**CITY OF LA CROSSE, WISCONSIN**
**CITY PLAN COMMISSION**
**REPORT**
**May 1, 2017**

➢ **AGENDA ITEM – 17-0362 (Lewis Kuhlman)**

AN ORDINANCE to amend Sections 115-398(d) and (e) of the Code of Ordinances of the City of La Crosse regarding fences on nonresidential property and prohibited fences.

➢ **ROUTING:** J&A Committee, Public Hearing 5/2/17 7:30 p.m.

➢ **BACKGROUND INFORMATION:**

The intention of this ordinance change to the zoning code is to clarify height standards for fences on the property line between residential and commercial districts. Residential property may have fences up to 6 ft. by right or 8 ft. with a conditional use permit. Non-residential property may have fences up to 8 ft. by right. For fences abutting residential property, this ordinance would allow the non-commercial property a fence up to 8 ft. with the approval of the Fire Dept. and adjacent property owner. This ordinance may conflict with design standards in Sec. 115-554, which supersedes Sec. 115-398 according to Sec. 115-548. The change to prohibited fences may be a safety concern – a vacant lot surrounded by an 8ft. opaque fence may present a safety hazard as a place to hide illegal activity. Otherwise, it only *hides* potential blight instead of addressing it, which would be more in the public interest.

➢ **GENERAL LOCATION:** Citywide

➢ **RECOMMENDATION OF OTHER BOARDS AND COMMISSIONS:** None

➢ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**

Fences do not necessarily address land use compatibility, stem property deterioration, or restore underutilized properties; they just mask problems.

➢ **PLANNING RECOMMENDATION:**

**Approve with the following conditions:**
1. **"Solid vinyl or composite" be struck from (d) and "composite" be added to materials listed in (a). "Vinyl" is already listed there in the definition.**
2. **Fences up to 8 ft. are approved by CUP instead of the FD-DFPBS, similar to existing requirements for 8 ft. fences in residential districts.**
3. **(e) not be amended, and fences on *all* vacant land or parcels be prohibited**