



OFFICIAL PUBLIC NOTICE

MEETING OF THE PLANNING COMMISSION

WEDNESDAY, DECEMBER 17, 2025 AT 5:30 PM

COUNCIL ROOM AT THE MUNICIPAL BUILDING, 450 S. MAIN STREET, RICHLAND CENTER, WI 53581

AGENDA

CALL TO ORDER *Roll Call for the meeting, determine whether a quorum is present; determine whether the meeting has been properly noticed.*

APPROVAL OF MINUTES *Entertain a motion to waive the reading of the minutes of the last meeting in lieu of printed copies and approve said minutes or correct and approve said minutes.*

1. 10-29-2025 Minutes

DISCUSSION AND POSSIBLE ACTION ITEMS

2. Proposed Infrastructure Design Changes for Stori Field
3. Review Rough Draft R-1/2 Ordinance

COMPREHENSIVE PLAN

REPORTS/UPDATES

FUTURE AGENDA ITEMS

SET NEXT MEETING DATE *Fourth Wednesday of the Month - January 28th at 5:30 pm*

ADJOURNMENT

Posted this 16 day of December, 2025 by 4:30 PM.
Copy to the official newspaper the Richland Observer.

PLEASE NOTE: That upon reasonable notice, a minimum of 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service contact Ashley Oliphant, City Administrator at 450 S. Main St., Richland Center, WI. 53581 or call 608-647-3466. Notice is hereby given that the council members who are not members of this committee may attend this meeting so as to constitute a quorum of the city council. Any such council member attendance will be for information gathering, discussion, and/or related purposes and will not result in the direct decision making by the city council at the committee meeting. The City of Richland Center is an equal opportunity employer, provider, and lender.



MINUTES OF THE PLANNING COMMISSION AND ETZ BOARD

Item 1.

WEDNESDAY, OCTOBER 29, 2025 AT 5:30 PM

COUNCIL ROOM AT THE MUNICIPAL BUILDING, 450 S. MAIN STREET, RICHLAND CENTER, WI 53581

CALL TO ORDER Chair Coppernoll called the meeting to order at 5:31 PM. Members present: Todd Coppernoll, Karin Tepley, Ryan Cairns, Mark Jelinek, Lisa Miller, and Chris Jarvis (5:36 PM). Members absent: Ray Wilson. ETZ Board Members present: Mark Jelinek, Lisa Miller, Ed Wells and Kevin Burkhamer. ETZ Board Members absent: Ray Wilson and Tiffany Thompson. Perkins affirmed proper notice.

APPROVAL OF MINUTES Motion by Tepley to approve the August 27, 2025 meeting minutes as presented. Seconded by Jelinek. Motion carried by voice vote.

DISCUSSION AND ACTION ITEMS

Public Hearing for the Conditional Use Permit Application to Allow Mobile Service Facilities and Mobile Service Support Structures at 25079 Maple Grove Road (Tax Parcel 022-1013-2000)

Zoning Administrator Matt Williams explained the request arose from a Diggers Hotline notice. Upon review, no existing conditional use permit was found. The applicant, Wisconsin RSA #8, operates the existing cell tower and is seeking a permit to bring the facility into compliance with current City ordinances. The site contains an existing tower; no new tower is proposed, only additional satellite equipment. The tower has been in operation for some time, and the permit is intended to formalize compliance.

The public was offered to speak three times prior to closing the public hearing. Motion by Wells to close the public hearing. Seconded by Jelinek. Motion carried by roll call vote. The public hearing was closed at 5:39 PM.

Consider the Conditional Use Permit Application to Allow Mobile Service Facilities and Mobile Service Support Structures at 25079 Maple Grove Road (Tax Parcel 022-1013-2000)

Motion by Jelinek to approve the Conditional Use Permit to allow mobile service facilities and support structures at 25079 Maple Grove Road (Tax Parcel 022-1013-2000). Seconded by Miller. Motion carried by roll call vote.

Public Hearing for the Conditional Use Permit Application to Allow Mobile Service Facilities and Mobile Service Support Structures at 27095 Maple Ridge Lane (Tax Parcel 022-3322-1200)

Zoning Administrator Matt Williams explained the request followed a Diggers Hotline notice. A record review found no existing conditional use permit. The applicant, Wisconsin RSA #8, operates the existing cell tower and seeks a permit to add satellite equipment and bring the site into compliance with current City ordinances.

The public was offered to speak three times prior to closing the public hearing. Motion by Burkhamer to close the public hearing. Seconded by Miller. Motion carried by roll call vote. The public hearing was closed at 5:42 PM.

Consider the Conditional Use Permit Application to Allow Mobile Service Facilities and Mobile Service Support Structures at 27095 Maple Ridge Lane (Tax Parcel 022-3322-1200)

Motion by Wells to approve the Conditional Use Permit to allow mobile service facilities and support structures at 27095 Maple Ridge Lane (Tax Parcel 022-3322-1200). Seconded by Miller. Motion carried by roll call vote.

ADJOURNMENT OF THE ETZ BOARD The ETZ Board adjourned at 5:44 PM.

Conner Use of S Larson Street Right-of-Way – Plan Commission Review & Report

DPW Jasen Glasbrenner reported that property owner Tracy Conner (Parcel 276-2100-8350) requested use of the unimproved, City-owned S. Larson Street right-of-way for lot access. The platted but undeveloped right-of-way is currently used by two adjacent owners for garage access. Public Works reviewed and referred the request; no objections were received from notified neighbors. The site is stable, outside floodplain and wetlands, and utilities and stormwater were reviewed. Staff recommended approval by resolution and access easement prepared with the City Attorney. Discussion confirmed the City will not maintain the access; Conner must construct and maintain it, with adjacent owners allowed continued use by agreement. Existing access is to be preserved.

WEDNESDAY, OCTOBER 29, 2025 AT 5:30 PM

COUNCIL ROOM AT THE MUNICIPAL BUILDING, 450 S. MAIN STREET, RICHLAND CENTER, WI 53581

Motion by Coppernoll to report to the Common Council that the Plan Commission has completed its review based on the findings of fact, conclusions of law, and the record as required by Wis. Stat. §62.23(5), and to recommend that the Council adopt a resolution granting the required access easement to Mr. Tracy Conner. Seconded by Tepley. Motion carried by roll call vote.

Stori Field Duplex Development – Plan Commission Review & Report

DPW Jasen Glasbrenner reported on the Stori Field Development, an eight-duplex (16-unit) zero-step housing project on City-owned land. The Plan Commission reviewed the project in 2021–2023, leading to Council approval of a pre-development agreement on September 24, 2025, and a development agreement on October 7, 2025. The City will convey the land to Enke Properties LLC for \$1 to offset \$800,000–\$1 million in infrastructure costs, retaining approximately 1.43 acres for stormwater and public space. The \$4–\$6 million project is expected to generate approximately \$100,000 annually in tax revenue. The proposal is consistent with the Comprehensive Plan and Future Land Use Map; utilities are adequate and the site is suitable. The property is currently zoned R-1 and will require rezoning to R-2, with a public hearing and future plat reviews returning to the Plan Commission.

Motion by Tepley to forward the Plan Commission Review and Report to the City Administrator per Ordinance No. 2025-08, as directed by Council on October 7, 2025. Seconded by Miller. Motion carried unanimously by voice vote.

COMPREHENSIVE PLAN

Tepley:

- Noted the updated 2026 Highway 14 construction timeline and recommended early planning to maintain downtown access; DPW Glasbrenner concurred and noted DOT coordination on routing and signage.
- Suggested creating a Downtown Richland Center focus page for tourism, social media, and the City website, potentially through the pending Connect Communities application.
- Additional discussion included improving pedestrian and bicycle wayfinding signage and promoting tourism through parks and recreation events, including disc golf and remote-control track activities.

