

# ZONING ORDINANCE FOR THE CITY OF RICHLAND CENTER

## CHAPTER 405

### SPECIFIC REGULATIONS AFFECTING LANDS IN AN "R-5" FIVE OR MORE UNIT MULTIPLE FAMILY RESIDENTIAL DISTRICT

**405.01 APPLICABILITY OF CHAPTER 400 TO AN "R-5" MULTIPLE FAMILY RESIDENTIAL DISTRICT.** All of the provisions of Chapter 400 of the Zoning Ordinance of the City of Richland Center apply to lands in an "R-5" District except where the provisions of this Chapter are inconsistent with the provisions of Chapter 400, in which case the provisions of this Chapter shall be deemed controlling.

**405.02 PERMITTED USES IN AN "R-5" DISTRICT.** The following are permitted uses in an "R-5" District:

- (1) Single family dwellings.[Amended by Ord 1993-15]
- (2) Duplex dwellings.[Amended by Ord 1993-15]
- (3) Multi-family residences containing three (3) or more dwelling units.
- (4) Condominiums wherein all units are designed and used as dwellings.
- (5) Public parks and playgrounds.
- (6) Home occupations as defined and regulated by this Zoning Ordinance.
- (7) Boarding House.
- (8) Family day care home.
- (9) Bed and Breakfast.

**405.03 PERMITTED ACCESSORY USES IN AN "R-5" DISTRICT.** No accessory structure or use of land shall be permitted in an "R-5" District except for one or more of the following:

- (1) Private garages, parking spaces and carports for passenger cars.
- (2) Decorative landscape features.
- (3) On-premises signs as regulated by this Zoning Ordinance and by any other ordinance or Chapter dealing with the regulation of signs.

(4) Private swimming pools, tennis courts or similar recreational uses on the same site as such recreational use, and not for hire or held open to the public.

**405.04 CONDITIONAL USES IN AN "R-5" DISTRICT.** None of the following uses shall be permitted in an "R-5" District except with a Conditional Use Permit:

(1) Churches, public schools, parochial schools, colleges, public libraries, public museums and art galleries.

(2) Municipal buildings, excepting the following: sewage disposal plants, garbage incinerators, public warehouses, public garages, public shops and storage yards, and penal or correctional institutions and asylums.

(3) Buildings used exclusively for governmental purposes whether city, county, state or federal, provided that no vehicle or equipment storage or repair shall be permitted in or abutting any building, and also excepting the following: sewage disposal plants, garbage incinerators, public warehouses, public garages, public shops and storage yards, and penal or correctional institutions and asylums.

(4) Nursing homes [**Amended by Ord 2008-1**]

(5) Professional offices, provided that when permitted in this district, a professional office shall be incidental to a primary residential occupancy of the building; not more than forty per cent (40%) of the floor area of not more than one story of one building on the lot shall be occupied by such office; and only one (1) name plate not exceeding one (1) square foot in area, stating the name and profession of the occupant of the premises, may be exhibited.

(6) Day Care Centers. [**Added by Ord 1995-6**]

(7) Self Storage Warehouse or Mini-warehouse, except that no conditional use permit for a Self Storage Warehouse or Mini Warehouse shall be granted for any site located in that portion of the City bounded on the North by 6th Street on the East by Park Street, on the South by Gage Street and on the West by the Pine River. All Self Storage Warehouses or Mini-Warehouses shall have painted exterior walls and side walls shall not exceed nine (9) feet. All driveways to Self Storage Warehouse or Mini-Warehouses shall be graveled or paved. The setback for Mini-warehouses shall be the same as that of a primary building. [**Added by Ord 2001-7; Amended by Ord 2001-17**]

(8) Community Based Residential Facility having capacity for 16 or more persons. [**Added by Ord 2008-1**]

(9) Hospital affording care to humans. [**Added by Ord 2008-1**]

(10) Medical clinic affording care to humans. [**Added by Ord 2008-1**]

(11) Residential Care Apartment Complex. [**Added by Ord 2008-1**]

(12) Storage warehouse. A storage warehouse in an R-5 district may contain office space, but not more than 25% of the total ground floor are of the building may be used for such office space. [**Added by Ord 2008-1**]

**405.05 LOT AREA, FLOOR AREA, HEIGHT, LOT WIDTH AND YARD REQUIREMENTS IN AN "R-5" DISTRICT.**

(1) **HEIGHT:** No structure or building shall exceed a height of forty- five (45) feet or three stories in height except as provided in paragraph 400.09 (2) of this Zoning Ordinance.

(2) **SIDE YARD:** A side yard abutting a street shall not be less than twenty (20) feet in width. There shall be an aggregate side yard requirement of not less than twenty (20) feet and no single side yard less than eight (8) feet.

