

ORDINANCE NO.: 4764

A THIRD AMENDED ORDINANCE to create Subsection 8.07(I) of the Code of Ordinances of the City of La Crosse to establish a moratorium regarding the conversion of single-family homes into rentals in the (R-1) Single Family Residence District and Washburn Residential District.

ORDINANCE

WHEREAS, the Common Council finds it necessary to study and develop an effective program to regulate the location and impacts of single-family home conversions to rental properties within the (R-1) Single Family Residence District and Washburn Residential District;

WHEREAS, the need for a moratorium on single-family home conversions to rental properties within the (R-1) Single Family Residence District is further defined in the attached Issue Brief entitled, Moratorium on Granting New Rental Registration for Single-Family Homes in the R1 District from the Planning Department;

WHEREAS, the attached final report from the City-County Housing Task Force dated January, 2012 identified the proliferation of rental properties in La Crosse as well as the disproportionate number of orders to correct for rentals versus owner occupied units;

WHEREAS, Municipal Code Section 8.07 requires that a one family dwelling within the (R-1) Single Family Residence District and Washburn Residential District register not less than sixty (60) days prior to its conversion to a rental dwelling;

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

SECTION I: Subsection 8.07(I) is hereby created to read as follows:

(I) Moratorium.

- (1) Purpose. The Common Council finds that it is necessary to preserve one family dwellings within the (R-1) Single Family Residence District and Washburn Residential District in order to study the impact of the conversion of such dwellings to rental dwellings to determine the public health, safety, welfare, quality of life, aesthetic and erosion of tax base implications created by this type of conduct. The Common Council notes that this Code currently regulates the conversion of one family dwellings into rental dwellings in Section 8.07 by prohibiting conversions without registration. However, the Council finds that the City's existing definitions and regulations as set forth in this Code may need to be amended to codify its current intent and purpose and also may be inadequate to respond to current trends, externalities and effects. Therefore, the Council finds that a study is necessary to determine whether this Code and regulations are adequate to regulate the conversion of one family dwellings or whether it is necessary to adopt new regulations. The Common Council establishes by this ordinance a moratorium protecting the public health, safety, and welfare and preserving one family dwellings within the (R-1) Single Family Residence District and Washburn Residential District.
- (2) Establishment of Rental Dwelling Restricted. For a period of up to six (6) months from the effective date of this ordinance, no

zoning, building or other approval, permit, license, registration, or privilege shall issue for the conversion, change, transfer, establishment or registration of any one family dwelling into a rental dwelling on any parcel of land, lot, or part thereof, within the (R-1) Single Family Residence District or Washburn Residential District within the boundaries of the City of La Crosse.

(3) No Action. For a period of up to six (6) months from the effective date of this ordinance, no City department, officer or employee shall take any action which would authorize, approve or otherwise facilitate:

(a) The establishment of a rental dwelling contrary to Section 8.07(I) (2) of this Code; or

(b) The issuance of any initial registration, including, without limitation, a one family dwelling that is currently being used as of the effective date of this ordinance as a rental dwelling and is not registered with the City, Building & Inspection Department or a renewal registration after revocation of a one family dwelling to a rental dwelling under Section 8.07 of this Code.

(4) Committee. A committee to be called the Single Family Conversion Ad Hoc Committee is hereby established and directed to commence a study of the impacts of the conversion of one family dwellings into rental dwellings within the (R-1) Single Family Residence District and Washburn Residential District on the public health, safety, and welfare, quality of life, aesthetics and tax base in light of existing regulations and to propose such amendments to this Code or other regulations that it deems necessary and advisable. Said committee shall consist of two (2) citizen members and three (3) council members to be appointed by the Mayor. The Mayor shall be an ex officio non-voting member of the Committee.

(5) Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this ordinance may apply to the Common Council Judiciary and Administration Committee for a waiver of all or a portion of the applicable restrictions as provided in Section 8.07(I). A waiver may be granted where the Common Council Judiciary and Administration Committee finds substantial and ~~extraordinary~~ significant hardship caused by the restrictions and finds that the waiver will not unduly affect the integrity of the study or the purposes for which this ordinance is enacted.

SECTION II: This ordinance shall take effect after its passage and publication

_____/s/_____
Tim Kabat, Mayor

_____/s/_____
Teri Lehrke, City Clerk

Passed: 7/11/13
Approved: 7/12/13
Published: 7/20/13