



## Planning, Development, and Assessment

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### Memorandum

To: Neighborhood Revitalization Commissioners  
From: Lewis Kuhlman, AICP  
Date: August 17, 2023  
Re: **Questions about the accessory dwelling unit (ADU) draft ordinance**

Neighborhood Revitalization Commission (NRC) members posed questions to staff at their June 7, 2023, meeting about the draft ordinance to allow accessory dwelling units. The questions were targeted at the purpose and intent, zoning ordinances, and tenancy of ADU and primary dwelling unit. This memo will give some reasoning for the content of the draft ordinance. However, the draft can still be revised.

*Should "Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, companionship, security, and services" be taken out in case it is used for a different reason?*

Providing some kind of intent and purpose helps to interpret an ordinance. If there are extenuating circumstances or questions about something that isn't specified in the ordinance, we can refer to the intent and purpose to see if a use would meet that. The purpose and intent would not be scrutinized in a permit.

*Why are ADUs only allowed in R-2 to R-4 in draft ordinance?*

A parcel zoned R1 could be rezoned to R2 to allow an ADU. Since ADUs are new to La Crosse, some people may want to be notified. There are two processes that require notifications: rezoning or conditional uses. Planning staff do not want to add more conditional uses because of 2017 Act 67, so they settled on rezoning. R2-R4 already allow 2 or more units, so an ADU may not cause much concern in those districts.

*What is the purpose of having ADUs be owner occupied? Why can't the principal dwelling and accessory dwelling both be rented?*

It may be more reassuring to neighbors to know that the homeowner is there to maintain the property.

Based on items that come before the City Plan Commission, Planning staff took a conservative approach to allowing ADUs in the hope that it would have a better chance of being enacted. As conditions change in the future, the ordinance could be modified to encourage more ADUs.