

Attachment A

PROPOSED ORDINANCE NO. 2026 - 175

CITY OF MADISON’S REQUEST TO AMEND THE OFFICIAL ZONING ORDINANCE TO ALLOW SHORT-TERM RENTALS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADISON, ALABAMA, AS FOLLOWS:

SECTION 1. That the Madison Zoning Ordinance, as last amended, is further amended as set forth below:

Section 6-4. Table of Uses

6-4-1. The following Table of Uses indicates how, where, and if uses are permitted in each district except for the TND District. This district is quite unique in that it is further subdivided into subdistricts. Uses within each TND subdistrict are listed in Section 6-4-2. Use and development restrictions within overlay districts are addressed in Article 5.

Use Description <i>P = permitted by right</i> <i>C = conditional use approved by staff</i> <i>PC = conditional use approved by PC</i> <i>SE = special exception approved by ZBA</i>	RESIDENTIAL									MIXED-USE		NON-RESIDENTIAL					
	R-1	R-1A	R-1C	R-2	R-3	R-3A	R-4	RZ	RC-2	UC	MU	B-1	B-2	B-3	M-1	M-2	AG
Short-Term Rentals*	C	C	C	C	C	C	C	C	C	C	C						C

6-4-2. Table of Uses for TND Subdistricts

The following Table of Uses for TND Subdistricts indicates how, where, and if uses are permitted in each subdistrict.

Use Description <i>P = permitted by right</i> <i>C = conditional use approved by staff</i>	TND-MR (Mixed Residential)	TND-NC (Neighborhood Center)	TND-NE (Neighborhood Edge)
Short-Term Rentals*	C	C	C

6-5-1. Accessory Uses and Structures

- A. **In General.** Accessory uses must be located on the same lot as the principal use or structure, except when one or more adjoining lots, not separated by a street, are held under the same ownership and the commonly held lots are being used as a single property. In such cases, an accessory use may be located on a commonly held adjoining lot. Accessory structures are subject to location and setback conditions as specified in Section 5-7-2.

B. Accessory Dwelling Units

1. No single-family dwelling or lot shall have more than one accessory dwelling unit.
2. No accessory dwelling unit shall be held in separate ownership from the principal dwelling unit, nor sold separately from the principal dwelling unit.
3. Accessory dwelling units may only have one kitchen.
4. Accessory dwelling units detached from the principal dwelling shall be part of an accessory detached garage. A unit may not exceed 1,000 square feet and the total structure (unit and garage) may not exceed 25 percent of the primary dwelling. The detached structure shall be designed to be architecturally compatible with the principal dwelling unit using similar materials, colors, and roof forms.
5. Accessory dwelling units attached to the principal dwelling unit or its attached garage shall be designed and attached in such a manner as to create an architecturally unified whole, with internal access provided, and not resulting in any change to the visible character of the street. A covered breezeway is not an acceptable form of attachment. The entrance to the accessory dwelling unit shall not be visible from the street in front of the principal dwelling unit.
6. The accessory dwelling unit must be compliant with all dimensional requirements for the underlying zoning district.
7. Additional driveways to the lot to accommodate the accessory dwelling unit are prohibited.
8. One additional on-site parking space must be provided for the accessory dwelling unit. The parking space must be paved and have an area of at least 180 square feet.
9. The City of Madison reserves the right to inspect the accessory dwelling unit for compliance.

6-5-37. Short-Term Rentals

- A. All Short-Term Rentals within the City of Madison shall be permitted only when in full compliance with the City of Madison Code of Ordinances.

Section 12-2. “Definitions of Terms and Words” is hereby amended by the addition of the following definition in appropriate alphabetical order:

Short-term Rental: A residential dwelling unit or residential accessory building that is offered for rent for periods of less than one hundred eighty (180) consecutive days. This term includes uses referred to as vacation rentals, transient rentals, short-term vacation rentals, and resort dwelling units. Hotels,

motels, bed and breakfasts, and other land uses explicitly defined and regulated by the Zoning Ordinance of the City of Madison separately from short-term rentals are not considered short-term rentals. Excludes a rental between parties to the sale of such dwelling unit or building where valid documentation of the sale is provided. Excludes rentals of property subject to the Alabama Uniform Residential Landlord and Tenant Act, Code of Ala. § 35-9A-101 et seq.

SECTION 2. Effective Date. This Ordinance shall become effective upon the final passage and adoption thereof by the City Council of the City of Madison, Alabama, and upon publication of its adoption as required by law.

SECTION 3. That this Ordinance shall become effective upon publication of its publication in the *Madison County Record* as required by law one time in said newspaper after its adoption following a public hearing.

READ, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Madison, Alabama, this ____ day of _____, 2026.

Maura Wroblewski, Council President
City of Madison, Alabama

ATTEST:

Lisa Thomas, City Clerk-Treasurer
City of Madison, Alabama