

ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE to repeal and recreate Section 115-403 of the Code of Ordinances of the City of La Crosse relating to Traditional Neighborhood Development zoning.

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

SECTION I: Subsection 115-403 is hereby repealed and recreated as follows:

Section 115-403. Traditional Neighborhood Development

- (a) *Purpose and intent.* The purpose of this ordinance is to allow the optional development and redevelopment of land in La Crosse consistent with the design principles of traditional neighborhoods.
- (1) A traditional neighborhood:
- a. Is compact.
  - b. Is designed for the human scale.
  - c. Provides a mix of uses, including residential, commercial, civic, and open space uses in close proximity to one another within the neighborhood.
  - d. Provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes.
  - e. Incorporates a system of relatively narrow, interconnected streets with sidewalks, bikeways, and transit that offer multiple routes for motorists, pedestrians, and bicyclists and provides for the connections of those streets to existing and future developments.
  - f. Retains existing buildings with historical features or architectural features that enhance the visual character of the community.
  - g. Incorporates significant environmental features into the design.
  - h. Is consistent with the La Crosse's Comprehensive Plan or other applicable area plans.
- (2) The Traditional Neighborhood Development District under this chapter will allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the community.
- (b) *Applicability.*
- (1) Traditional Neighborhood Development is for lot sizes less than 2 acres.
  - (2) In Traditional Neighborhood Development District, such development may encompass one or more principal uses or structures and related accessory uses or structures with a continuity of design and development, under a unified specific and precise comprehensive development plan. There may be a combination of land uses, including a variety of residential types, commercial, industrial, public and semi-public areas, arranged and designed in accordance with sound land planning principles and development techniques; and in such a manner as to be properly related to each other, the surrounding community, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools and utilities.
  - (3) The use or uses of each Traditional Neighborhood Development District shall be individually or specifically approved and may be a use permitted in the Single-Family Residence, Residence, Multiple Dwelling, Local Business, Commercial, Light Industrial, Heavy Industrial, Public and Semi-Public, Public Utility, or Parking Lot Districts, or a combination of uses permitted in the different zoning districts.

(c) *Application Procedure.* Prior to the issuance of any permits for development within a Traditional Neighborhood Development District, the following steps shall be completed according to the procedures outlined in this section:

- (1) *Pre-petition conference.* Prior to filing the rezoning petition for Traditional Neighborhood Development with the City Clerk's Office, the applicant shall meet with the Department of Planning, Development and Assessment to discuss the scope and proposed nature of the development and the procedure for approval, including submittal requirements and design standards.
- (2) *Petition.* Following the pre-petition conference, the applicant may file a petition with the City Clerk's Office for an amendment to the City's Master Zoning Map requesting designation as a Traditional Neighborhood Development District. The procedure for rezoning to a Traditional Neighborhood Development District shall be as required for any other change in zoning district boundaries, except that in addition thereto, the rezoning may only be considered in conjunction with a comprehensive development plan and shall be subject to the following additional requirements. The comprehensive development plan may be in the form of a general development plan in order to receive concept approval therefore requiring a two-step process or in the form of a combined general and specific comprehensive development plan in order to receive final approval in a simultaneous, single step approval process. Such petition shall be accompanied by a permit fee in the amount established by resolution.
  - a. *General Implementation Plan.* The purpose of the General Implementation Plan is to establish the intent, density, and intensity for a proposed development. A General Development Plan encompassing all of the subject property which includes the petition, a statement which sets forth the relationship of the proposed Traditional Neighborhood Development to the City's adopted Comprehensive Plan, or any other adopted area plans, the general character and size of the proposed uses, adherence to the district's design standards, and the following information.
    1. A conceptual site plan, depicting proposed features and existing site features and uses that will remain. These features should include building outlines, location of streets, transit stops, drives and parking areas, pedestrian and bicycle paths, service access areas for receiving material and trash removal, any other impervious surfaces and any other significant features. Must also indicate topography in two-foot contours, all slopes of 30% or greater, floodplains, and wetlands.
    2. General landscaping treatment including the location of proposed and existing trees and shrubs.
    3. A conceptual storm water management plan identifying the proposed patterns of major stormwater runoff, locations of stormwater infiltration areas, and other significant stormwater best management practices.
    4. Conceptual building elevations of the proposed structures conveyed with drawings or renderings that include dimensions of building height and width, and facade treatment.
    5. Any proposed departures and requested waivers from the standards of development as set forth in other City zoning regulations, land division ordinance, sign ordinance and other applicable regulations.
    6. The expected date of commencement of physical development as set forth in the proposal and also an outline of any development staging which is planned.
    7. A description of the relationship between the lands included in the proposed Traditional Neighborhood Development District and surrounding properties.

