

ORDINANCE NO.: 5105

AN ORDINANCE to create Section 115-185 of the Code of Ordinances of the City of La Crosse establishing the Bridgeview Neighborhood Center Zone Overlay District.

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

SECTION I: Subsection 115-185 is hereby created as follows under the authority of State Statutes Chapter 62.23 7 (b):

Sec. 115-185 – NC-Neighborhood Center Overlay Districts.

- (a) *Purpose and Intent.* The N-C Overlay District addresses transitional redevelopment areas, typically at the edges of more intense mixed-use centers, in La Crosse's most compact neighborhoods. These areas are defined by a mix of homes and stores. Where this overlay district is adopted by applicability as stated in 115-185 (b), it shall supersede the requirements of the underlying zoning districts.
- (b) *Applicability.* Bridgeview Neighborhood Center Overlay District, Commencing at the northeast intersection of the Palace Street and Rose Street/US53 right of way, continuing northeasterly along the Rose Street/US 53 right of way and along the southern right of way of Interstate 90, to the intersection of the wester property line of the parcel at 2940 Wittenberg Place, known as Wittenberg Park, Tax # 10255-100, continuing southerly along the entire eastern property line of Wittenberg Park to the northeast intersection of the property lines of 2940 Wittenberg Place (Wittenberg Park) then continuing east to the CP Rail right of way, then south along the CP Rail right of way to the intersection with the Hamilton Street right of way, then southwesterly across Hamilton Street to the northern right of way of Salem Road then continuing along the northern right of way line of Salem Road to the northwest intersection of the rights of ways of Salem Road to a point along the Salem Road right of way perpendicular to the southeast intersection of Wood Street and Salem Road, continuing south along the east right of way line of Wood Street to the southeast corner of the rights of ways of Wood Street and Campbell Street, continuing west along the south right of way line of Campbell Street to the southeast intersection of the rights of ways of Campbell Street and George Street, then continuing south along the east right of way line of George Street to the southeast intersection of the rights of ways of George Street and Cunningham Street, then westerly along the southern right of way line of Cunningham Street to the southeast intersection of the rights of ways of Cunningham Street and Kane Street, continuing south along the eastern right of way of Kane Street to the northeast intersection of the rights of ways of Kane Street and Palace Street to the point of beginning, excepting all public right of way within described area. This overlay district shall include the parcels indicated in Exhibit C. This overlay district is only applicable within the above stated boundaries and for existing parcels or land assemblies over an acre.
- (c) *Building Types.* Form requirements of the neighborhood center zones are streamlined to allow for a mix of the following building types are permitted in the N-C zone: Single Family Housing, Multi-Family Housing, Mixed Use Commercial-Residential, Neighborhood Commercial, and Community Facilities.
- (d) *General.* All development in the N-C district must comply with the design standards including the following:

- (1) Frontage Elements
- (2) Principal Uses
- (3) Accessory Uses
- (4) Temporary Uses
- (5) Landscaping
- (6) Fences and Walls
- (7) Stormwater
- (8) Outdoor Lighting
- (9) Corner Visibility
- (10) Site Impacts
- (11) Pedestrian Access
- (12) Bicycle Access and Parking
- (13) Vehicle Access and Parking
- (14) Transportation Demand Management
- (15) On Premise Signs
- (16) Blocks
- (17) Rights of Way
- (18) Non Conformities

