



## Legislation Text

File #: 06798, Version: 1

### Fiscal Note

No appropriation required.

### Title

Amending Section 28.07(7)(b) of the Madison General Ordinances to add certain radio and television towers as a permitted use in the Wetland District.

### Body

DRAFTER'S ANALYSIS: This amendment permits reconstructed radio and television towers in Wetland Districts, as long as they are not located in shoreland areas. If the tower were in a shoreland area, state law would preclude adding to the list of permitted uses. On the other hand, if it were in a shoreland area, state law would allow the reconstruction pursuant to sec. 62.231(5).

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

Subdivision (b) entitled "Permitted Uses" of Subsection (7) entitled "Wetland District" of Section 28.07 entitled "Special Districts" of the Madison General Ordinances is amended to read as follows:

"(b) Permitted Uses.

1. The following uses are permitted in the Wetland District provided that no wetland alteration occurs and the provisions of Chapters 30 and 31 of the Wisconsin Statutes and other City codes are complied with:
  - a. Hiking, fishing, trapping, hunting, swimming, and nonmotorized boating; and
  - b. The construction and maintenance of duck blinds.
2. The following permitted uses may involve wetland alterations only to the extent specifically provided below:
  - a. The construction and maintenance of piers, docks and walkways, observation decks and trail bridges built on pilings, including limited excavating and filling necessary for such construction or maintenance;
  - b. The maintenance, repair, replacement and reconstruction of existing highways and bridges, roads, and electric, telephone, water, gas, sewer and railroad lines, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction;
  - c. the replacement and reconstruction of existing publicly-owned radio and television towers, provided that neither the existing nor the replaced or reconstructed tower is in a shoreland, as defined in Sec. 28.03(2)."