



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 53216

File ID: 53216

File Type: Ordinance

Status: Passed

Version: 1

Reference:

Controlling Body: Attorney's
Office/Approval
Group

Lead Referral: PLAN COMMISSION

File Created Date : 09/18/2018

File Name: Changing the side yard setback requirements on
TR-C2, TR-C3, TR-C4 Districts

Final Action: 10/30/2018

Title: Amending Sections 28.043, 28.044, and 28.045 of the Madison General Ordinances to change the side yard setback requirements in the TR-C2, TR-C3, and TR-C4 Districts.

Notes: 6149sideyard
MAYOR APPROVAL DATE 11/5/2018

CC Agenda Date: 10/30/2018

Agenda Number: 7.

Sponsors: Ledell Zellers

Effective Date: 11/10/2018

Attachments: Body, zt101518.pdf

Enactment Number: ORD-18-00115

Author: John Strange

Hearing Date:

Entered by: dalthaus@cityofmadison.com

Published Date: 11/09/2018

Approval History

Version	Date	Approver	Action
1		Michael May	Approved as to Form
1		Brent Sloat	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	09/18/2018	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Plan Commission (10/15/18), Common Council (10/30/18)						
1	COMMON COUNCIL	09/25/2018	Refer	PLAN COMMISSION		10/15/2018	Pass

Action Text: A motion was made by Baldeh, seconded by Carter, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

Notes:

1	PLAN COMMISSION	10/15/2018	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
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Action Text: A motion was made by Berger, seconded by Oeth, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

Notes: On a motion by Berger, seconded by Oeth, the Plan Commission recommended the council to adopt the zoning text amendment. The motion passed by voice vote/other.

1	COMMON COUNCIL	10/30/2018	Adopt and Close the Public Hearing	Pass
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Action Text: A motion was made by Baldeh, seconded by Carter, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Notes:

Text of Legislative File 53216

Fiscal Note

No fiscal impact.

Title

Amending Sections 28.043, 28.044, and 28.045 of the Madison General Ordinances to change the side yard setback requirements in the TR-C2, TR-C3, and TR-C4 Districts.

Body

DRAFTER'S ANALYSIS: This amendment removes as an exception to the side yard setback rule single-family detached dwellings that existed on the date the new zoning code was adopted. It also makes the side yard setback requirement in the TR-C2, TR-C3, and TR-C4 districts consistent with the side yard setback requirements in the TR-V districts. Finally, these changes make for a more manageable and reasonable building envelope.

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

Please see "Body" in Attachments.

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

Amending Sections 28.043, 28.044, and 28.045 of the Madison General Ordinances to change the side yard setback requirements in the TR-C2, TR-C3, and TR-C4 Districts.

PRESENTED
REFERRED

September 25, 2018

PC; Public Hearings:

PC 10/15/18

CC 10/30/18

Drafted by: John Strange

Date: September 18, 2018

SPONSOR: Alder Zellers

DRAFTER'S ANALYSIS: This amendment removes as an exception to the side yard setback rule single-family detached dwellings that existed on the date the new zoning code was adopted. It also makes the side yard setback requirement in the TR-C2, TR-C3, and TR-C4 districts consistent with the side yard setback requirements in the TR-V districts. Finally, these changes make for a more manageable and reasonable building envelope.

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

1. Subsection (2) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.043 entitled "TR-C2 District" of the Madison General Ordinances is amended by amending therein the following:

"(2) Dimensional Requirements, Permitted and Conditional Uses. Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

"TR-C2 District"		
	Single-family detached	Nonresidential
Side Yard Setback	One-story: 5 Two-story: 6 See (a) below <u>Lot width <50: 10% lot width</u>	10

~~(a) Side Yard Setback. Lots with single-family detached dwellings that are existing on the effective date of this ordinance and have a lot width less than fifty (50) feet shall have a minimum side yard setback of ten percent (10%) of the lot width."~~

2. Subsection (2) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.044 entitled "TR-C3 District" of the Madison General Ordinances is amended by amending therein the following:

"(2) Dimensional Requirements, Permitted and Conditional Uses. Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

Approved as to form:

"TR-C3 District		
	Single-family detached	Nonresidential
Rear Yard	20 alley-accessed: 2 See (ba) below	Equal to building height but at least 20

- (a) ~~Side Yard Setback. Lots with residential buildings that are existing on the effective date of this ordinance and have a lot width less than fifty (50) feet shall have a minimum side yard setback of ten percent (10%) of the lot width.~~
- (ba) Rear Yard Setback. Only a one-story, alley-accessed attached garage projection for garage purposes may have a minimum rear yard setback of two (2) feet."

3. 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:

"(2) Dimensional Requirements, Permitted and Conditional Uses. Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

"TR-C4 District					
	Single-family detached	Two-family Two unit	Two-family Twin	Three-unit	Nonresidential
Side Yard Setback	One-story: 5 Two-story: 6 <u>See (a) below</u> <u>Lot width <50:</u> <u>10% lot width</u>	Two-story: 6 <u>See (a) below</u> <u>Lot width <50:</u> <u>10% lot width</u>	Two-story: 6 <u>See (a) below</u> <u>Lot width <50:</u> <u>10% lot width</u>	6 <u>See (a) below</u> <u>Lot width <50:</u> <u>10% lot width</u>	One-story: 5 Two-story or more: 6

- (a) ~~Side Yard Setback. Lots with residential buildings that are existing on the effective date of this ordinance and have a lot width less than fifty (50) feet shall have a side yard setback of ten percent (10%) of the lot width.~~
- (ba) Dispersion of Dwellings. No two-family twin dwelling shall be constructed or converted within three hundred (300) feet of a zoning lot containing another two-family twin building, as measured from the perimeter of each zoning lot, unless approved by conditional use."