File #: 43518, **Version:** 2

Fiscal Note
Fiscal note pending.

Title
SUBSTITUTE Amending Section 28.211 of the Madison General Ordinances to amend the definition of "Lodging Room" and correct cross-references to the impact fee ordinance.

Body
DRAFTER'S ANALYSIS: This ordinance amends the definition of "Lodging Room" in the zoning code to make it clear that this definition applies to park impact fee determinations. This ordinance is a companion ordinance to Legistar File No. 43500, an ordinance amending, repealing and recreating the park impact fee and park and open space land dedication requirements of the City. Additional changes are being made to cross-references in the zoning code to the impact fee ordinance so that any future changes to the impact fee ordinance do not leave erroneous references in the zoning code.
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The Common Council of the City of Madison do hereby ordain as follows:

1. Section 28.211 entitled "Definitions" of the Madison General Ordinances is amended by amending herein the following:

"Lodging Room. A room rented as sleeping and living quarters, but without kitchen facilities, and with or without an individual bathroom. In a suite of rooms without kitchen facilities, each room which provides sleeping accommodations shall be counted as one lodging room for the purpose of this ordinance. A lodging room designed for more than two (2) people shall be counted as one lodging room for each two (2) persons of total occupancy, for open space, park impact fee and parking requirements."

2. Section 28.150 entitled "Residential Development" of the Madison General Ordinances is amended to read as follows:

"**28.150 RESIDENTIAL DEVELOPMENT.**

For all new residential development allowed by this chapter, the applicant shall be required to dedicate land for park and recreation purposes or pay a fee in lieu of land dedication in accordance with the current standards in Sec. 16.23(8)(f), MGO, and pay Park~~land~~ Impact Fees in accordance with Sec. 20.08~~(6)~~, MGO. Credit shall be given for any prior dedication or fee paid under those sections."

3. Paragraph 4. of Subdivision (b) entitled "Conditions" of Subsection (6) entitled "Approval Standards" of Section 28.183 entitled "Conditional Uses" of the Madison General Ordinances is amended to read as follows:

"4. For residential development allowed as a conditional use, the Plan Commission shall require dedication of land for park and recreation purposes or a fee in lieu of land dedication in accordance with the current standards for plat, land divisions and planned developments in Sec. 16.23(8)(f), MGO, and Park~~land~~ Impact Fees in Sec. 20.08~~(6)~~, MGO. Credit shall be given for any prior dedication or fee paid under those sections."