(3) **SET BACK FROM STREET:** The nearest point of any structure to any street right-of-way line shall be set back not less than twenty (20) feet from the right-of-way line of any public street.

(4) **TRAFFIC VISIBILITY TRIANGLE:** No fences, structures or plantings shall be permitted within any yard areas on a corner lot which shall obstruct or interfere with the visibility within the triangular area of the lot closest to the street intersection described as follows:

Commencing at the point abutting the lot where the right-of-way limits of the streets forming the corner intersect; extending from such point of intersection a distance of fifteen (15) feet along the respective lines where each right-of-way limit abuts the lot; and connected by a straight line joining the two such points fifteen (15) feet distant from each point of intersection to form the base of an isocetes triangle.

In addition, no plantings shall be placed within any street right-of-way abutting a corner lot within the area encompassed by extending the base line of such visibility triangle to the point where such extended base line meets the edge of the paved portion of any street.

In the case of any lot or subdivision abutting a state trunk highway, the setback and traffic visibility requirements set forth in the Wisconsin Statutes and/or Wisconsin Administrative Code shall apply, provided that such requirements require a traffic visibility triangle not smaller than required above.

(5) **REAR YARD:** Unless otherwise permitted, there shall be a rear yard depth of twenty-five (25) feet.

**(6) LOT AREA PER DWELLING UNIT:**

1. One Family Structure	8,000 Square Feet
2. Two Family Structure	4,000 Square Feet
3. Multiple Dwelling with three or more units	2,000 Square Feet, with a minimum of lot size of 8,000 square feet

**(7) FLOOR AREA PER DWELLING UNIT:**

1. One Family (One dwelling unit) Structure	850 Square Feet
2. Two Family (Two Dwelling unit) Structure	800 Square Feet
3. Structures containing three or more dwelling units:	
Efficiency Units	400 Square Feet
One Bedroom Units	540 Square Feet

Two Bedroom Units

720 Square Feet

An additional 120 square feet for each bedroom in excess of two bedrooms.

(8) **RECREATION AREA:** On lots containing three (3) or more dwelling units, at least 300 square feet of lot area shall be preserved solely for recreational purposes.

(9) **DISTANCE OF DETACHED ACCESSORY BUILDINGS FROM LOT LINES:** No detached accessory structure shall be located closer than the following distances from the indicated lot lines of the lot or parcel upon which it is erected:

(a) No portion of the foundation or wall shall be located less than three feet (3') from the rear lot line, and no portion of the building (including any part of the roof, eaves or eaves trough) shall be located less than one and one-half (1.5) feet from the rear lot line.

(b) Where the entire accessory building is located within a rear yard, no portion of the foundation or wall shall be located less than three feet (3') from the side lot line, and no portion of the building (including any part of the roof, eaves or eaves trough) shall be located less than one and one-half (1.5) feet from the side lot line.

(c) Where any portion of such accessory building is located in a side yard, no portion of the foundation or wall shall be located less than eight feet (8') from the side lot line, and no portion of the building (including any part of the roof, eaves or eaves trough) shall be located less than six and one-half (6.5) feet from the side lot line.

(d) Notwithstanding the foregoing, where such side or rear lot line abuts a street, the accessory building shall be subject to the same setback requirements from such street as apply to a primary structure.

(e) Additional limitations on detached accessory buildings set forth in sec. 400.04 (5) are applicable in this district.

#### **405.06 PERFORMANCE STANDARDS APPLICABLE TO AN R-5 DISTRICT.**

(1) **Exterior Storage in Residential Districts.** All materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties or from any public street, except for the following:

(a) Laundry being dried.

(b) Recreational equipment, other than boats, canoes, snowmobiles and trailers.

(c) Boats, canoes, snowmobiles, trailers and unoccupied recreational-type campers and trailers, less than twenty (20) feet in length, if stored in the rear yard and more than five (5) feet from any property line.

(d) Construction and landscaping materials and equipment currently being used on the premises for improvements to the premises, which may be stored for a period not more than forty-five (45) days, while

work is actually in progress.

(e) Off-street parking of an aggregate of not more than three (3) passenger automobiles and pick-up trucks owned by residents of the premises, all of which shall be in condition to be legally operated upon the highways of the state and shall display current registration.

(f) Heating wood intended for use on the premises, but not heating wood being held for sale. Any quantity of heating wood in excess of four (4) cords shall be presumed to be held for sale. All heating wood shall be stored in the rear yard and more than five (5) feet from any property line.

(2) In addition to (1) above, all of the performance standards set forth in sec. 400.07 which are applicable to all zoning districts apply to lands in the R-5 District.