

ORDINANCE NO.: _____

AN AMENDED ORDINANCE to amend Section 115-34 of the Code of Ordinances of the City of La Crosse regarding frequency of rezoning and conditional use permit applications.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 115-34 is hereby amended to read as follows:

~~SECTION II:~~ After a petition or ordinance for rezoning of property has been heard and denied, no other petition or ordinance by the same owner affecting the same property or portion thereof, requesting the same change in zoning shall be filed, introduced or heard for a period of one year from the date of said denial, unless there is a substantial change in circumstances. The determination as to whether a substantial change in circumstances exists is in the discretion of the Common Council. Petitioner shall put the request for substantial change in writing and submit with the petition or ordinance re-filing to be considered simultaneously. This Section 115-34 does not, however, prohibit a petition or ordinance for rezoning for property rezoned as part of a comprehensive rezoning wherein property owners are allowed a onetime opportunity to rezone their property to the former zoning within a one-year period of time at no cost to them. After an application for a conditional use permit regarding certain property has been heard and denied, no other application requesting the same conditional use by the same owner at the same location can be filed or heard for a period of one year from the date of said denial.

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

Christine Kahlow, Council President as Acting Mayor

Nikki M. Elsen, City Clerk

Passed:
Approved:
Published:

CERTIFICATE OF CITY CLERK

This ordinance is approved notwithstanding the failure of the Acting Mayor to affix her signature thereto by virtue of the provisions of Sec. 62.09(8), Wis. Stats.

_____/s/_____, City Clerk