REPORTS/UPDATES

Coppernoll:

- Reported excavation has begun for the Panorama project, with building permit submittal expected this week.
- Noted continued progress on the Cobblestone Hotel project; DPW Glasbrenner confirmed a December 4 Joint Review Board meeting regarding TIF.
- Reported the County’s sale of the campus gymnasium and Melvill Hall to the school district for shared use with the Symons Recreation Complex, expanding recreation opportunities.
- Noted potential housing development on the campus hillside off Hive Drive and shared insights from the Viroqua Mayor on similar municipal challenges related to financing, housing, and development opposition.

Tepley:

- Asked how partial completion of the Panorama project affects next year’s net-new construction; Chair Coppernoll confirmed year-end progress may be partially assessed, with TIF improvements assessed at a reduced rate.
- Asked about Cobblestone Hotel TIF timing; DPW Glasbrenner advised proceeding once the investor group is finalized, with surveying and agreements completed concurrently to avoid delays.

FUTURE AGENDA ITEMS

SET NEXT MEETING DATE The next meeting was tentatively scheduled for Wednesday, November 26th at 5:30 PM.



**MINUTES OF THE PLANNING COMMISSION
AND ETZ BOARD**

Item 1.

WEDNESDAY, OCTOBER 29, 2025 AT 5:30 PM

COUNCIL ROOM AT THE MUNICIPAL BUILDING, 450 S. MAIN STREET, RICHLAND CENTER, WI 53581

ADJOURNMENT Motion to adjourn by Tepley, seconded by Miller. Motion carried by voice vote. The meeting adjourned at 6:45 PM.

Minutes recorded by Darcy Perkins.

Agenda Item: Proposed Infrastructure Design Changes for Stori Field

Requested & Presented by: Jasen Glasbrenner, Director of Economic Development & Public Works

Meeting Date(s): Plan Commission on 12/17/2025, Common Council on 1/06/2025

Background: Detailed design work for Stori Field infrastructure has begun and with further review there are few changes and waivers that are being proposed and need consideration. Ordinance 448.03(5) prescribes the process for considering such changes. *Review 448.03(5) - Waivers and Modifications.*

Proposed Changes or Waivers

- 1) **Street Width** - The conceptual plan prescribes a 36' wide street in accordance with Ordinance 448.08(3). The developers' engineering team is proposing a reduced width of 30' with on-street parking limited to one side. The ROW will remain at 60'.

Justifications for modification

- a) The street does not provide through traffic and is not expected to ever function as a through street, resulting in reduced traffic volumes.
 - b) Each unit of each duplex will be constructed with a 2-car garage plus a driveway that will accommodate 2 additional vehicles, providing 4 parking spaces per unit without on-street parking. Ordinance 400.08(11) prescribes a minimum of 1.5 spaces per dwelling unit, while best practice typically recommends 2 spaces per dwelling unit.
 - c) Narrower streets result in:
 - Reduced vehicle travel speeds.
 - Lower long-term maintenance and replacement costs for the municipality.
 - Less impervious surface area, improving storm water management outcomes.
 - Increased green space, providing environmental benefits.
 - Lower development costs.
- 2) **Street Length** – Ordinance 448.08(3)(b) limits streets ending in a cul-de-sac to a maximum length of 500 feet. The Stori Field conceptual plan includes an overall street length of approximately 560 feet. A modification is requested to accommodate the approved development layout.
- 3) **Installation of Sidewalks** – The conceptual plan prescribes sidewalks on both sides of the street. The developers' engineering team is proposing the removal of all sidewalks within the development.

Justifications for modification

- a) The development terminates in a cul-de-sac and does not provide pedestrian connectivity to public destinations; therefore, pedestrian through-traffic is not anticipated.
 - b) Many surrounding roadways do not include sidewalks, and there is no current plan to extend sidewalk infrastructure in the area.
 - c) Removal of sidewalks results in:
 - Reduced municipal costs associated with sidewalk inspection and maintenance enforcement.
 - Reduced impervious surface area for stormwater modeling.
 - Increased green space and associated environmental benefits.
- 4) **Development Street Lighting** – Staff is requesting that the final determination regarding street lighting be delegated to City Administration. There is existing street lighting in the area, and staff is evaluating safety needs relative to potential light pollution. City Utilities, as well as the Police and Fire Departments, will be consulted prior to a final determination.
- Ordinance 448.09(10) - Street Lamps. The subdivider shall install streetlamps (UL approved covered down lighting) along all streets proposed to be dedicated of a design compatible with the neighborhood and type of

development proposed. Such lamps shall be placed at each street intersection and cul-du sacs and at such interior block spacing as may be required by the City Administrator / Utility Manager or his designee.

Staff Recommendation: Staff recommends approval of the requested modifications to the subdivision design specifications.

Requested Action:

PLAN COMMISSION: Motion to recommend to the Common Council approval of the proposed modifications to the infrastructure design specifications for the Stori Field development.

COMMON COUNCIL:

Attachment(s):

- Subdivision Parking Drawing

lands shall be made a part of the plat and shall be dedicated to the public by the subdivider as specified in section 448.09 of this ordinance.

(4) Improvements.

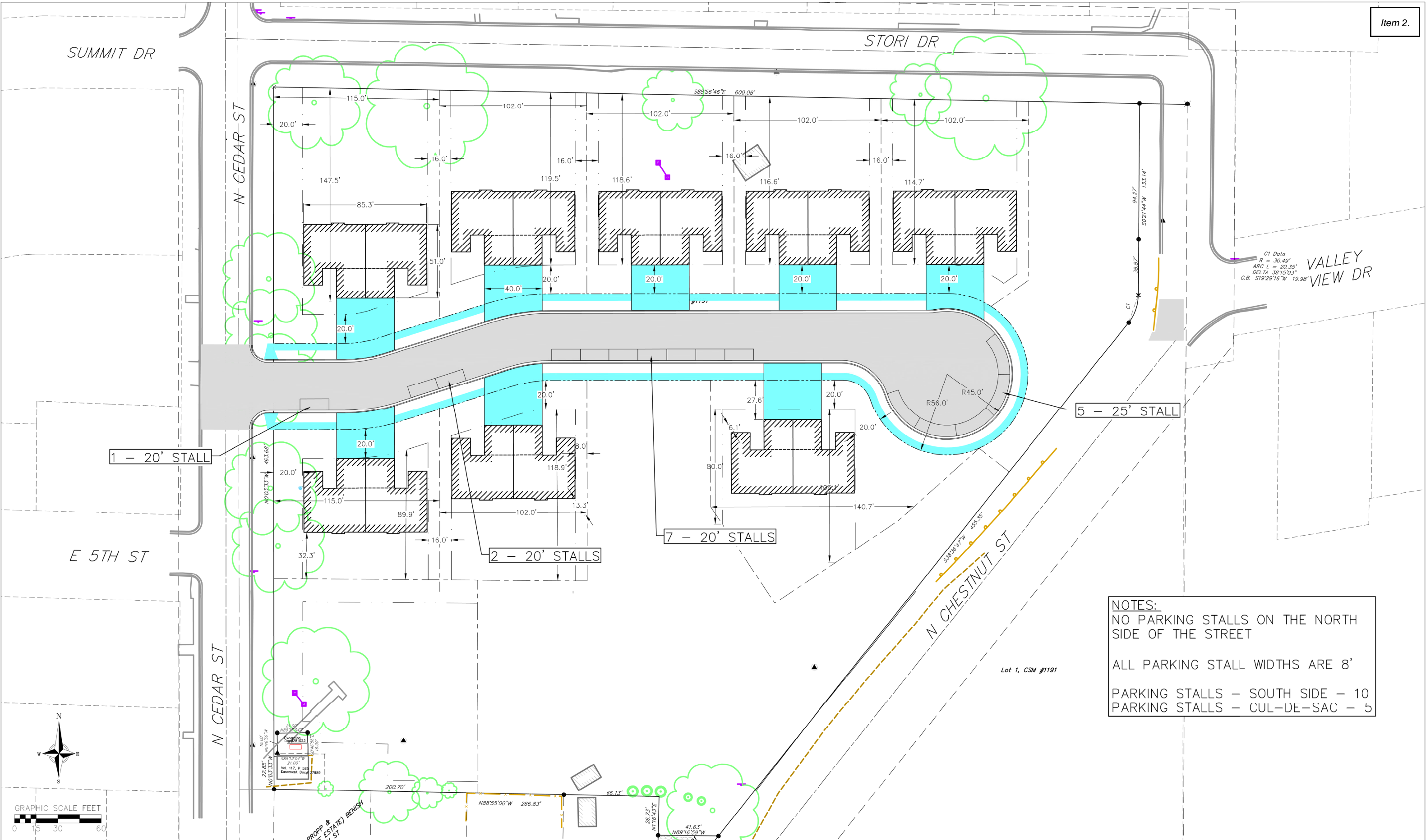
(a) The subdivider shall, before the recording of the plat or certified survey map, enter into a contract with the City agreeing to install the required improvements and shall file with said contract a bond or letter of credit meeting the approval of the City Council or a certified check in an amount equal to the estimated cost of the improvements plus 25 % to cover inflation and other factors, said estimate to be approved by the City council after review and recommendation by the City Administrator or his designee, as a guarantee that such improvements will be completed by the subdivider or his subcontractors. not later than two years from the date of recording of the plat and as further guarantee that all obligations to subcontractors for work on the development are satisfied. In addition:

1. Contractors and subcontractors who are to be engaged in the construction of street and utility improvements on dedicated street right-of-ways shall be subject to the approval of the City Administrator and the Building Inspector.
2. Governmental units to which these bonds and contract provisions apply may file, in lieu of said contract and bond, a letter of credit from officers authorized to act on their behalf agreeing to comply with the provisions of this section.
3. Survey monuments. Before final approval of any plat within the City, the subdivider shall install survey monuments placed in accordance with the requirements of chapter 236 of the Wisconsin Statutes and as may be required by the City Council.

(b) Subdivisions and Land Division Outside the Corporate Limits. Before final approval by the City of any plat or certified survey map for land located outside the corporate limits of the City, but within the plat approval jurisdiction of the City, the subdivider shall give evidence that he has complied with all street and utility improvement requirements of the town in which the land being platted is located as well as meeting the requirements of this Chapter.

(5) Waivers and Modifications. Where, in the judgment of the City Council, it would be inappropriate to apply literally the provisions of section 448.07, 448.08, or 448.09 of this ordinance, the City Council upon a review and recommendation from the Plan Commission may waive or modify any requirement to the extent deemed just and proper and shall provide reasons for justification. Such relief shall be granted without detriment to the public good, without impairing the intent and purpose of this ordinance or the desirable general development of the community in accordance with the master plan of the City. A simple majority of the entire membership of the City Council shall be required to grant any modification of this ordinance.

(6) Land Suitability. No land shall be divided for residential use which is held unsuitable for such use by the City Council for reason of flooding, inadequate drainage, inadequate water supply, adverse soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or of the community. Limitations and additional requirements will be placed on development on slopes greater than 20 %. The City Council, in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for residential use and afford the subdivider an opportunity to present evidence regarding such unsuitability if he/she so desires. Thereafter the Council



Stori Field Concept Plan - Parking Areas (B)

Richland Center, WI
2025-12-16

EXECUTIVE SUMMARY

Proposed R-1/2 Single and Two-Family Residential District Ordinance

Prepared for: Richland Center Plan Commission

Date: December 17, 2025

I. PURPOSE AND OVERVIEW

This ordinance consolidates the existing R-1 (Single-Family Residential) and R-2 (Two-Family Residential) districts into a single R-1/2 district. The primary goals are to:

1. Simplify the zoning code by reducing complexity
2. Increase housing options by allowing both single-family homes and duplexes on the same lots
3. Legalize and regulate Accessory Dwelling Units (ADUs) to address housing affordability
4. Modernize standards to include electric vehicle charging, solar panels, and stormwater management
5. Support neighborhood commercial uses that enhance walkability while maintaining residential character

II. KEY CHANGES FOR PROPERTY OWNERS

A. Current R-1 Properties (Single-Family Only)

BEFORE: Only single-family homes allowed

AFTER: Can build:

- Single-family homes (still allowed) ✓
- Duplexes (NEW - now allowed by right)
- Accessory Dwelling Units/ADUs (NEW - "granny flats" or "in-law suites")

Impact: Property owners gain flexibility without losing any current rights

B. Current R-2 Properties (Single and Two-Family)

BEFORE: Single-family homes and duplexes allowed

AFTER: Same uses, plus:

- Accessory Dwelling Units/ADUs (NEW)
- Slightly smaller minimum lot size (6,500 sq ft vs. varies in R-2)

Impact: More flexibility, similar character maintained

C. All Properties - New Features

1. Accessory Dwelling Units (ADUs)

- Small secondary dwelling on property (max 800 sq ft)
- Must live on property (in main house OR ADU) or obtain CUP
- One-time \$100 registration fee
- Must have separate address and utility meters
- Uses: aging parents, adult children, rental income, caregiver housing

2. Modern Infrastructure

- EV charging stations allowed
- Roof-mounted solar panels permitted
- Swimming pool drainage standards added
- Stormwater credit for permeable surfaces (detailed calculation provided)

3. Adjusted Standards

- Rear setback reduced: 25 feet → 10 feet (more usable backyard)
- Minimum lot size: 6,500 sq ft (down from 8,000 sq ft)
- Minimum lot length: 130 feet (NEW - optimizes subdivision efficiency)
- Minimum lot width: 50 feet (down from 60 feet)
- May park up to 4 cars (increased from 3)
- RVs allowed in driveway May-September (previously restricted)

III. ACCESSORY DWELLING UNITS (ADUs) - DETAILED

A. What is an ADU?

A small, self-contained apartment on the same property as a single-family home or duplex.
Examples:

- Apartment above a garage
- Converted basement or attic
- Small cottage in backyard
- Addition to existing home with separate entrance

B. Why Allow ADUs?

- **Housing affordability:** Creates smaller, more affordable rental units
- **Multigenerational living:** Keep aging parents or adult children close
- **Income opportunity:** Generate rental income to help pay mortgage
- **Aging in place:** Seniors downsize to ADU, rent main house
- **Caregiver housing:** Live-in help for elderly/disabled
- **Minimal impact:** Looks like regular house from street

C. ADU Requirements

| Requirement | Standard | Purpose |
|-------------------------|--------------------------------|-------------------------------|
| Maximum Size | 800 sq ft OR 50% of main house | Keeps ADU secondary |
| Owner Lives On-Site | Yes (main house OR ADU) | Ensures accountability |
| Registration | \$100 one-time fee | Tracking for planning |
| Separate Address | Required | Emergency services |
| Separate Utility Meters | Required | Fair billing, no disputes |
| Parking | 0-1 space (location-dependent) | Most need none |
| Utilities | Water, sewer, electric | Health and safety |
| Setbacks (detached) | 10 feet all sides | Emergency services and safety |

D. Exception: Non-Owner-Occupied ADUs

Property owners who don't live on-site can obtain a Conditional Use Permit (\$500):