- (e) *Specific Standards.* Any building on the site that houses professional or administrative offices, retail and services, or other uses open to the general public should be positioned so as to relate strongly to the adjacent public right-of way; i.e., by directly abutting the public right-of way, or by being sited within a lawn no more than 10 feet set back from the public right-of-way. Rear and Side Yard Setbacks are flexible, but must meet fire code requirements. All other area standards are flexible and subject to administrative review and approval as part of Design Review. Buildings in the N-C district must meet the City's Design Standards and generally with adopted City Plans recommending a preferred land use strategy.
- (f) *Principal Uses.* Permitted Uses in the N-C district include all uses permitted in the City's Residential and Local Business Districts.
- (g) *Accessory Uses.* Accessory Uses Permitted in the N-C District include all permitted accessory uses in the City's Residential and Local Business Districts.
- (h) *Conditional Uses.* Conditional Uses Permitted in the N-C District include all permitted accessory uses in the City's Residential and Local Business Districts.
- (1) *Demolitions.* Demolitions permitted by conditional use permits on parcels less than 1 acre shall retain the underlying zoning until such time as they are combined with adjoining parcels, comprising a total of over 1 acre. Upon the approved combination of parcels comprising over 1 acre, the resulting parcel of over 1 acre shall be granted NC Zoning. In no case shall land assemblies be permitted with over 1 principal structure remaining, unless allowed by the City's code.
- (i) *Temporary Uses.* Temporary Uses Permitted in the N-C District include all permitted accessory uses in the City's Residential and Local Business Districts.
- (j) *Architectural materials, Landscaping, Fences and Walls, Stormwater, Outdoor Lighting, Corner Visibility, Site Impacts, Pedestrian Access, Bicycle Access and Parking, Vehicle and Transit Access.* Architectural Materials, Landscaping, Fences and Walls, Stormwater,

Outdoor Lighting, Corner Visibility, Site Impacts, Pedestrian Access, Bicycle Access and Parking and Vehicle and Transit Access must meet the requirements of the City's design standards.

- (k) *Parking*. Vehicular Parking must meet the requirements of the City's design standards. Off street parking requirements is required for each use type according to the City's Code of Ordinances, however, residential uses are only required to have 1 off street stall per unit and shared off street parking space is highly encouraged and will be considered acceptable in meeting the City's requirements provided the demand-time for spaces are not in conflict. An additional administrative reduction of up to 25% for off street parking requirements may be granted by the City's Planning and Development Department upon receipt of a request and justification narrative by the owner/developer with proof the developer/applicant is implementing Transportation Demand Management for the project.
- (l) *Transportation Demand Management*. Developments in the N-C district must implement recommendations of the City's Transportation Demand Management Plan as part of the design review submittal to the Department of Planning and Development.
- (m) *On Premise Signs*. On premise signs must meet the requirements of the City's code.
- (n) *Block Connectivity*. New vehicular rights-of-way must connect to and extend the existing block network where possible. This requirement does not apply to portions of the district boundary where connections cannot be made because of physical obstacles, such as prior platting of property, existing structures or other barriers, steep slopes (slopes over 15%), wetlands and water bodies, railroad and utility rights of-way, existing highway rights-of-way, and parks and dedicated open space.
- (o) *Rights of Way*. All vehicular rights-of-way must terminate at other vehicular rights-of-way, forming a network; however, partially vacated right of way may be used for redevelopment purposes where opportunity exists to maintain transportation linkages.
- (p) *Non Conformities*. Authority to Continue. Any use, structure, lot, or sign that was lawfully established prior to, and has been made nonconforming as of, the effective date or subsequent amendment of this Ordinance, may continue so long as the nonconformity remains otherwise lawful and complies with this section. Any rights conferred upon a nonconformity run with the property and are not affected by changes in tenancy or ownership. Proof of Nonconformity. The burden of establishing the prior existence of a nonconformity is on the applicant. When applying for any permit or approval related to a nonconformity, the applicant may be required to submit evidence of a prior permit or other documentation showing that the nonconformity existed prior to the date on which it became nonconforming. Expansion. A nonconforming use may not be expanded in area or increased in intensity. Non Conformities shall be subject to the provisions in 115-33 of the City code.
- (q) *Density*. In cases where residential redevelopment is proposed, density in the Neighborhood Center Overlay District shall be a minimum of 10 units per acre, measured over the entire redevelopment area affected by the redevelopment proposal.

SECTION II: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of the article shall not be affected.

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

_____/s/_____
Timothy Kabat, Mayor

_____/s/_____
Teri Lehrke, City Clerk

Passed: 9/12/19

Approved: 9/13/19

Summary Published: 9/21/19