

ORDINANCE NO.:5280

AN ORDINANCE to amend Section 115-390(1)d.3. and to create Section 115-405 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 115-390(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 II: Subsections 115-405 is hereby created:

Sec. 115-405. – Accessory Dwelling Units.

- (1) Purpose and intent. The purpose of allowing Accessory Dwelling Units (ADUs) is to provide homeowners with companionship, security, services, income, or other benefits; to add housing units that are appropriate for people at a variety of stages of life in neighborhoods; and to protect neighborhood stability, property values, and the appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this section.
- (2) Standards and criteria. ADUs shall meet the following standards and criteria:
 - a. Accessory Dwelling Units (ADUs) shall be a permitted accessory use in the R1, R-2, R-3, R-4, and Washburn Residential zoning districts.
 - b. 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. The ADU must meet utility service line and metering regulations as well.
 - c. Accessory dwelling units shall only be allowed as a new, freestanding structure; as a conversion of an existing, detached garage; or as an addition to an existing detached garage.
 - d. In no case shall an ADU be more than the primary building's total floor area, nor more than 900 square feet. ADUs above a garage shall not count toward the maximum area for accessory buildings.
 - e. Minimum parking requirements in this chapter shall only apply to the primary structure. There shall be no minimum parking requirement for the ADU.
 - f. Only one ADU may be created per parcel.
 - g. The accessory structure containing the ADU shall have a six-foot side yard setback and meet all other required setbacks for an accessory structure. An existing accessory structure containing an ADU is not required to meet all other required setbacks for an accessory structure.

- h. Any outside entrance serving the accessory dwelling unit shall be located on the side or rear of the accessory structure, if new. No rescue platform or exterior staircase shall be permitted.
- ~~i. An owner of the property must occupy either the principal dwelling unit or the accessory dwelling unit.~~
- ~~j.~~ i. 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:
 - i. ~~The independent sale of the accessory dwelling unit is not allowed.~~
 - ii. An owner of the property must occupy either the principal dwelling unit or the accessory dwelling unit.

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.

_____/s/_____
Mitch Reynolds, Mayor
_____/s/_____
Nikki Elsen, City Clerk

Passed: 2/8/2024
Approved: 2/9/2024
Published: 2/17/2024