

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

Amending Sections 28.032, 28.061, 28.072, 28.082, 28.091 28.151, and 28.211 of the Madison General Ordinances to add Tourist Rooming House to the Zoning Code.

PRESENTED
REFERRED

FROM THE FLOOR 8/6/13

Plan Commission; Public
Hearings: PC 8/26/13;
CC 9/3/13

Drafted by: Maureen O'Brien

Date: August 2, 2013

SPONSOR: Alds. Clear, Bidar-Sielaff, Phair,
Rummel & Zellers

DRAFTER'S ANALYSIS: The City has become increasingly aware of websites such as VRBO and AirBnB that facilitate short-term rentals of private homes. The current zoning code does not specifically address these rentals. Under state law, such establishments are required to be licensed and to pay room tax just as hotels and bed and breakfast establishments do. This amendment establishes these rentals as a conditional use in all districts, requires licensure, registration with the treasurer's office, payment of room tax and a 500-foot spacing requirement.

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

1. Table 28C-1 of Subsection (1) of Section 28.032 entitled "Residential District Uses" of the Madison General Ordinances is amended by creating 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
Retail, Service, Recreation and Other Uses																
<u>Tourist rooming house</u>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y"

2. Table 28D-2 of Section 28.061 entitled "Mixed-Use and Commercial Districts Uses" of the Madison General Ordinances is amended by creating therein the following:

"Mixed-Use and Commercial Districts"							
	LMX	NMX	TSS	MXC	CC-T	CC	Supplemental Regulations
Commercial Recreation, Entertainment and Lodging							
<u>Tourist rooming house</u>	C	C	C	C	C	C	Y"

Approved as to form:

3. The Table 28E-2 of Subsection (1) of Section 28.072 entitled “Downtown District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Commercial Recreation, Entertainment and Lodging						
<u>Tourist rooming house</u>	C	C	C	C	C	Y”

4. The Table 28F-1 of Subsection (1) of Section 28.082 entitled “Employment District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Employment Districts							
	TE	SE	SEC	EC	IL	IG	Supplemental Regulations
Commercial Recreation, Entertainment and Lodging							
<u>Tourist rooming house</u>	C	C	C	C			Y”

5. The Table 28G-1 of Subsection (1) of Section 28.091 entitled “Special District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Special Districts						
	A	UA	CN	PR	AP	Supplemental Regulations
Commercial Recreation, Entertainment and Lodging						
<u>Tourist rooming house</u>	C				C	Y”

6. Section 28.151 entitled “Applicability” of the Madison General Ordinances is amended by creating therein the following:

“Tourist Rooming House.

- (a) The establishment shall have a current license from Public Health of Madison and Dane County, as required by DHS 195.
- (b) No Tourist Rooming House within a residential district shall be located within five hundred (500) feet from any other Tourist Rooming House or a Bed and Breakfast Establishment.
- (c) Owner shall register with Treasurer’s office and shall pay room tax as required under Sec. 4.21, MGO.
- (d) Only the owner of the property may operate a Tourist Rooming House.”

7. Section 28.211 entitled “Definitions” of the Madison General Ordinances is amended by creating therein the following:

"Tourist or Transient. A person who travels to a location away from his or her permanent address for a short period of time, not to exceed one month, for vacation, pleasure, recreation, culture, business or employment.

Tourist Rooming House. A building or portion thereof, other than a Hotel, Motel, Bed and Breakfast Establishment or Hostel, in which sleeping accommodations are offered for pay to tourists or transients. The definition does not include private boarding, lodging or rooming houses not accommodating tourists or transients."