

ORDINANCE NO.: _____

AN ORDINANCE to create Section 115-404 of the Code of Ordinances of the City of La Crosse to allow accessory dwelling units.

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

SECTION I: Subsections 115-143(a)(11) is hereby created:

(11) Accessory dwelling units meeting the requirements in Sec. 115-404.

SECTION II: Subsections 115-144(a)(11) is hereby created:

(11) Accessory dwelling units meeting the requirements in Sec. 115-404.

SECTION III: Subsections 115-145(a)(11) is hereby created:

(11) Accessory dwelling units meeting the requirements in Sec. 115-404.

SECTION IV: Subsections 115-390(1)d.3. is hereby amended as follows:

3. In no case shall sanitary plumbing be permitted in an accessory structure, except for accessory dwelling units that conform to all applicable standards in the plumbing code.

SECTION V: Subsections 115-404 is hereby created:

Sec. 115-404. – Accessory Dwelling Units.

- (1) Purpose and intent.
 - a. Accessory Dwelling Units (ADUs) shall be a permitted use in the R-2, R-3, and R-4 zoning districts.
 - b. The purpose of allowing Accessory Dwelling Units (ADUs) is to:
 1. Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, companionship, security, and services.
 2. Make housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.

3. Develop housing units in single-family neighborhood by ensuring that ADUs are installed under the conditions of this section.
4. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this section.

(2) Standards and criteria.

a. ADUs shall meet the following standards and criteria:

1. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
2. An ADU may be developed in either an existing or a new residence or accessory building. Only one ADU may be created per parcel.
3. The ADU may be interior to, attached to, or detached from, the principal unit.
 - a. Interior ADUs include basement or attic units.
 - b. Any addition to an existing building for an attached ADU shall not exceed the allowable lot coverage or encroach into the existing setbacks.
 - c. Detached ADUs shall meet the following requirements:
 - i. Minimum setback requirements for accessory buildings.
 - ii. Property owner shall not have a detached garage and a separate detached ADU; ADU may be attached to or above garage. ADUs above a garage do not contribute to the maximum area for accessory buildings.
 - iii. ADUs shall not exceed 20 feet in height, not including the height of roof gables.
 - iv. Detached ADUs must be accessible by alley or driveway.
4. In no case shall an ADU be more than the primary building's total floor area, nor more than 800 square feet, nor have more than one bedroom.

5. The ADU shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a single-family residence. No rescue platform or exterior staircase shall be permitted.
6. The primary entrance to the ADU shall be located in such a manner as to be unobtrusive from the same view of the building which encompasses the entrance to the principal unit.
7. In order to encourage the development of housing units for people with disabilities, reasonable deviation from the stated requirements may be allowed to install features that facilitate accessibility. Such facilities shall be in conformance with the Uniform Dwelling Code (UDC).
8. The property owners, which shall include title holders and contract purchasers, must occupy either the principal unit or the ADU as their permanent residence, but not both, for at least seven months out of the year, and at no time receive rent for the owner-occupied unit. The ADU may not be split from the parcel of the principal unit.
9. Prior to the issuance of a permit for the construction of the accessory dwelling unit, the owner(s) shall file a deed restriction with the Office of the La Crosse County Register of Deeds stating that the independent sale of the accessory dwelling unit is not allowed.

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

Mitch Reynolds, Mayor

Nikki Elsen, City Clerk

Passed:

Approved:

Published:

DRAFT