

ORDINANCE NO.: _____

AN AMENDED ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse by transferring certain property from the Commercial District to the Planned Development District - Specific, allowing for a mix of uses including commercial, retail, and office spaces, a recycling facility, and future construction of approximately five apartment units and a building for a retail or food establishment at 4329 East Avenue S. and 4342, 4344, 4348, and 4354 Mormon Coulee Rd.

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

SECTION I: Subsection 115-110 of the Code of Ordinances of the City of La Crosse is hereby amended by transferring certain property from the Commercial District to the Planned Development District - Specific on the Master Zoning Map, to-wit:

Tax Parcel 17-50323-500; 4329 East Avenue S. and 4342, 4344, 4348, & 4354 Mormon Coulee Rd.

SECTION II: Said rezoning is approved with the condition that the recycling business will also have to apply for a Recycling Processing Facility License with the City which has to meet the following requirements:

- 1) The facility does not abut a property zoned or planned for residential use;
- 2) Shall be enclosed on all sides by an opaque fence or wall not less than eight feet in height and landscaped on all street frontages unless such requirement is waived by the Common Council at the time of application;
- 3) Setbacks and landscaping requirements shall be those provided for the zoning district in which the facility is located;
- 4) All exterior storage of material shall be in sturdy containers or fenced enclosures which are secured and maintained in good condition unless otherwise waived by the Common Council provided such exterior storage is neat and sanitary. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage shall be in containers approved by the Fire Department. No storage shall be visible above the height of any required fencing;
- 5) The site shall be maintained free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis and shall be secured from unauthorized entry and removal of materials when attendants are not present;
- 6) Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space shall be provided for a minimum of ten customers or the peak load, whichever is higher;
- 7) One parking space shall be provided for each commercial vehicle operated by the processing center. Parking requirements shall otherwise be as provided as stated in section 115-393
- 8) Noise levels shall not exceed 60 dBA as measured at the property line of nearby residentially zoned or occupied property;
- 9) If the facility is located within 500 feet of property zoned or planned for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m.;

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

Shaundel Washington-Spivey, Mayor

Nikki M. Elsen, City Clerk

Passed:
Approved:
Published: