

ORDINANCE NO.: 5211

AN ORDINANCE to amend the introductory paragraph of Section 115-393 of the Code of Ordinances of the City of La Crosse eliminating off-street parking requirements for non-residential uses in commercial zoning districts.

SECTION I: Subsection 115-393 is hereby amended as follows:

Sec. 115-393. - Off-street parking.

(a) The following requirements in this section apply in ~~in~~ all zoning districts except Light Industrial and Heavy Industrial, all non-residential uses in Local Business, Commercial, and Community Business, and excepting that area located within the following boundaries, to wit:

Beginning at the southwest corner of La Crosse Street and 7th Street; thence southerly along the west line of 7th Street to the north line of Cass Street; thence westerly along said north line to the west line of Second Street; thence northerly along said west line to the south line of the Harborview Area; thence westerly along said south line to the Mississippi River east bank; thence northerly along said east bank to the La Crosse River; thence northeasterly along the river to a point where 7th Street if extended would intersect; thence south along the west line of 7th Street extended to the point of beginning, and;

Beginning at the intersection of the southerly right-of-way line of St. James street and the southerly extended alley centerline of Block 19 of the North La Crosse Addition; thence north across St. James Street and along the centerlines and extensions thereof of alleys in Blocks 19, 12, 9 and 2 of the North La Crosse Addition; thence continue north along the centerlines of alleys in Blocks 3 and 6 of Northern Addition to the easterly extended line of Lot 9, Block 6 of the Northern Addition; thence west to the northeast corner of said Lot 9 of Block 6; thence continuing west along the north line of Lot 9 to the northwest corner of Lot 9 also being a point on the east right-of-way line of Caledonia Street; thence south along the east right-of-way line of Caledonia Street to a easterly extended line six feet south of the north line of Lot 13, Block 7 of the Northern Addition; thence west parallel to the north line of said Lot 13 to the west right-of-way line of Caledonia Street; thence continue west parallel to said north line of Lot 13 to the centerline of the alley in Block 7 of said Northern Addition; thence south along the centerlines and extensions thereof of alleys in Block 7 and 2 of Northern Addition; thence continue south along the centerlines and extensions thereof of alleys in Blocks 3, 8 and 13 of the North La Crosse Addition and continuing south to the south right-of-way line of Wall Street; thence east along the south line of Wall Street to the west right-of-way line of Caledonia Street; thence south along said west right-of-way line of Caledonia Street to the south right-of-way line of St. James Street; thence east along the south right-of-way line of St. James Street to the point of beginning. The properties located within this boundary must have a C1-Local Business, C2-Commercial, or C3-Community Business zoning and have dedicated commercial space on the ground floor in order to be exempt from the off-street parking requirements. Subsection ~~(g)~~(6) of this section is not waived for the area described in this subsection. The off-street parking provisions of this ordinance shall apply as follows:

~~(b)~~(1) For all buildings and structures erected and all uses of land established after September 10, 1970, accessory parking facilities shall be provided as required hereinafter. However, where a building permit has been issued prior to September 10, 1970, and provided that construction is begun within 12 months of September 10, 1970, and diligently prosecuted to completion, parking facilities as required hereinafter need not be provided unless required by subsection ~~(4)~~(11) of this section.

~~(e)~~(2) When the intensity of use of any nonresidential building, structure or premises is increased through the addition of dwelling units, storage, seating capacity or other units of measurement specified herein for required parking facilities, parking facilities as required herein shall be provided for such increase in intensity of use. When the intensity of use of any residential structure or premises is increased through the addition of dwelling units or other units of measurement specified herein for required parking facilities, off-street parking spaces shall be provided not only for the increase in the intensity of use but also for the dwelling units which existed prior to the increased intensity of use.

~~(d)~~(3) No building or structure lawfully erected or used lawfully established prior to September 10, 1970, shall be required to provide such additional parking facilities as required in subsection (c) of this section, unless and until the aggregate increase in units of measurement shall equal not less than 15 percent of the units of measurement existing on September 10, 1970, in which event parking facilities required herein shall be provided for the total increase.

~~(e)~~(4) Adequate access to a public street shall be provided for each parking space.

~~(f)~~(5) Size of each parking space shall not be less than 8.5 feet in width and 17 feet in length exclusive of access drives or aisles. The design of the off-street parking area in which more than four spaces are required shall be approved by the City Engineer in order to ensure that it is of usable shape and condition. In reviewing the design of the parking area which shall be drawn to scale by the applicant, the City Engineer shall utilize the parking area design standards set forth in Harris-Barrier Parking Techniques, 1970 Edition, as a guide in making a decision to approve or not to approve. Failure to provide the off-street parking area according to the plans approved by the City Engineer shall be considered a violation of this chapter. No access drives, driveways or parking spaces shall be located in any Residential or Multiple Dwelling zone to provide access or parking to uses other than those permitted in a Residential or Multiple Dwelling zone. All off-street parking areas provided shall be maintained in usable condition at all times.

~~(g)~~(6) Except as to those properties that receive an exception from the Common Council, after due notice and public hearing, and property used exclusively as one- and two-family dwellings for areas bounded by the Mississippi River, 7th Street, Cameron Avenue and the La Crosse River, all off-street parking, loading, storage, waste receptacle and recycling container storage areas, and driveway areas shall be graded and surfaced with asphalt, decorative paver brick, concrete or other impervious or pervious pavement material and properly drained in accordance with plans approved by the City Engineer's Office by June 1, 2007. Any parking area for five or more vehicles shall also be cleared of any

accumulation of snow or ice. All off-street parking areas shall be graded and surfaced so as to be dust-free and properly drained. Any parking area for five or more vehicles shall also be cleared of any accumulation of snow or ice.