8. Characteristics of soils related to contemplated specific uses.
  9. Existing topography on site with contours at no greater than two-foot intervals City Datum where available.
  10. Wherever residential development is proposed, the general development plan shall include the approximate number of dwelling units proposed by type of dwelling and the density (i.e., the number of dwelling units proposed per gross and net acre for each type of use) and proposed off-street parking.
  11. Wherever commercial development is proposed, the general development plan shall include the approximate retail sales floor area and total area proposed for commercial development, the anticipated types of uses proposed, and proposed off-street parking.
  12. Wherever institutional, recreational or other public or quasi-public development is proposed, the general development plan shall include the general types of uses proposed, significant applicable information with respect to enrollment, residence employment, attendance, or other social or economic characteristics of development and proposed off-street parking.
  13. Wherever proposed developments include more than one land use as outlined above, the general development plan shall contain the information as appropriate for the proposed use.
  14. Any other information deemed necessary in order to evaluate the petition.
- b. *General Implementation Plan Process.*
1. *Referral and hearing.* Within 60 days after completion of the filing of the petition for rezoning under a general development plan, the City Plan Commission and Common Council shall conduct public hearings to consider the petition. A recommendation from the City Plan Commission to adopt, adopt with conditions, or to not adopt will be provided to the Common Council.
  2. Approval of the rezoning and related general development plan shall establish the basic right of use for the area when in conformity with the general development plan as approved, which shall be an integral component of the district regulations, but such plan shall be conditioned upon approval of a specific comprehensive development plan, and shall not make permissible any of the uses as proposed until a specific comprehensive development plan is submitted and approved for all or a portion of the area included within the general development plan.
  3. If a specific comprehensive development plan is not filed within 18 months of the date of approval by the Common Council, the approval shall become null and void and a new petition and approval process shall be required to reobtain general development plan approval. If the general development plan and comprehensive development plan are approved at the same time and construction has not commenced within 12 months of the date of approval by the Common Council, the approval shall become null and void and a new petition and approval process shall be required to obtain general development plan and specific comprehensive development plan approval
- c. *Specific Implementation Plan.* The purpose of the Specific Implementation Plan is to establish a detailed development proposal. The Specific Implementation Plan can be proposed, reviewed, and acted upon as whole or in part or phases. Within 18 months of the date of approval by the Common Council of a general development plan, a specific comprehensive development plan must be submitted for approval by the Common Council. If applicable, the applicant must have also completed the City's design review process. In addition to the

information submitted for the general development plan, the following information must be attached to the applicant's Traditional Neighborhood District rezoning petition. (All items shall be required of new developments. Applicants may work with Planning, Development, and Assessment Department staff during the pre-petition conference to determine what items are applicable for existing developments).

