

DRAFTER'S ANALYSIS: First, this ordinance repeals and recreates the supplemental regulations for Housing Cooperatives. The primary change to the supplemental regulations is with respect to how to calculate occupancy limits. The proposed occupancy calculation in this ordinance treats occupancy limits in housing cooperatives similarly to occupancy limits in equivalent residential dwelling units. Second, this ordinance expands the number of zoning districts in which Housing Cooperatives can be established as a permitted use. Third, this ordinance amends the definition of Housing Cooperative to clarify that areas like kitchen, living rooms, and dining rooms within an exclusive individual living area do not qualify as "common areas". Combined, these three changes create an easier and more equitable treatment of Housing Cooperatives, which staff believe will aid in the availability of affordable housing for Madison's residents, and provides clarification to the existing definition of Housing Cooperatives.

This substitute ordinance increases the potential occupancies of Housing Cooperatives, either by allowing higher occupancies before a conditional use is required (as in the case of Housing Cooperatives converted from lodging houses or Multi-Family Dwellings) or allowing for greater occupancies with conditional use approval (as in the case of single-family dwellings).

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

1. Subsection entitled "Housing Cooperative" of Section 28.151 entitled "Applicability" of Subchapter 28J: Supplemental Regulations of the Madison General Ordinances is hereby repealed and recreated to read as follows:

"Housing Cooperative

- (a) Housing Cooperatives established within single-family dwellings shall have an occupancy of no more than 2 times the number of legal bedrooms prior to conversion, provided that any occupancy greater than not to exceed 10 persons requires conditional use approval.
- (b) In all Districts where Housing Cooperatives are allowed, lodging houses and buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperative with an occupancy of no more than two (2) times the number legal bedrooms prior to conversion provided that any occupancy greater than two (2) times the number of legal bedrooms or 230 persons requires conditional use approval.
- (c) 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.
- (d) When lodging houses or two family, three family and multi-family dwellings are converted for use as a Housing Cooperative, the corresponding bulk requirements for lodging house, two family, three family and multi-family dwellings in the district apply. For purposes of calculating bulk requirements, five (5) bedrooms is equal to one (1) dwelling unit. If the number of bedrooms 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."

2. Subsection entitled "Housing Cooperative" of Section 28.211 entitled "Definitions" of Subchapter 28O: Definitions and Rules of Construction of the Madison General Ordinances is amended to read as follows:

"Housing Cooperative. A residential occupancy where one-hundred percent (100%) of the ownership is held by a Cooperative Corporation organized under Wis. Stat. ch. 185, for the purpose of residential living where the residents share common areas and cooking, dining, and maintenance duties. For purposes of this definition, common areas do not include kitchens, bathrooms, living rooms, dining rooms and similar areas within an exclusive living area. All residents shall be members of the Cooperative Corporation."

3. Table 28C-1 entitled "Residential Districts" of Section 28.032 entitled "Residential District Uses" is amended as follows:

"Table 28C-1.

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	Supp Regs
Residential - Family Living																
Housing cooperative	<u>P</u>	<u>P</u>	P/C	P/C	P/C	<u>P</u>	<u>P</u>	<u>P</u>	<u>P/C</u>	P/C	P/C	P/C	P/C	<u>P</u>	<u>P/C</u>	Y"

4. Table 28D-2 entitled "Mixed-Use and Commercial Districts" of Section 28.061 entitled "Mixed-Use and Commercial Districts Uses" is amended as follows:

"Table 28D-2.

Mixed-Use and Commercial Districts							
	LMX	NMX	TSS	MXC	CC-T	CC	Supplemental Regulations
Residential – Group Living							
Housing cooperative	<u>P/C</u>	P/C	P/C	<u>P/C</u>	P/C	<u>P/C</u>	Y"

5. Table 28E-2 entitled "Downtown and Urban Districts" of Section 28.072 entitled "Downtown District Uses" is amended as follows:

"Table 28E-2.

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Residential – Group Living						
Housing cooperative	P/C	P/C	<u>P/C</u>	P/C	P/C	Y"

6. Table 28F-1 entitled "Employment Districts" of Section 28.082 entitled "Employment District Uses" is amended as follows:

"Table 28F-1.

Employment Districts							
	TE	SE	SEC	EC	IL	IG	Supplemental Regulations
Residential – Group Living							
Housing cooperative	<u>P/C</u>	<u>P/C</u>		<u>P/C</u>			Y"

7. Table 28G-1 entitled "Special Districts" of Section 28.091 entitled "Special District Uses" is amended as follows:

"Table 28G-1.

Special Districts						
	A	UA	CN	PR	AP	Supplemental Regulations

Residential – Group Living						
<u>Housing cooperative</u>	<u>P</u>					<u>Y”</u>

EDITOR’S NOTE: Section 28.15, Housing Cooperative, currently reads as follows:

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.