

ORDINANCE NO.: 5076

AN AMENDED ORDINANCE to create Chapter 2, Article VII, Division 4 of the Code of Ordinances of the City of La Crosse regarding Parking Benefit District.

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

SECTION I: Chapter 2, Article VII, Division 4 is hereby created to read as follows:

DIVISION 4: PARKING BENEFIT DISTRICT

**Sec. 2-370. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Board* means the Board of Public Works or other applicable governing body as enumerated in Sections 2-472 and 44-113 of this Code.

*Business owner* means a person who holds title to or leases property for the purpose of operating or engaging in a trade, occupation, profession or other lawful commercial activity.

*City parking facility* means property that is owned or controlled by the City and that is used, wholly or partially, for off-street motor vehicle parking, including, but not limited to, a parking lot, a surface lot, or a parking garage.

*Curbside parking space* means an on-street parking space located adjacent to the curb on the public right-of-way, excluding those portions of the right-of-way where the parking of any motor vehicle is prohibited. Here, public right-of-way refers to the area on, below, or above a public roadway, highway, street, or utility easement in which the City has an interest.

*District* means parking benefit district.

*Improvements* means, but is not limited to, public amenities and beautification that enhance the quality of life and public safety in the parking benefit district, such as: increased security, enhanced cleanliness and clean-up efforts, sidewalk and pedestrian walkway improvements, street furniture, street maintenance, street lights, landscaping, tree planting and maintenance, parking studies, parking facilities, improvements that promote walking, bicycling, and the use of public transportation, wayfinding, and costs associated with the administration of the district.

*Parking benefit district* means an area designated as such pursuant to this division in which a percentage of funds collected from paid curbside parking spaces or parking spaces in a city parking facility within the district are used to fund improvements within the district.

*Neighborhood association* means a neighborhood association recognized by the City pursuant to Section 2-554 of this Code.

*Record owner of real property* means the owner of real property as shown on the tax records.

*Resident* means the owner or tenant of residential property.

**Sec. 2-371: Parking benefit district.**

- (a) Parking benefit district requirements.
- (1) A parking benefit district shall be created or dissolved by resolution. Said resolution shall describe the district boundaries, proposed improvements and their estimated costs.
  - (2) Any modification to the district shall be by resolution.
  - (3) Funds received within a district from paid curbside parking spaces and parking spaces in a city parking facility, collectively known as paid parking spaces, shall be set aside to pay for improvements within the parking benefit district. Available funds for improvements will be determined by the Parking Utility staff, after a review of parking revenues and expenses. The resolution creating the district shall specify the percentage of funds from the paid parking spaces to be allocated to improvements within the district.
  - (4) Parking Utility staff, in consultation with the Board, shall develop administrative rules and practices to manage and operate districts created under this division.
  - (5) The Board, in consultation with the applicable neighborhood associations, property owners, residents, businesses and Parking Utility staff, shall determine the timing and order in which the improvements identified in the resolution creating or modifying the district will be implemented.
- (b) An application for the creation of a district or modification of an existing district may be initiated by:
- (1) A representative of a recognized neighborhood association whose boundaries are completely or partially located within the proposed district;
  - (2) A business owner, resident or property owner whose business, residence or property is located within the proposed district;
  - (3) A member of the Common Council; or
  - (4) The mayor.
- (c) Pre-application requirements.
- (1) Prior to submittal of an application for the creation of a district or modification of an existing district, a pre-application information meeting with the Board is required.
  - (2) Following the pre-application information meeting with the Board, a pre-application community meeting is required before an application for the creation or modification of an existing district is submitted to the City.
  - (3) At least 21 days prior to the required community meeting and in coordination with the City, the applicant shall send notification of the community meeting. Said notification shall include the community meeting date, time, location, subject matter, and applicant contact information. The reasonable costs for mailing said notification shall be provided by the Parking Utility, to be reimbursed from revenues generated by said district if created or amended. Said notification shall be sent by:
    - a. Electronic or regular mail to the leaders of all recognized neighborhood associations whose boundaries are located within 1,500 feet of the proposed or modified district; and
    - b. Regular mail to all owners of real property located within 500 feet of the proposed or modified district.
- (d) Application requirements. At a minimum, the application for the creation of a district or the modification of an existing district shall include:

- (1) The boundaries of the proposed district or modification to the boundaries of an existing district identified by streets, alleys or applicable city right-of-way;
- (2) An explanation of the need for the proposed district or modification of an existing district;
- (3) Identification of other parking management tools that have been requested, if any;
- (4) Proposed improvements or services, in priority order, to be funded by the district, including estimated costs, timeline for completion, and expected operations costs; and
- (5) If a vote on the application occurred at the pre-application community meeting, the results of said vote.

(e) Application submittal and review.

- (1) An application shall be submitted to the Parking Utility staff. The staff will review and make a recommendation on the creation or modification of the district to the Board.
- (2) If the proposed district is located within the boundaries of a parking assessment district, an approved redevelopment area, or a similar type of district, the application shall be routed to the applicable governing body for review and comment.
- (3) If the proposed district or modifications to an existing district is located within the boundaries of a recognized neighborhood association, then said neighborhood association shall meet and review the application and make a recommendation on the creation or modification of the district to the Board within 30 days upon receipt of the application. If no recommendation is received within this timeframe, the City may proceed without the recommendation.
- (4) The Board shall meet and review each application for the creation of a district or the modification of an existing district and make a recommendation to the Common Council.
- (5) The Common Council shall consider a resolution for the creation of a proposed district or modification to an existing district after a complete application is filed and comments and recommendations by applicable entities and governing bodies has been received.

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 effective upon passage and publication.

\_\_\_\_\_/s/\_\_\_\_\_  
 Timothy Kabat, Mayor

\_\_\_\_\_/s/\_\_\_\_\_  
 Teri Lehrke, City Clerk

Passed: 2/14/19

Approved: 2/18/19

Notice of Adoption (summary) Published: 2/23/19