~~(h)~~(7) Any parking area for more than five vehicles shall have the aisles and spaces clearly marked.

~~(i)~~(8) Curbs or barriers shall be installed on any parking area for more than five vehicles so as to prevent vehicles from extending over any lot line.

~~(j)~~(9) Off-street parking spaces for uses in the Single Family Residence, Special Residence, Low Density Multiple Dwelling, Multiple Dwelling and Special Multiple Dwelling zones shall not be located between the front building line and the street line. On corner lots, this restriction also shall apply to the space between the side street line and the side building line. Required off-street parking space, including access drives and aisles, shall not cover more than 75 percent of the lost area in which such off-street parking space is permitted. No parking is permitted in the front setback area of any commercially zoned property (C-1, C-2 or C-3) if the principle use is for residential dwelling purposes.

~~(k)~~(10) The number of parking spaces required as shown in the following list:

~~(4)~~(i) Uses, minimum parking requirements, units of measurement:

One-family Dwellings and Mobile Homes, two parking spaces for each dwelling unit. Two-family Dwellings, two parking spaces for each dwelling unit; provided, however, should any dwelling unit contain three or more bedrooms there shall be provided one additional parking space for each additional bedroom or enclosed room which may be utilized for sleeping purposes, whichever number is larger. Multifamily Dwellings, 1.5 parking spaces for each dwelling unit; provided, however, should any dwelling unit contain three or more bedrooms there shall be provided one additional parking space for each additional bedroom or enclosed room which may be utilized for sleeping purposes, whichever number is larger; provided, however, the maximum number of parking spaces required for Multifamily Dwellings shall not exceed four per dwelling unit.

Hotels, motels and tourist homes, one parking space for each dwelling unit or guest room, plus one parking space for each three employees.

Boardinghouses, one parking space for each two beds plus one parking space for each three employees.

Private clubs and lodges (without sleeping facilities), one parking space for each 150 square feet of floor area.

Private clubs and lodges (with sleeping facilities), one parking space for each guestroom, plus one parking space for each three employees.

Fraternities, sororities and dormitories, one parking space for each three beds (exclusive of those beds occupied by persons enrolled in an institution of learning, prohibited by administrative order of that institution from bringing motor vehicles onto such premises).

Hospitals, one parking space for each two beds, plus one parking space for each three employees.

Sanitariums, rest and nursing homes, one parking space for each five beds, plus one parking space for each three employees.

Medical and dental clinics, three parking spaces for each doctor.

Funeral Homes, six parking spaces for each chapel or parlor, plus one parking space for each funeral vehicle kept on the premises.

Places of assembly and recreation, including stadiums, arenas, auditoriums, (other than church, college or institutional school) convention halls, theaters, places of worship, and other similar places of assembly, one parking space for each five seats.

Schools (including nursery, elementary and junior high), one parking space for each two employees.

High schools, one parking space for each two employees, plus one parking space for each student authorized by school officials to drive private automobiles to school to attend regularly scheduled classes.

Colleges and universities, one parking space for each two employees, plus one parking space for each three full-time students allowed private automobiles and who are not residing in school approved dormitories or fraternities and sororities.

Business, professional and trade schools, one parking space for each two employees plus one parking space for each three students based on the maximum number of students attending classes on the premises at any one time during any 24-hour period.

Financial institutions, business, government and professional offices, one parking space for each 300 square feet of floor area.

Retail stores or personal service establishments (except those listed separately), restaurants, bars, places of entertainment and similar establishments, one parking space for each 150 square feet of floor area.

Drive-in banks, self-service automobile laundries, or similar drive-in establishments, three stacking places per teller or customer window. Automobile Laundry (excluding self-service automobile laundries), 20 stacking spaces for each wash rack, plus one parking space for each three employees.

Bowling alleys, five parking spaces for each alley, plus such additional spaces as are required for affiliated uses - bars, restaurants, and the like.

Manufacturing and processing plants, laboratories, wholesale houses, one parking space for each two employees and one parking space for each vehicle used in the conduct of the enterprise.

Day care centers licensed by the Wisconsin Department of Children and Families which for compensation provide care and supervision for four or more children under the age of seven for less than 24 hours a day shall provide off-street parking at the rate of two parking sites for the first ten children and one additional site for each ten additional children or part thereof. One parking space shall also be provided in addition for each two employees.

~~(2)~~(ii) Uses not listed.

In the case of structures or uses not mentioned, the provisions for a use which is similar shall apply.

For the above uses, parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.

(11) The number of off-street parking spaces serving a building or use which was in existence on March 9, 1972, or was provided voluntarily after March 9, 1972, shall not hereafter be reduced below, or if already less than, shall not further be reduced below, the requirements of this chapter for a similar new building or use, unless a surety bond as specified in section 2-3 is posted with the City. Such existing off-street parking spaces shall not be utilized to satisfy the off-street parking requirements required in subsection (k)(10) of this section.

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.

_____/s/_____
Mitch Reynolds, Mayor

_____/s/_____
Nikki M. Elsen, City Clerk

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