

## LEGISTAR 42393 - Body

DRAFTER'S ANALYSIS: The zoning code currently allows community living arrangements, housing cooperatives, and lodging houses. However, the code does not provide bulk requirements for these uses like it does for single- and two-family dwellings. As a result, the current code allows these uses but does not set bulk requirements for them. This amendment applies the multi-family dwelling unit bulk requirements to these uses. It also reclassifies "dormitory" to the more appropriate civic and institutional use. This amendment will ensure that the code specifically provides bulk requirements for all residential uses, not just for single- and multi-family dwellings.

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

1. Section 28.151 entitled "Applicability" of the Madison General Ordinances is amended by amending or creating therein the following:

### "Community Living Arrangement (CLA) Serving Nine to Fifteen (9-15) Residents.

- (a) The loss of any state license or permit by a CLA shall result in an automatic revocation of that facility's use permit.
- (b) The applicant shall disclose in writing the capacity of the community living arrangement.
- (c) No new community living arrangement shall be located within two thousand five hundred (2,500) feet of an existing community living arrangement, unless approved as a conditional use.
- (d) The total capacity of all CLAs within an aldermanic district shall not exceed twenty-five (25) persons or one percent (1%) of the population, whichever is greater, of such district, unless approved as a conditional use.
- (e) All CLAs in the SR-C1, SR-C2, SR-C3, TR-C1, TR-C2, TR-C3, and TR-R districts require conditional use approval, regardless of the distance from other CLAs or the density of CLAs within the aldermanic district.
- (f) No conditional use permit under this section shall be transferable to another location or person.
- (g) The bulk requirements for multi-family uses in the district apply. For purposes of calculating bulk requirements, one (1) bedroom is equal to one (1) lodging room and five (5) lodging rooms is equal to one (1) dwelling unit. If the number of lodging rooms is not divisible by five (5), round up to the nearest dwelling unit for the purpose of determining bulk requirements. For example, six (6) lodging rooms equals two (2) dwelling units.

### Community Living Arrangement (CLA) Serving More Than 15 Residents.

- (a) The loss of any state license or permit by a CLA shall result in an automatic revocation of that facility's use permit.
- (b) The applicant must disclose in writing the capacity of the community living arrangement.
- (c) No community living arrangement shall be located within two thousand five hundred (2,500) feet of an existing community living arrangement.
- (d) The total capacity of all CLAs within an aldermanic district shall not exceed twenty-five (25) persons or one percent (1%) of the population, whichever is greater, of such district.
- (e) All CLAs serving more than fifteen (15) residents require conditional use approval, regardless of the distance from other CLAs or the density of CLAs within the aldermanic district.
- (f) No conditional use permit under this section shall be transferable to another location or person.
- (g) The bulk requirements for multi-family uses in the district apply. For purposes of calculating bulk requirements, one (1) bedroom is equal to one (1) lodging room and five (5) lodging rooms is equal to one (1) dwelling unit. If the number of lodging rooms is not divisible by five (5), round up to the nearest dwelling unit for the purpose of determining bulk requirements. For example, six (6) lodging rooms equals two (2) dwelling units.

### Housing Cooperative.

- (a) In the SR-C3 District, buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than fourteen (14) requires conditional use approval.
- (b) In the SR-V1, SR-V2, NMX, TSS, and CC-T Districts, buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than twenty (20) requires conditional use approval.

- (c) In the TR-V1, TR-V2, NMX, TSS, and CC-T Districts, a Housing Cooperative may locate in a single-family dwelling with conditional use approval.
- (d) In the TR-V1, TR-V2, TR-U1, TR-U2, DC, UOR, UMX, DR1 and DR2 Districts, Housing Cooperatives may locate in any single-family dwelling or convert a building with more than one (1) dwelling unit if the occupancy equals the number of legal bedrooms prior to a change in use to a Housing Cooperative. Occupancy greater than the legal number of bedrooms prior to a change in use requires conditional use approval.
- (e) In the TR-C4 District, housing cooperatives are allowed only in the area bounded by South Ingersoll Street on the West, Lake Monona on the South, Thornton Avenue on the East and the mid-block line between Jenifer Street and Williamson Street on the North. Buildings with more than one (1) dwelling unit may be converted for use as a housing cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than fourteen (14) requires conditional use approval. Housing cooperatives may locate in single-family homes with conditional use approval and they shall meet the above occupancy limits.
- (f) When Housing Cooperatives are established within single-family dwellings, the single-family appearance and function of the building shall not be altered through the addition of entrances or kitchens.
- (g) When two-family, three-family and multi-family buildings are converted into Housing Cooperatives, the entire building must remain a Housing Cooperative while any portion of it is so occupied.
- (h) The bulk requirements for multi-family uses in the district apply. In districts where housing cooperatives are allowed but do not allow multi-family uses, the bulk requirements for single-family uses in the district apply.

Lodging House, Fraternity or Sorority.

- (a) The yard bulk requirements for multi-family use in the district apply. For purposes of calculating bulk requirements, one (1) bedroom is equal to one (1) lodging room and five (5) lodging rooms is equal to one (1) dwelling unit. If the number of lodging rooms is not divisible by five (5), round up to the nearest dwelling unit for the purpose of determining bulk requirements. For example, six (6) lodging rooms equals two (2) dwelling units.
- (b) All new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings.
- (c) The owner shall submit a Management Plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.”

2. Section 28.211 entitled “Definitions” of the Madison General Ordinances is amended by amending herein the following:

“Lodging House. A house that contains a minimum of five (5) lodging rooms where more than five (5) paying guests are provided with meals and lodging, on a monthly or longer-term basis.”

3. Table 28C-1 of Subsection (1) of Section 28.032 entitled “Residential District Uses” of the Madison General Ordinances is amended by amending and 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
<b>Residential – Group Living</b>																
Dormitory					☐							☐	☐			☐
<b>Civic and Institutional</b>																
Dormitory					C							C	C			Y”

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

<b>"Mixed-Use and Commercial Districts</b>							
	<b>LMX</b>	<b>NMX</b>	<b>TSS</b>	<b>MXC</b>	<b>CC-T</b>	<b>CC</b>	<b>Supplemental Regulations</b>
<b>Residential – Group Living</b>							
<u>Dormitory</u>					<u>C</u>		<u>Y</u>
<b>Civic and Institutional</b>							
<u>Dormitory</u>					<u>C</u>		<u>Y</u>

5. 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:

<b>"Downtown and Urban Districts</b>						
	<b>DC</b>	<b>UOR</b>	<b>UMX</b>	<b>DR1</b>	<b>DR2</b>	<b>Supplemental Regulations</b>
<b>Residential – Group Living</b>						
<u>Dormitory</u>	<u>C</u>	<u>C</u>	<u>P</u>			<u>Y</u>
<b>Civic and Institutional</b>						
<u>Dormitory</u>	<u>C</u>	<u>C</u>	<u>P</u>			<u>Y</u>