1. All final architectural and engineering plan sets typically required for a building permit application which includes, but is not limited to:
    - i. Detailed site plan showing the dimensions and locations of all proposed structures, off-street parking, and easements.
    - ii. Utility plan depicting utility types and connections.
  2. A final Photometric Plan for the site depicting exterior light fixture locations and specifications sheets.
  3. A final stormwater management and erosion control in accordance with Chapter 105.
  4. Detailed building elevations including building materials and dimensions.
  5. A final landscaping plan.
  6. Any other information deemed necessary in order to evaluate petition.
- d. *Specific Implementation Plan Process.*
1. Referral and hearing. Within 60 days after completion of the filing of the petition for rezoning under a specific development plan, the City Plan Commission and Common Council shall conduct public hearings to consider the petition. A recommendation from the City Plan Commission to adopt, adopt with conditions, or to not adopt will be provided to the Common Council.
- (3) *Changes or additions.* Any subsequent change or addition to the plans or uses shall be submitted for review to the City Plan Commission and approved by the Common Council. Any requested change or amendment need only include the pertinent portion of the plan and drawings to delineate the amendment to the plan and need not include those items or plans that are not being changed or modified. Said changes or additions made in accordance with this subsection shall not substantially modify the previously approved specific comprehensive development plan to the extent that the same is not inconsistent with said changes or additions.
- (4) *Division of land.* All Traditional Neighborhood Developments are required to follow the subdivision procedures set forth in Chapter 113.
- (5) *Building permits.* No building permits shall be issued for any structure not in strict compliance with the approved specific implementation plans, drawings and regulations as approved by the Common Council. Subsequent alterations, changes or amendments shall require the same prior approvals as the original zoning.
- (d) *Traditional Neighborhood Development Design Standards.* In the Traditional Neighborhood Development District there shall be no predetermined specific lot area, lot width, height, bulk or floor area ratio, yard, usable open space, sign and off-street parking requirements but are determined as part of an approved specific and precise comprehensive development plan and shall be, along with the plan itself, construed to be and enforced as a part of this section. Height, yard, vision, setback, parking, lot coverage, and other related standards applicable to similar uses in other comparable zoning districts along with neighboring properties shall be considered by the City Plan Commission and the Common Council when reviewing proposed developments under this zoning district.

The Common Council shall have final approval on all proposed developments. The Common Council may approve, deny or amend any proposed development in accordance with section (a)(2) of this section.

- (1) *Traditional Neighborhood Development Uses.* A traditional neighborhood development should consist of a mix of residential uses, mixed use areas, and open space.
  - a. A mix of residential uses of the following types can occur anywhere. For infill development, the mix of residential uses may be satisfied by existing residential uses adjacent to the proposed development.
    1. Single family detached dwellings, including manufactured homes.
    2. Single family attached dwellings, including duplexes, townhouses, row houses.
    3. Multifamily dwellings, including senior housing.
    4. Secondary dwelling units (Accessory Dwelling Units)
    5. Special needs housing, such as community living arrangements and assisted living facilities.
  - b. Mixed use areas can include commercial, residential, civic or institutional, and open spaces.
    1. Commercial uses.
      - i. Food services. (Neighborhood grocery stores; butcher shops; bakeries; restaurants, cafes; coffee shops; neighborhood bars or pubs);
      - ii. Retail uses (florists or nurseries; hardware stores; stationery stores; bookstores; studios and shops of artists and artisans.);
      - iii. Services (day care centers; music, dance or exercise studios; offices, including professional and medical offices; barber; hair salon; dry cleaning);
      - iv. Accommodations (bed and breakfast establishments, small hotels or inns).
    2. Residential uses.
      - i. Single family attached dwellings, including duplexes, townhouses, row houses.
      - ii. Multifamily dwellings, including senior housing.
      - iii. Residential units located on upper floors above commercial uses or to the rear of storefronts.
      - iv. "Live/work" units that combine a residence and the resident's workplace.
      - v. "Special needs" housing, such as community living arrangements and assisted living facilities.
    3. Civic or institutional uses.
      - i. Municipal offices, fire stations, libraries, museums, community meeting facilities, and post offices.
      - ii. Transit shelters.
      - iii. Places of worship.
      - iv. Educational facilities.
    4. Open space uses.
      - i. Central square.
      - ii. Neighborhood parks.
      - iii. Playground.
      - iv. Community Gardens
  - c. Open space uses.
    1. Environmental corridors.

