

## Quick Reference Guideline for Room Rental

**To contact a Zoning Inspector about your specific situation call (608) 266-4266**

### **TYPES OF ROOM RENTAL AND DEFINITIONS**

- **INCIDENTAL ROOM RENTAL.** Rental or leasing of rooms within a single-family residence, provided all of the following are met:
  - All rooms offered for rent are within, and share a main building entrance with, the landowner's primary residence.
  - No more than two (2) bedrooms are offered for rent.
  - One off-street parking space is provided for each rental room.
- **Transient or tourist.** A person who travels to a location away from his or her permanent or legal address for a short period of time, not to exceed twenty-nine (29) days, for vacation, pleasure, recreation, culture, business or employment.
- **TRANSIENT OR TOURIST LODGING.** A residence that rents more than two (2), but not more than eight (8), bedrooms to transient guests or tourists, where all of the following apply:
  - Rooms are rented to no more than twenty (20) individuals who are not members of the landowner's family.
  - Length of stay does not exceed twenty-nine (29) consecutive days for each registered guest.
- Transient or tourist lodging houses may include, but are not limited to: bed and breakfasts, hostels, and recreational cabins.
- **INDOOR COMMERCIAL LODGING.** A building or premises that provides lodging to transient or tourist guests, that meets at least one of the following criteria:
  - Provides more than eight (8) rooms available for transient guests.
  - Provides accommodations for more than twenty (20) transient or tourist guests at a time
- Indoor commercial lodging may include, but is not limited to: hotels, motels, inns or resorts.

### **SPECIFIC REGULATIONS BY ZONING DISTRICT**

#### **RESIDENTIAL DISTRICTS**

***SFR-08, SFR-1, SFR-2, TFR-08, MFR-08, RR-1, RR-2, RR-4, RR-8, RR-16, RM-8, RM-16***

- Incidental room rental is a permitted use.
- Transient or tourist lodging may be approved with a conditional use permit in all residential districts, except in the MFR-08 district, where it is a permitted use.
- Indoor commercial lodging is prohibited.

#### **FARMLAND PRESERVATION AND AGRICULTURE TRANSITION DISTRICTS**

***FP-35, FP-B, AT-35, AT-B, AT-5***

- Incidental room rental is permitted if associated with a permitted residence.
- Transient or tourist lodging may be approved with a conditional use permit in AT-5, and is prohibited in all other farmland preservation and agriculture transition districts.
- Indoor commercial lodging is prohibited.

#### **HAMLET DISTRICTS**

***HAM-R, HAM-M***

- Incidental room rental is a permitted use.
- Transient or tourist lodging is prohibited in HAM-R and is permitted in HAM-M.
- Indoor commercial lodging is prohibited in HAM-R and may be approved with a conditional use permit in HAM-M.

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**COMMERCIAL DISTRICTS**  
**GC, HC**

- Transient tourist lodging is a permitted use.
- Indoor commercial lodging may be approved with a conditional use permit.
- Please contact Public Health Madison & Dane County for licensing information: <https://www.publichealthmdc.com/environmental-health/licensing-permits/places-to-stay/short-term-rentals>