- Must meet "Good Neighbor Standards" (property maintenance, no excessive complaints, etc.)
- Annual certification required
- CUP may be revoked for violations
- Provides flexibility while maintaining accountability

E. Short-Term Rentals (Airbnb, VRBO)

- Limited to 15 ADUs citywide (prevents over-saturation)
- Requires Conditional Use Permit (\$500) + \$200/year registration
- Must collect and remit room tax
- Owner available 24/7 for issues
- First-come, first-served until cap reached

IV. SMALL-SCALE NEIGHBORHOOD COMMERCIAL USES

A. What's Allowed (with Conditional Use Permit)

- Corner stores/markets
- Coffee shops, cafes, bakeries
- Small restaurants (no drive-throughs)
- Hair salons, barber shops
- Community gardens, farmers markets
- Co-working spaces
- Art studios/galleries

B. Strict Protections

- Maximum 2,000 square feet
- Hours: 8:00 AM to 8:00 PM only
- Corner lots: Easier approval
- Mid-block: Requires neighbor consent within 300 feet
- Must maintain residential appearance

C. Benefits

- Enhances walkability (corner store within walking distance)
- Supports small business/entrepreneurship
- Reduces car trips
- Size/hour limits protect residential character

V. DIMENSIONAL STANDARDS COMPARISON

| Standard | Current R-1 | Current R-2 | New R-1/2 |
|----------------|--------------------|---------------------|--------------------------|
| Permitted Uses | Single-family only | Single & two-family | Single, two-family, ADUs |

| Standard | Current R-1 | Current R-2 | New R-1/2 |
|-----------------|-------------------|-------------------|---------------------|
| Min. Lot Size | 8,000 sq ft | Varies | 6,500 sq ft |
| Min. Lot Width | 60 feet | 60 feet | 50 feet |
| Min. Lot Length | Not specified | Not specified | 130 feet |
| Front Setback | 20 feet | 20 feet | 20 feet ✓ |
| Side Setback | 8' min, 20' total | 8' min, 20' total | 8' min, 20' total ✓ |
| Rear Setback | 25 feet | 25 feet | 10 feet |
| Height Limit | 35 feet | 35 feet | 35 feet ✓ |
| Max. Impervious | None | None | 50% |
| ADUs Allowed | No | No | YES |

Legend: ✓ = No change | Yellow highlight = Reduced/relaxed | Green highlight = New provision

VI. ADDRESSING COMMON CONCERNS

CONCERN 1: "Will ADUs change neighborhood character?"

Response:

- ADUs limited to 800 sq ft (smaller than many garages)
- Must be subordinate in appearance to main house
- Some homes already have garage apartments/basement units
- This regulates and legitimizes what already exists

Protections in Place:

- Setback requirements prevent overcrowding
- Height limits (16-25 feet for ADUs)
- "Good neighbor" standards for non-owner occupied
- 50% impervious surface limit prevents over-development

CONCERN 2: "Will this bring too much density?"

Response:

- Lot size requirements still apply (6,500 sq ft minimum)
- One ADU per lot maximum
- Owner-occupancy ensures responsible management
- Promotes "gentle density" - more housing without changing look

Comparison:

- Current: 1 house on 8,000 sq ft = 1 dwelling unit
- Proposed: 1 house + ADU on 6,500 sq ft = 2 units
- Alternative: Tear down house, build duplex = 2 units (already allowed in R-2)

CONCERN 3: "What about parking?"

Response:

- No additional parking required if within 1/4 mile of downtown OR property has 2+ spaces
- Only requires 1 space if neither applies
- Some ADU residents may not own cars (elderly, young adults)

CONCERN 4: "Will property values decrease?"

Response:

- Studies show ADUs typically increase property values
- Adds income-generating potential
- Makes property more attractive to buyers (flexibility)
- Building an ADU is optional, not mandatory

CONCERN 5: "What about enforcement?"

Response:

- Registration system tracks all ADUs
- Annual certification for non-owner-occupied ADUs
- Clear "good neighbor" standards
- Fines/Penalties: \$200-500/day forfeiture (\$263.50 citation)
- Conditional Use Permits can be revoked
- 3-month grace period for voluntary compliance for existing ADUs

VII. BENEFITS TO RICHLAND CENTER

A. Housing Affordability

- Creates smaller, naturally affordable units (800 sq ft max)
- Increases housing supply without large developments
- Addresses housing shortage for seniors, young adults, working families

B. Economic Benefits

- Property owners gain rental income
- Increased property tax base (improved properties)
- Tourism revenue (new room tax generation with STR)
- Local construction jobs (building ADUs)
- Small business opportunities (neighborhood commercial)

C. Sustainability

- Efficient use of existing infrastructure (water, sewer, roads)
- Reduces sprawl (more housing in existing neighborhoods)
- Supports walkability (less car dependence)
- EV charging and solar provisions support energy diversification
- Stormwater management (permeable surface credits)

D. Community Benefits

- Multigenerational living - keep families together
- Aging in place support
- Preserves single-family character (no teardowns required)

VIII. IMPLEMENTATION TIMELINE

Phase 1: Adoption (Months 1-3)

- Plan Commission first review (December 17, 2025)
- Plan Commission second review (January 28, 2026)
- Plan Commission public hearing and recommendation (February 25, 2026)
- Common Council adoption (March 3, 2026)
- Publication (March 12, 2026)

Phase 2: Transition (Months 1-6 after adoption)

- Automatic rezoning: All R-1 and R-2 properties become R-1/2
- 3-month grace period for education and voluntary compliance
- Existing ADUs must register within 3 months
- Zoning Administrator provides guidance and assistance

Phase 3: Ongoing Administration

- Registration system operational
- Conditional Use Permit applications processed
- Annual certifications reviewed
- Compliance monitoring

IX. FISCAL IMPACT

Revenue Increases

- Registration fees: \$100 per ADU (one-time)
- Conditional Use Permit fees: \$500 per application
- Short-term rental fees: \$200/year per STR-ADU
- Room tax revenue from STRs
- Property tax increases (improved properties have higher values)
- Zoning and Building permit fees from ADU construction

Costs

- Initial staff time: Education and outreach (temporary, significant)
- Ongoing administration: Minimal (absorbed into current duties)
- Database/tracking system: Minimal (existing software)
- Inspections: As-needed, complaint-driven

Net Fiscal Impact

Estimated Positive: Fees and increased property tax revenue expected to exceed administrative costs. ADU construction generates permit revenue and long-term tax increases.

X. LEGAL COMPLIANCE

This ordinance complies with:

- Wisconsin Statutes Chapter 62.23 (Municipal zoning authority)
- Wisconsin Act 170 (2011) (Nonconforming structures)
- Wisconsin Uniform Dwelling Code (Building standards)

- ADA requirements (Accessibility)
- Fair Housing Act (No discrimination)
- State and federal environmental laws

XI. COMPARABLE COMMUNITIES

Several Wisconsin communities have successfully implemented similar ADU ordinances:

Madison

- Adopted ADU ordinance in 2023
- Removed owner-occupancy requirement (more permissive than Richland Center)
- Seen as success in adding affordable housing

Milwaukee

- Allows ADUs citywide
- Positive feedback from homeowners

Other Wisconsin Communities

- Appleton, Eau Claire, La Crosse have ADU regulations
- Generally positive experiences as part of housing strategies

Richland Center's Approach

- More conservative than Madison (requires owner-occupancy or CUP)
- More protective of neighborhood character (good neighbor standards, STR cap)
- Balanced between housing flexibility and community concerns

XII. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed R-1/2 Single and Two-Family Residential District Ordinance based on the following:

1. Addresses Critical Housing Need

- Richland Center faces housing shortage like most of Wisconsin
- ADUs are proven, effective tool for adding affordable units
- Minimal neighborhood impact, maximum flexibility

2. Protects Neighborhood Character

- Owner-occupancy ensures accountability
- Good neighbor standards are enforceable
- Size and design limits maintain appearance
- STR cap (15) prevents over-commercialization

3. Modernizes Zoning Code

- Simplifies administration (one district instead of two)
- Adds 21st century provisions (EV, solar, stormwater)
- Aligns with other Wisconsin communities

4. Fiscally Responsible

- Revenue positive (fees + property tax increases)
- Minimal administrative burden
- Leverages existing infrastructure efficiently

5. Legally Sound

- Complies with all state and federal requirements
- Based on successful models from other communities

XIII. QUESTIONS FOR PLAN COMMISSION DISCUSSION

1. Please refer to Plan Commission Review Questions document attached separately

PLAN COMMISSION REVIEW QUESTIONS

Ordinance No. 2026-TBD: R-1/2 District

Comprehensive Review Checklist

Purpose: This document provides a comprehensive list of questions the Plan Commission should consider when reviewing the draft R-1/2 District ordinance. These questions are organized by topic area to facilitate thorough discussion and ensure all policy implications are carefully considered.

I. OVERALL POLICY FRAMEWORK

- Does this ordinance align with the City's comprehensive plan goals and objectives?
- Does consolidating R-1 and R-2 into R-1/2 serve the community's long-term interests?
- Are we comfortable with the level of increased density this ordinance will allow?
- Have we adequately balanced property owner rights with neighborhood character preservation?
- Are there any unintended consequences we haven't considered?
- Is the timing right for these changes given current market conditions and housing needs?

II. ACCESSORY DWELLING UNIT (ADU) PROVISIONS

A. Size and Dimensional Standards

- Is the 800 sq ft maximum (or 50% of primary) the right size limit? Too generous? Too restrictive?
- Should we have a minimum ADU size requirement to ensure livability?
- Are the 16-foot (1-story) and 25-foot (2-story) height limits appropriate?
- Are the 10-foot setbacks for detached ADUs adequate for privacy and fire safety?
- Should we allow ADUs in front yards under any circumstances (e.g., flag lots)?

B. Owner-Occupancy Requirement

- Is the owner-occupancy requirement essential to maintain neighborhood character?
- Should we consider phasing out owner-occupancy over time (like Madison did)?
- Are we comfortable with the CUP exception for non-owner-occupied ADUs?
- Should there be a cap on non-owner-occupied ADUs (percentage or number)?
- How will owner-occupancy be verified and enforced in practice?

C. Utilities and Infrastructure

- Is requiring separate utility meters necessary, or will it create undue hardship?
- Is the alternative metering exception adequately defined and workable?
- Will utility companies actually provide written documentation of infeasibility?
- Should existing ADUs be grandfathered from meter requirements permanently?
- What is the cost burden on property owners for separate meter installation?

D. Registration and Fees

- Is the \$100 registration fee appropriate? Too high? Too low?
- Should registration fees be annual rather than one-time with ownership transfers?
- Is the 60-day grace period for ownership transfers reasonable?
- How will the City track ownership changes to enforce re-registration?
- What happens if someone fails to register - are penalties proportionate?
- Should there be a lower fee for income-restricted or affordable ADUs?

III. NON-OWNER-OCCUPIED ADU CONDITIONAL USE PERMITS

- Is requiring a CUP for non-owner-occupied ADUs the right balance?
- Are the 'good neighbor standards' clear enough to enforce consistently?
- Is the property tax delinquency threshold (180 days) too generous or appropriate?
- Is 'two substantiated complaints per year' the right threshold for revocation?
- Is the complaint investigation process the right length (10 days review, 30 days determination)?
- Should anonymous complaints be logged but not substantiated - why or why not?
- Who should have revocation authority - Zoning Administrator or Plan Commission?
- Are appeal rights to Plan Commission adequate?
- Should there be a limit on how many non-owner-occupied ADUs can exist citywide?
- Should we prohibit non-owner-occupied ADUs in certain neighborhoods?

IV. SHORT-TERM RENTAL ADUs

- Is the 15-unit citywide cap the right number? Should it be higher? Lower?
- Should the cap be a percentage of total ADUs rather than a fixed number?
- Is 'first-come, first-served' the fairest allocation method?
- Should we prioritize owner-occupied STRs over non-owner-occupied?
- Is the \$200 annual fee appropriate?
- Should STR fees be higher to discourage speculative investment?
- Is the 12-month construction deadline for new ADUs reasonable?
- Should we require a minimum stay duration (e.g., 2-night minimum)?
- Are room tax collection and 24/7 availability requirements enforceable?
- Should we restrict STRs to certain zones or distances from downtown?

- How will we handle complaints about noise, parking, parties at STRs?
- Should we require additional parking for STRs?
- Is 'zero tolerance' for nuisance complaints too strict for STRs?

V. LOT STANDARDS AND DIMENSIONAL REQUIREMENTS

- Is reducing minimum lot size from 8,000 to 6,500 sq ft appropriate?
- Will 6,500 sq ft lots support quality development and adequate green space?
- Is the 130-foot minimum lot length necessary, or could we use 50'x130' (6,500 sq ft)?
- Does the lot dimension rationale in 402.07(6)(e) make sense for subdivision efficiency?
- Is 50% maximum impervious surface coverage adequate for stormwater management?
- Should the impervious limit be lower given flooding concerns?
- Is the 50% credit for permeable surfaces sound?
- Is manufacturer certification sufficient, or should we require independent testing?
- Should we require certain types of permeable surfaces (e.g., no permeable asphalt)?
- Is the 7-step impervious surface calculation too complex for property owners?

VI. SETBACKS AND YARDS

- Is reducing rear setback from 25 feet to 10 feet appropriate?
- Will 10-foot rear setbacks cause privacy or neighbor conflict issues?
- Does the 10-foot reduction adequately support ADU development?
- Should corner lots have different setback requirements?
- Are side yard setbacks (8 feet minimum, 20 feet aggregate) still appropriate?
- Is 20-foot front setback from ROW (not property line) clear to property owners?

VII. PARKING REQUIREMENTS

- Is the parking exemption for ADUs within 1/4 mile of downtown appropriate?
- Will the 1/4 mile radius create parking problems in downtown neighborhoods?
- Should we require parking even if downtown is close (to prevent on-street overflow)?
- Is exempting properties with 2+ existing spaces too generous?
- Should we require parking spaces to be paved/improved, or allow gravel?
- Should we have different parking standards for STRs (higher requirement)?

VIII. SMALL-SCALE COMMERCIAL USES

- Are we comfortable allowing commercial uses in residential districts at all?
- Is 2,000 sq ft the right maximum size? Too large? Too small?
- Should corner lots have automatic CUP approval or still require neighbor consent?
- Is the 300-foot radius for neighbor consent appropriate?
- What if neighbors within 300 feet don't respond - approval or denial?

- Is certified mail sufficient proof of contact attempt?
- Are the 8 AM to 8 PM hours appropriate, or too restrictive for some uses?
- Should different uses have different hours (e.g., coffee shop opens at 6 AM)?
- How will we handle uses that want to expand beyond 2,000 sq ft in the future?
- Should we require commercial uses to have off-street parking?
- How will we enforce design compatibility with residential character?
- Should certain commercial uses be prohibited even with CUP?

IX. FENCES AND TRAFFIC VISIBILITY

- Is prohibiting all fences within the traffic visibility triangle too restrictive?
- Should we allow decorative fencing under 3 feet in the triangle?
- Is 48 inches (4 feet) the right maximum height for fences outside the triangle?
- Should we allow 6-foot privacy fences in residential districts?
- Is prohibiting chain-link in front yards appropriate?
- Are the materials restrictions (no barbed wire, salvage materials) adequate?