2. Protected natural areas.
  3. Community parks.
  4. Streams, ponds, and other water bodies.
  5. Stormwater detention/retention facilities.
  6. Community Gardens
- (2) *Development Density.* The number of residential dwelling units and the amount of nonresidential development (excluding open spaces) shall be determined as follows:
- a. The number of single-family attached and detached units permitted shall be 4-15 dwelling units per net acre.
  - b. The number of multi-family units shall be 15 - 40 dwelling units per net acre.
  - c. Secondary dwelling units are calculated into the dwelling's units per acre as stated above.
  - d. All dwelling units constructed above commercial uses shall be permissible in addition to the number of dwelling units authorized under this section. However, the total number of dwelling units shall not be increased by more than 10 dwelling units or 10 percent, whichever is greater.
- (3) *Stormwater Management.* The design and development of the traditional neighborhood development should minimize off-site stormwater runoff, promote on-site filtration, and minimize the discharge of pollutants to ground and surface water. Natural topography and existing land cover should be maintained/protected to the maximum extent practicable. New development and redevelopment shall meet the requirements in Chapter 105.
- (4) *Lot and Block Standards.* Diversity in block and lot size can assist with creating a pedestrian friendly environment. Maintaining a traditional grid system allows for multiple direct routes for pedestrians, bicyclists, and motorists. Lot design can visually enhance and promote development.
- a. Building Setback, Front - Mixed Use Areas. Structures in the mixed-use areas have no minimum setback.
  - b. Building Setback, Front - Areas of Mixed Residential Uses. Single-family detached residences shall have a building setback in the front between 0 and 25 feet. Single-family attached residences and multifamily residences shall have a building setback in the front between 0 and 15 feet.
  - c. Building Setback, Rear - Areas of Mixed Residential Uses. The principal building on lots devoted to single-family detached residences shall be setback no less than 15 feet from the rear lot line.
  - d. Side Setbacks. The Side yard setback shall a minimum of 4 feet. A reciprocal access easement for both lots and townhouses or other attached dwellings, provided that all dwellings have pedestrian access to the rear yard through means other than the principal structure may be required and recorded.
- (5) *Parking requirements.* Number of parking spaces, design, location, and screening of surface parking must meet the multi-family and commercial design standards in Chapter 115.
- (6) *Architectural Standards.*
- a. Existing Structures.
    1. Existing structures, if determined to be historic or architecturally significant, shall be protected from demolition or encroachment by incompatible structures or landscape development. It must meet the requirements under Chapter 20
    - i. Existing structures not historically significant must meet the multi-family and commercial design standards under Chapter 115, if applicable

- b. New Structures.
  - 1. Height. New structures within a Traditional Neighborhood Development shall be no more than 3 stories for single-family residential, or 5 stories for commercial, multi-family residential, or mixed use or within one story of adjacent properties, whichever is greater.
  - 2. Entries and Facades.
    - i. The architectural features, materials, and the articulation of a facade of a building shall be continued on all sides visible from a public street.
    - ii. The front facade of the principal building on any lot in a Traditional Neighborhood Development shall face onto a public street.
    - iii. The front facade shall not be oriented to face directly toward a parking lot.
    - iv. Porches, pent roofs, roof overhangs, hooded front doors or other similar architectural elements shall define the front entrance to all residences.
    - v. For commercial buildings, a minimum of 50 percent of the front facade on the ground floor shall be transparent, consisting of window or door openings allowing views into and out of the interior.
  - 3. New structures on opposite sides of the same street shall follow similar design guidelines. This provision shall not apply to buildings bordering civic uses.
  - 4. Garages and secondary dwelling units. Garages and secondary dwelling units shall be placed on a single family detached residential lot within the principal building or an accessory building provided that the secondary dwelling unit shall not exceed 1,000 square feet and meet all requirements in Chapter 115.
  - 5. Exterior signage. All signage must meet the requirements in Chapter 111
  - 6. Lighting.
    - i. Exterior lighting shall be directed downward in order to reduce glare onto adjacent properties.
    - ii. Lighting for all development, except for single-family detached dwellings, shall meet the multi-family and commercial design requirement for exterior lighting in Chapter 115.

(7) *Landscaping and Screening Standards.*

- a. Street trees. Developments shall meet the multi-family and commercial design requirement for street trees in Chapter 115.
- b. Parking area landscaping and screening. Developments shall meet the multi-family and commercial design requirement for parking area landscaping, design and screening in Chapter 115.
- c. Planting type and size. Development shall meet the multi-family and commercial design requirements for landscaping Chapter 115.

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.

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Mitch Reynolds, Mayor

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Nikki M. Elsen, City Clerk

Passed:  
Approved:  
Published: