

Chapter 19.19 R-1S ONE-FAMILY RESIDENCE DISTRICT—SMALL LOTS¹

19.19.010 Purpose.

This district is intended to create, preserve, and enhance areas for moderate-density single-family detached dwellings at an approximate density of seven dwelling units per acre.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.020 Permitted uses.

Permitted uses in the R-1S district include:

- A. One-family detached dwellings;
- B. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55;
- C. Home occupations/professional home offices for nonretail goods and services (defined in this district as businesses that do not require customer access).
- D. A non-family household in R-1S shall be limited to three unrelated persons.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.030 Conditional uses.

Conditional uses in the R-1S district include:

- A. Public and semipublic uses, to include public and private schools; churches and religious institutions; government facilities; active recreational parks; museums, hospitals, public transportation terminals, and similar uses.
- B. Planned residential developments such as townhouses, condominiums and cluster housing. In order to allow increasing the intensity of use, the plan commission may allow as a conditional use the following variations from the district requirements:
 - 1. In an approved planned residential development, each dwelling structure need not have an individual lot or parcel having the requisite size and dimensions normally required in the districts. However, the size and the entire development parcel divided by the number of dwellings shall be equal to or larger than the minimum lot area for the district where the site is located;

¹Editor's note(s)—Prior to the reenactment of Ch. 19.19 by Ord. No. 2045, Ord. No. 2002A, § 1, adopted July 21, 2020, repealed Ch. 19.19, §§ 19.19.010—19.19.050 which pertained to the R-2A residential increased occupancy overlay district and derived from Ord. No. 1914A, adopted Feb. 18, 2016; and Ord. No. 1923A, §§ 1, 2, adopted July 19, 2016.

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2. The yard requirements between buildings shall be fixed by the plan commission. Building setbacks from the perimeter of the site shall comply with the front yard, rear yard and side yard requirements of the district;
 3. Private streets may be approved to serve uses within the site, provided that the site proposed for PD has frontage on a public street.
- C. Home occupations/professional home offices. (Subject to issuance of zoning permit.)
- D. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55.
- E. Real estate sales offices, subject to the following requirements:
1. May only be placed within a major subdivision with twenty or more lots;
 2. Shall occupy a maximum of one building within any major subdivision;
 3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than ninety days from the date when ninety percent of the lots or units within the subdivision or development are initially sold or leased, or five years from the date of initial establishment of the use, whichever comes first;
 4. Before a building permit is issued, a deposit or other financial guarantee, approved by the city manager, with a value of not less than \$2,000.00 shall be required, with such deposit or guarantee released by the city once the sales office is removed or converted to a permitted use in the district;
 5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related uses open to the public;
 6. Shall be compatible in character, materials, placement, and design with other existing and planned buildings within the subdivision;
 7. Signage shall be in accordance with standards for conditional uses in the district, per Chapter 19.54 of this title.
- F. Bed and breakfast establishments.
- G. Family daycare home for 8 or fewer children.
- H. G- One accessory structure may be located in the front or side yard if the following requirements are met:
1. Minimum front yard setback of the accessory structure must be two feet behind the façade of the principal structure.
 2. Minimum side yard setback of the accessory structure must be five feet; and align/be even with principal structure on corner lot.
 3. Minimum rear setback is three feet.
 4. Maximum height is twenty feet.
 5. An attached garage shall comprise no more than fifty percent of the width of the ground floor façade facing the street.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.040 Lot area.

- A. Minimum lot area in the R-1S district is six thousand square feet.
- B. A nonconforming lot that does not meet the minimum lot area above may be considered as a buildable lot if it:
 - 1. Meets all other standards including Section 19.60.050.
 - 2. Is reviewed and approved by the city plan and architectural review commission.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.050 Lot width.

- A. Minimum lot width in the R-1S district is sixty feet. Minimum lot width on a corner lot is sixty-six feet.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.055 Lot depth.

- A. Minimum lot depth in the R-1S district is one hundred feet.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.060 Yard requirements/setbacks.

Minimum yard requirements/setbacks in the R-1S district are as follows:

- A. Minimum front setback is twenty feet; maximum is twenty-five feet.
- B. Minimum side setback is six feet.
- C. Minimum rear setback is twenty feet.
- D. Minimum shore setback is seventy-five feet. All shoreland shall comply with Chapter 19.46, and in addition may require DNR approval.
- E. Minimum lot frontage at right of way is thirty feet.
- F. Minimum porch setback for front and side yard is twelve feet.
- G. Minimum street side setback on a corner lot is ten feet.
- H. Minimum pavement setback, from lot line to pavement and excluding driveway entrances, is five feet on the side and rear yards and ten feet from any street right of way.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.070 Lot coverage.

- A. Minimum dwelling unit structure area is eight hundred square feet.
- B. Maximum lot coverage (principal and accessory structures) in the R-1S district is fifty percent.

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- C. Maximum impervious surface: The maximum impervious surface ratio is seventy percent. The percentage of impervious surface shall be calculated by taking the total surface area of the existing and proposed impervious surface and dividing it by the total lot area (note the minimum lot requirement for new lots in R-1S is six thousand square feet).
 - D. Minimum green space: thirty percent.
 - E. Lots calculated over the maximum allowed impervious surface require the neighborhood service director approval of a stormwater management plan. Property owners shall work with neighborhood services to develop a practical site-specific stormwater management plan that allows for flexibility in the use of stormwater treatment devices including rain barrels, rain gardens and etc. Applicants may appeal the neighborhood services director's decision to the plan and architectural review commission.
 - 1. Pre-engineered lots may be developed without management plans if mitigation has been accounted for during design of the lot.
 - 2. The neighborhood services department and plan and architectural review commission shall consider surrounding topography when reviewing the necessary stormwater mitigation.
 - 3. Property owners may also apply for a conditional use permit which may exempt properties from the requirement of a stormwater management plan.
 - F. The principles and standards set forth in the City of Whitewater Erosion Control and Stormwater Management Requirements Policy which includes the city's stormwater management ordinance (Chapter 16.16) and the city's construction site control ordinance (Chapter 16.18), shall be used as a guide by the property owner and staff for drafting and reviewing stormwater management plans. The neighborhood services department shall develop written guidelines and policies to be used in development and review of stormwater mitigation plans.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.080 Building height.

- A. Maximum principal building height in the R-1S district is thirty-five feet.

(Ord. No. 2045, § 1, 10-4-2022)

19.19.090 Park fees.

- A. All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board then approved by the common council. The fee will be on record at the city clerk's office. The park acquisition fee may be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

(Ord. No. 2045, § 1, 10-4-2022)