33.24(4)(f), MGO.
- (f) All new retail establishments with a total gross floor area (GFA) of forty thousand (40,000) square feet or more that are part of a planned multi-use site are subject to review by the Urban Design Commission under the provisions of Sec. 33.24(4)(f).
- (g) ~~Where multiple nonresidential uses will be located in a planned multi-use site, a~~ plan for building placement, shared parking and access and any easement documents necessary to facilitate those plans shall be submitted. Plans shall show the following:
  - 1. The arrangement of buildings, parking facilities, internal circulation of pedestrians and vehicles, access to individual development sites from public streets and internal drives, and the location of storm drainage facilities, open spaces and any ground-mounted signage.
  - 2. Identification of uses within the site and the gross square footage of building sites, either for the overall development or for the individual sites within the planned multi-use site.
  - 3. The general arrangement of individual lots, outlots, tracts, easements, and all dedications to the public resulting from the planned development. The planned multi-use site plan may be used as a preliminary subdivision plat if it includes all of the information required for a preliminary plat under Sec. 16.23(7)(a), MGO.”