

**CITY OF LA CROSSE, WISCONSIN
CITY PLAN COMMISSION
REPORT
June 28, 2021**

Ø AGENDA ITEM – 21-0758 (Lewis Kuhlman)

AN ORDINANCE to amend Section 115-148(b)(1) and (2) and Section 115-343(13) of the Code of Ordinances of the City of La Crosse regarding conditional uses in the Washburn District.

Ø ROUTING: J&A 6.29.2021

Ø BACKGROUND INFORMATION:

The intention of this ordinance is to no longer allow conditional uses in the Washburn Residential Zoning District (WR) to permit multi-unit residences. As a result of the 2002 Washburn Neighborhood Plan, the City established the Washburn Residential Zoning District and conducted a comprehensive rezoning of a good portion of the neighborhood this zoning district. 12 parcels have received conditional use permits (CUPs) for multi-unit residences in WR through 2020. There are also multi-unit residences in WR that are allowed to continue as legally nonconforming uses, meaning they met the zoning district standards when they were built.

WR has almost the same regulations as the R1-Single-Family Residence District. WR differed from R1 in that it allowed multi-unit residences via CUP and requiring multi-unit residential design review. The City implemented a design review process for all multi-unit residences in 2010.

The following conditional uses that were previously allowed would no longer be permitted as well as adult day care providers, nursing and care homes, family day care home services by non-residences, combining undeveloped residential lots, attached dwelling units for caretaker or infirmed family member, cemeteries, second accessory structure on an adjacent lot, structures that were originally constructed as commercial uses to be used as commercial uses, day care centers, churches, residential fences exceeding six feet in height, community living arrangements, and demolition for parking lots or green space.

Wisconsin 2017 Act 67 requires that conditional use permits be granted if they meet all the requirements and conditions specified in the zoning ordinance. CUPs can't be denied for personal preference or speculation.

Ø GENERAL LOCATION:

Washburn Neighborhood, WR District parcels south of Cass St to 7th St, and south of Main St to West Ave, west of West Ave, north of Jackson St, and east of the Mississippi River.

Ø RECOMMENDATION OF OTHER BOARDS AND COMMISSIONS:

None.

Ø CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:

The Future Land Use Map shows the subject parcels as mostly Traditional Neighborhood Development. This includes a variety of housing unit types and densities, along with small-scale retail and service businesses.

Ø **PLANNING RECOMMENDATION:**

Approval – Property owners will still be allowed to have multi-unit residences within the Washburn Neighborhood. They would just have to go through the standard process of rezoning instead of the conditional use permit process. This change is consistent with the process for change uses on most parcels and would not require a future owner to reapply. The other conditional uses may simply require a rezoning or in some cases, a rezoning and a CUP. However, if the Plan Commission may choose to remove Section I and II from the ordinance if it finds a two-step process overly burdensome.

WR is largely redundant and could be replaced with R1 in most cases. Property owners that have a CUP or are nonconforming uses could be rezoned to their appropriate zoning district. This would be consistent with the variety of housing types and densities suggested in the comprehensive plan. Planning staff will be working with the neighborhood association and residents to see if a comprehensive rezoning is a good opportunity to have zoning match the housing as it is and as the residents want it.