X. ENFORCEMENT AND PENALTIES

- Is the \$263.50 citation amount appropriate?
- Is the \$200-\$500 daily forfeiture range reasonable?
- Should daily forfeitures start immediately or after a cure period?
- Is giving Zoning Administrator revocation authority appropriate?
- Should Plan Commission have direct revocation authority instead?
- Are appeal rights to Plan Commission adequate, or should appeals go to Council?
- Is the 30-day cure period sufficient for most violations?
- What violations should not be curable (immediate revocation)?
- How will we handle repeat violators?
- Should there be enhanced penalties for willful violations?
- Is our enforcement approach too punitive or too lenient?
- Do we have adequate staff resources to enforce these provisions?

XI. TRANSITION PROVISIONS AND GRANDFATHERING

- Is the 3-month grace period adequate for existing ADU registration?
- Should the grace period be longer (6 months) given complexity?
- How will we identify existing ADUs that should be registered?
- What outreach/education will we do to inform property owners of new requirements?
- Are grandfathering provisions for existing nonconforming structures clear?
- Should we have a phase-in period for new requirements (e.g., meters)?
- What happens to existing ADUs that don't meet new standards - must they come into compliance?
- How will we handle unpermitted existing ADUs discovered during transition?
- Should there be amnesty for unpermitted ADUs that register during grace period?

- Is the utility meter grandfathering (until ownership change) fair to new buyers?
- Should we require more lead time before enforcement begins?

XII. IMPLEMENTATION AND ADMINISTRATION

- Do we have adequate staff capacity to administer this ordinance?
- What software/database systems are needed for registration tracking?
- How will we train staff on new provisions and interpretation?
- What forms and procedures need to be developed?
- How will we educate the public about new regulations?
- Should we create informational materials (brochures, videos, website content)?
- Should we hold public information sessions before the ordinance takes effect?
- What is our timeline for developing administrative procedures?
- How will we coordinate with Building Department, Fire Department, Public Works?
- Should we commit to reviewing this ordinance after 1-2 years of implementation?

XIII. LEGAL AND TECHNICAL ISSUES

- Has the City Attorney reviewed this ordinance for legal compliance?
- Does this ordinance comply with all applicable Wisconsin Statutes?
- Are we compliant with Wisconsin Act 170 (2011) regarding nonconforming structures?
- Does this ordinance comply with Fair Housing Act requirements?
- Could any provisions be challenged as discriminatory or exclusionary?
- Are definitions consistent with state law and model ordinances?
- Are there any conflicts with other chapters of the City Code?
- Has Building Department reviewed for consistency with building codes?
- Are inspection and permitting procedures aligned with this ordinance?
- Could any provisions create liability for the City?
- Are property rights adequately protected (takings concerns)?
- Should we obtain an opinion from the League of Wisconsin Municipalities?
- Have we considered ADA compliance for ADUs used as rentals?

XIV. FISCAL IMPACT AND ECONOMIC CONSIDERATIONS

- Have we accurately estimated registration and fee revenue?
- Will fee revenue cover actual administrative costs?
- Should fees be adjusted to achieve cost recovery?
- What are the infrastructure impacts (water, sewer capacity)?
- Will increased density strain City services (police, fire, public works)?
- What are the property tax implications of ADU development?
- Will ADUs increase or decrease property values in affected neighborhoods?
- What are the economic development benefits of allowing ADUs?
- Will this ordinance help address housing affordability issues?

- Should we offer incentives for affordable ADUs (reduced fees, expedited review)?
- What are the construction/renovation economic impacts?
- Will this ordinance help or hurt the rental housing market?

XV. COMMUNITY AND NEIGHBORHOOD IMPACTS

- How will existing residents react to these changes?
- Have we adequately considered neighborhood character preservation?
- Will this ordinance create winners and losers among property owners?
- How do we address equity concerns (who benefits, who is burdened)?
- Will ADUs help families care for aging parents or adult children?
- Could ADUs worsen parking and traffic problems in some neighborhoods?
- How will this impact schools if family sizes increase in single-family zones?
- Will allowing duplexes by right change neighborhood dynamics?
- Will this ordinance increase housing diversity and affordability?
- How do we balance individual property rights with community concerns?

XVI. ALTERNATIVES AND MODIFICATIONS TO CONSIDER

- Should we adopt this ordinance as drafted, or make modifications?
- Should we phase in certain provisions over time?
- Should we pilot ADUs in certain neighborhoods before citywide implementation?
- Should we start more conservatively and liberalize later if successful?
- Should we adopt more restrictive provisions than proposed?
- Should we separate ADU provisions from district consolidation?

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ORDINANCE NO. 2026-TBD

AN ORDINANCE TO REPEAL AND REPLACE CHAPTERS 402 AND 403 OF THE CITY OF RICHLAND CENTER'S ZONING ORDINANCE AND CREATE A NEW CHAPTER 402 R-1/2 SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT

WHEREAS, consolidating the R-1 Single Family Residential District and R-2 Two-Family Residential District into a unified R-1/2 District will simplify the zoning code and provide greater flexibility for property owners; and

WHEREAS, allowing Accessory Dwelling Units (ADUs) by right will increase housing supply, support multigenerational families, provide affordable housing options, and enable aging in place; and

WHEREAS, permitting small-scale neighborhood commercial uses through conditional use permits will enhance walkability and neighborhood vitality while maintaining residential character; and

WHEREAS, these changes are consistent with the City's comprehensive plan and will promote the public health, safety, and general welfare;

NOW, THEREFORE, the Common Council of the City of Richland Center does ordain as follows:

SECTION 1: REPEAL OF EXISTING CHAPTERS

Chapter 402 (R-1 Single Family Residential District) and Chapter 403 (R-2 Two-Family Residential District) of the Richland Center Zoning Ordinance are hereby repealed in their entirety. Chapter 403 is reserved for future use.

SECTION 2: CREATION OF NEW CHAPTER 402

A new Chapter 402 of the Richland Center Zoning Ordinance is hereby created to read as follows:

CHAPTER 402: R-1/2 SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT

402.01 APPLICABILITY OF CHAPTER 400

All provisions of Chapter 400 of the Zoning Ordinance of the City of Richland Center apply to lands in the R-1/2 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.

402.02 DEFINITIONS

For purposes of this Chapter, the following terms shall have the meanings indicated:

Accessory Dwelling Unit (ADU) means a self-contained residential dwelling unit designed for human habitation that is located on the same lot as a primary single-family or two-family dwelling. An ADU may be attached to, detached from, or contained within the structure of the primary dwelling. An ADU is subordinate in size, location, and appearance to the primary dwelling and must comply with all applicable building, housing, plumbing, electrical, and safety code requirements for residential dwellings. Each ADU must be connected to public water and sewer systems (or approved private systems where public systems are unavailable) and must have electrical service adequate for residential occupancy. Each ADU must have separate, independent utility meters for water, electric, and gas (if applicable) service that allow for individual metering and billing of utility consumption. Where separate utility meters are not technically feasible or available from the utility provider as documented in writing by the utility provider, the Zoning Administrator may approve alternative metering arrangements including submeters or master-metered systems with written billing agreements between property owner and tenant.

Family Daycare means a facility licensed by the Wisconsin Department of Children and Families pursuant to Wis. Stat. § 48.65 and Wis. Admin. Code ch. DCF 250 for the care of not more than eight (8) children, including children of the provider, operated in the provider's home. Family daycare includes both regular and provisional licenses.

