

Original Proposed Ordinance Relating to Chapter 115 – Divided from 23-0867

SECTION II: Section 115-1 is hereby amended to remove the definition of tourist roominghouse and amend the definition of bed and breakfast establishment to read as follows:

Bed and breakfast establishment means any place of lodging in which the only meal served to guests is breakfast that provides rooms for rent and is:

- ~~(1) The owner's personal residence; and~~
- ~~(2) Occupied by the owner at the time of rental.~~

that provides 8 or fewer rooms for rent to no more than a total of 20 tourists or other transients for more than 10 nights in a 12-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

SECTION III: Section 115-149(c)(5) is hereby amended to read as follows:

- (5) *Lot area per family.* Every building hereafter erected or structurally altered in the Local Business District shall be provided with a lot area of not less than 1,000 square feet per family; provided, however, that this regulation shall not apply to ~~bed and breakfast establishments~~, motels, hotels or apartment hotels, where no cooking is done in any individual room, suite or apartment; provided, however, this requirement of having a lot area of not less than 1,000 square feet per family shall not pertain to high density residential units in the Central Business District defined as the area between Cameron Avenue, the Mississippi River, the La Crosse River and Seventh Street.

SECTION IV: Subsection 115-343(6) is hereby repealed.

SECTION V: Section 115-355 is hereby repealed.

SECTION VI: Subsection 115-142(a) is hereby created as follows:

- (11) Bed and breakfast inns meeting the requirements in Sec. 115-404.

SECTION VII: Subsection 115-143(a) is hereby created as follows:

- (11) Bed and breakfast inns meeting the requirements in Sec. 115-404.

SECTION VIII: Subsection 115-144(a) is hereby created as follows:

- (11) Bed and breakfast inns meeting the requirements in Sec. 115-404.

SECTION IX: Subsection 115-145(a) is hereby created as follows:

- (11) Bed and breakfast inns meeting the requirements in Sec. 115-404.

SECTION X: Subsection 115-157(a) is hereby created as follows:

- (13) Bed and breakfast inns meeting the requirements in Sec. 115-404.

SECTION XI: Section 115-404 is hereby created as follows:

Sec. 115-404. – Bed and Breakfast Inns.

Bed and Breakfast Inns must meet the following requirements:

- (a) The Inn shall be designated as a historic structure pursuant to the provisions of article II of chapter 20.
- (b) There shall be no substantial modifications to the exterior appearance of the structure, except for building code-compliant features added for public safety such as fire escapes and entrances for persons with disabilities.
- (c) No interior modification shall be injurious to this historic character of the structure, including but not limited to, floors, woodwork, chair rails, stairways, fireplaces, windows, doors, cornices, festoons, molding, and light fixtures.
- (d) Nothing which contributes to the historic nature of the neighborhood in which the bed and breakfast inn is located may be removed to provide additional space for the inn or parking for the inn.
- (e) The Inn shall contain at least 2,000 square feet of normal residential space, exclusive of garages and storage sheds.
- (f) The Inn may have up to four rooms for rent.
- (g) An owner with a 25 percent or greater interest in the inn shall reside on site.
- (h) There shall be no other bed and breakfast inn within 400 feet of the property. Since bed and breakfast inns are a commercial use, the intent of this buffer is to preserve the residential character of surrounding neighborhood.
- (i) Breakfast served on the premises shall only be for guests and employees of the inn; no other meals shall be provided on the premises.
- (j) Rooms may not be equipped with cooking facilities.
- (k) Lavatories and bathing facilities shall be building code-compliant and available to all persons staying at the Inn.

SECTION XII: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION XIII: This ordinance shall take effect and be in force from and after its passage and publication.