Floor Area means the sum of the gross horizontal areas of all floors of a building or structure, measured from the exterior faces of exterior walls or from the centerline of walls separating two buildings. Floor area includes basements, attics, and attached garages when such spaces contain habitable living area with finished walls, ceilings, and floors. Floor area does not include unfinished basements, unfinished attics, open porches, breezeways, or detached garages.

Good Neighbor Standards means the requirements that a property owner must maintain to preserve the residential character and quality of life in the neighborhood, including but not limited to: compliance with all zoning regulations, property maintenance standards, building and housing codes, timely payment of property taxes, adequate provision of required parking, proper waste and recycling management, and freedom from excessive substantiated complaints regarding nuisances or violations. Good neighbor standards are applicable to conditional use permits for non-owner-occupied accessory dwelling units and short-term rental accessory dwelling units and are grounds for permit revocation if violated.

Home Occupation means any use conducted entirely within a dwelling unit and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which such dwelling is a part. Home occupations are subject to the following limitations:

- (a) The occupation shall be carried on wholly within the principal structure.
- (b) The occupation shall be carried on only by members of the immediate family residing on the premises.
- (c) No person shall be employed who is not a resident of the premises.
- (d) The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes, and not more than twenty-five percent (25%) of the total floor area of the dwelling shall be used in the conduct of the home occupation.
- (e) There shall be no exterior display, no exterior sign (except as otherwise permitted by the sign ordinance), no exterior storage of materials, and no other exterior indication of the home occupation or variation from the residential character of the principal building.
- (f) No offensive noise, vibration, smoke, dust, odors, heat, or glare shall be produced.
- (g) No equipment or process shall be used in such home occupation which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- (h) The occupation shall not generate pedestrian or vehicular traffic beyond that normal to the district in which it is located.

- (i) On-premise sales of goods are prohibited except for goods produced on the premises as part of the home occupation.

Human Habitation means occupancy of a dwelling unit for residential purposes that includes permanent provisions for living, sleeping, cooking, bathing, and sanitation facilities, with connections to water supply, sanitary sewer, and electrical service, regardless of the frequency or duration of actual occupancy.

Impervious Surface means a surface that does not allow water to percolate into the ground, such as traditional concrete or asphalt sidewalks, driveways, parking areas, and roofs.

Nonconforming means a structure, use, or lot that lawfully existed prior to the effective date of this ordinance but does not conform to the current requirements of this chapter.

(a) **Nonconforming Structures:** Nonconforming structures may be maintained, repaired, renovated, and remodeled without limitation on cost pursuant to Wis. Stat. § 60.61(5e) and § 62.23(7)(h) (2011 Wisconsin Act 170). Structures damaged or destroyed by violent wind, fire, flood, ice, snow, vandalism, mold, or infestation may be restored to their prior size, location, and use without limitation on cost pursuant to Wis. Stat. § 60.61(5m).

(b) **Nonconforming Uses:** Alterations, additions, or repairs to a structure for the purpose of continuing a nonconforming use may not exceed fifty percent (50%) of the assessed value of the structure per project. Improvements exceeding fifty percent (50%) require the use to be brought into compliance with current zoning pursuant to Wis. Stat. § 60.61(5)(am).

(c) **Discontinuance of Nonconforming Use:** When any lawful nonconforming use of a building, premises, structure, or fixture in any district is discontinued for a period of twelve (12) months or is changed to a conforming use, its former status as a lawful prior nonconforming use is permanently lost and any future use of said building, premises, structure, or fixture shall be in conformity with the provisions of this Zoning Ordinance. [Wis. Stat. § 62.23(7)(h)]

(d) **Illegal Structures:** A structure, use, or lot that was not legally permitted or that was illegally erected, placed, or established under previous ordinances is not legal nonconforming and constitutes a violation of this code.

Manufactured Home means a structure that is designed to be used as a dwelling with or without a permanent foundation, transportable in one or more sections, built on a permanent chassis, and designed to be used as a dwelling unit when connected to required utilities. A structure initially constructed as a manufactured home but subsequently modified to meet all requirements of the Wisconsin Uniform Dwelling Code (UDC) and installed on a permanent foundation in compliance with all applicable building codes shall be considered equivalent to a site-built home and permitted as a primary dwelling in the R-1/2 District.

Modular Home means a factory-built dwelling constructed in accordance with the Wisconsin Uniform Dwelling Code (UDC) and transported to a building site where it is installed on a permanent foundation. Modular homes are constructed in accordance with the same building codes that apply to site-built homes and are permitted as primary dwellings in the R-1/2 District.

Off-Street Parking Space means a paved or graveled area, in accordance with Chapter 101 (Parking), designed for the parking of one motor vehicle, exclusive of driveways, aisles, and access drives. A standard parking space shall be not less than 9 feet in width and 18 feet in length.

Owner-Occupancy means that the legal owner(s) of the property, or in the case of property owned by a trust or limited liability company, the beneficial owner(s), uses either the primary dwelling or the accessory dwelling unit as their primary residence. Primary residence is determined using the same criteria as established for voter residency under Wis. Stat. § 6.10, which requires that the owner maintain their residence at the property as their principal dwelling and have no present intent to move therefrom. The property owner must provide proof of owner-occupancy upon registration and annually thereafter through documentation such as voter registration, driver's license address, or income tax filing address.

Permeable Surface means a surface specifically designed and constructed to allow water to percolate into the ground, including but not limited to: permeable pavers with gaps/joints filled with pervious material, porous concrete or porous asphalt, gravel or crushed stone driveways, reinforced grass/turf pavers, and other materials demonstrated to meet minimum infiltration rates. Permeable surfaces must be demonstrated to meet a minimum 10 inches per hour infiltration rate through manufacturer certification or professional testing per ASTM C1701 (or other applicable ASTM standards appropriate to the surface type). Manufacturer certification shall be sufficient proof of compliance. Property owners must maintain permeable surfaces to preserve infiltration capacity. The City may require professional testing at property owner's expense if visual inspection or complaints indicate failure to maintain adequate infiltration.

Short-Term Rental means the rental of a dwelling unit or accessory dwelling unit for occupancy for dwelling, lodging, or sleeping purposes for a period of less than thirty (30) consecutive days in exchange for compensation. Short-term rentals are subject to state and local room tax requirements. Short-term rental does not include: (a) rental to the same tenant for consecutive short-term periods that total thirty (30) or more days within any sixty (60) day period, or (b) occupancy by family members without compensation.

Small-Scale Commercial Use means a low-intensity, neighborhood-serving retail, service, or community facility use that is compatible with residential character and limited in size, hours of operation, and impacts. Small-scale commercial uses are subject to the size, operational, and locational standards established in Section 402.04(13) and require conditional use permit approval.

402.03 PERMITTED USES

The following uses are permitted uses in the R-1/2 District:

- (1) Single-family dwellings, including modular homes constructed in accordance with the Wisconsin Uniform Dwelling Code, and manufactured homes modified to meet Wisconsin Uniform Dwelling Code requirements and installed on permanent foundations.
- (2) Two family dwellings (duplexes).
- (3) Accessory Dwelling Units (ADUs), subject to the standards in Section 402.05.
- (4) Public parks and playgrounds.
- (5) Home occupations as defined in Section 402.02.
- (6) Family daycare as defined in Section 402.02.
- (7) Garages with living space above the ground floor, subject to the following:
 - (a) If the living space is used solely by the property owner or immediate family members, no additional approval is required beyond building permits.

(b) If the living space is to be used as a rental unit (short-term or long-term), it shall be considered an Accessory Dwelling Unit and must comply with all ADU standards in Section 402.05, including registration, owner-occupancy requirements (or conditional use permit for non-owner-occupied), and all other applicable ADU regulations.

(8) Municipal (City) Buildings and Facilities excepting the following: sewage disposal plants, garbage incinerators, public storage yards, and public warehouses.

402.04 CONDITIONAL USES

None of the following uses shall be permitted in the R-1/2 District except with a Conditional Use Permit granted in accordance with the procedures set forth in Chapter 400. Application fees for conditional use permits are established in the Fee Schedule (Appendix C).

(1) Churches, including those related structures located on the same site which are an integral part of the church proper, and parsonages, rectories, convents or homes for persons performing a religious function on the same site.

(2) Public schools, parochial schools, colleges and universities.

(3) Public libraries, public museums and art galleries.

(4) Governmental buildings: Buildings used exclusively for governmental purposes by county, state, or federal government, provided that no vehicle or equipment storage or repair shall be permitted in or abutting any such 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.

(5) Professional offices - home-based: A professional office incidental to a primary residential occupancy of the building, provided that:

(a) No more than fifty percent (50%) of the total building floor area is occupied by the office;

(b) Only one (1) nameplate not exceeding six (6) square feet in area, stating the name and profession of the occupant of the premises, may be exhibited, subject to Chapter 485;

(c) The office use maintains the residential appearance of the structure.

- (6) Professional offices - standalone: Professional offices meeting the small-scale commercial use standards in subsection (13) below.
- (7) Private garages or other accessory buildings exceeding fifteen (15) feet in height.
- (8) Mobile service facilities and mobile service support structures.
- (9) Non-owner-occupied Accessory Dwelling Units: ADUs where the property owner does not occupy either the primary dwelling or the ADU as their primary residence, subject to the standards in Section 402.05(6).
- (10) Short-term rental Accessory Dwelling Units: ADUs used for short-term rentals as defined in Section 402.02, subject to the standards in Section 402.05(7).
- (11) Shared/public EV charging stations: Electric vehicle charging stations available to the public or shared among multiple properties, subject to the small-scale commercial use standards in subsection (13) below.
- (12) Additional conditional uses on corner lots or with neighborhood support: Any of the following small-scale commercial uses, subject to the standards in subsection (13):
- (a) Corner stores and markets
 - (b) Coffee shops and cafes
 - (c) Bakeries
 - (d) Small restaurants (no drive-through service)
 - (e) Personal services (hair salons, barber shops, etc.)
 - (f) Community gardens
 - (g) Farmers market sites
 - (h) Neighborhood co-working spaces
 - (i) Art studios and galleries
- (13) Standards for Small-Scale Commercial Conditional Uses (subsections 6, 11, and 12):
- (a) Maximum size: 2,000 square feet of floor area.
 - (b) Location requirements:

- i. Corner lots: No additional location approval required beyond conditional use permit.
- ii. Non-corner lots: Require written consent from all adjacent property owners within 300 feet of all property lines of the subject property, measured as the crow flies, submitted with conditional use permit application. If property owner is unable to make contact with an adjacent property owner after reasonable efforts, the applicant shall send a certified letter advising of the request and provide proof of mailing with the conditional use permit application.
- (c) Hours of operation: 8:00 AM to 8:00 PM only.
- (d) Parking: Determined case-by-case through conditional use permit process based on anticipated use and traffic generation, in accordance with Chapter 101 (Parking).
- (e) Design: Must maintain compatibility with residential character through building design, landscaping, signage, and lighting.
- (f) Must meet all other applicable district standards including setbacks, height limits, and performance standards.

402.05 ACCESSORY DWELLING UNIT (ADU) STANDARDS

402.05(1) General Standards

- (a) Maximum size: 800 square feet OR 50% of the primary dwelling's total finished living floor area, whichever is less.
- (b) Minimum primary dwelling size: 800 square feet of living area.
- (c) Both attached and detached ADUs permitted: ADUs may be attached to, detached from, or contained within the primary dwelling structure.
- (d) One ADU per lot: Only one accessory dwelling unit is permitted per lot.
- (e) Same lot requirement: The ADU must be located on the same lot as the primary dwelling.
- (f) Utility connections required: Each ADU must be connected to public water and sewer systems (or approved private systems where public systems are unavailable) and must have electrical service adequate for residential occupancy.

(g) Separate utility meters required: Each ADU must have separate, independent utility meters for water, electric, and gas (if applicable) service that allow for individual metering and billing of utility consumption. The property owner is responsible for coordinating with utility providers to install separate meters prior to occupancy of the ADU. Where separate utility meters are not technically feasible or available from the utility provider as documented in writing by the utility provider, the Zoning Administrator may approve alternative metering arrangements including submeters or master-metered systems with written billing agreements between property owner and tenant. Shared meters without submeter or written billing arrangement are not permitted.

402.05(2) Owner-Occupancy Requirement

(a) The property owner must occupy either the primary dwelling OR the accessory dwelling unit as their primary residence as defined in Section 402.02.

(b) Exception: Non-owner-occupancy is permitted with a conditional use permit granted under Section 402.05(6).

402.05(3) Parking Requirements

No additional off-street parking spaces are required for an ADU if either of the following conditions are met:

(a) The property is located within one-quarter (1/4) mile of the downtown or Commercial Downtown District (C-DT); OR

(b) The property already has two (2) or more off-street parking spaces available.

If neither condition (a) nor (b) is met, one (1) additional off-street parking space is required for the ADU, constructed in accordance with Chapter 101 (Parking).

402.05(4) Detached ADU Standards

(a) Setbacks:

- i. Rear lot line: minimum 10 feet
 - ii. Side lot lines: minimum 10 feet
 - iii. Primary dwelling: minimum 10 feet separation
 - iv. Front yard: Detached ADUs are prohibited in the front yard
- (b) Height limits:
- i. One-story ADUs: maximum 16 feet
 - ii. Two-story ADUs: maximum 25 feet
 - iii. Three-story ADUs: prohibited
- (c) Height is measured from ground level to the highest point of the roof.
- 402.05(5) Registration and Address Requirement**
- (a) All ADUs must be registered with the Zoning Administrator.
- (b) Registration fee: As established in the Fee Schedule, payable upon initial registration. Registration must be renewed and fee paid whenever ownership of the property changes.
- (c) Registration must include:
- i. Proof of owner-occupancy (or conditional use permit for non-owner-occupied ADUs)
 - ii. Certification of compliance with all ADU standards
 - iii. Current contact information for property owner
 - iv. Proof of utility connections (water, sewer, electrical) and separate utility meters or approved alternative metering arrangement. Proof may be in the form of utility bills or utility provider documentation reflecting separate services and meters for the ADU, or written approval from Zoning Administrator for alternative metering arrangement.
 - v. Documentation of separate address assignment from the City
- (d) Separate address required: Each ADU must be assigned a separate, unique street address by the City. The property owner must apply for address assignment through the Clerk's office as part of the ADU registration process. The assigned address must be posted on the ADU near the entrance.

(e) Registration fee is due upon submission of initial registration or upon change of ownership.

(f) Denial of registration may be appealed to the Plan Commission in accordance with Chapter 400 procedures.

402.05(6) Non-Owner-Occupied ADU Conditional Use Permit

(a) Conditional use permit required: Property owners who do not occupy either the primary dwelling or the ADU as their primary residence must obtain a conditional use permit. Application fees are established in the Fee Schedule.

(b) Registration fee: As established in the Fee Schedule, payable upon initial registration and due upon change of ownership.

(c) Good Neighbor Standards: The property owner must maintain the following standards to retain the conditional use permit:

i. No uncorrected zoning violations on the property in the past five (5) years caused by the applicant, or violations while a fine or forfeiture was assessed to the applicant regardless of whether the violations occurred at the subject property or another property within the City, including but not limited to alternate side parking citations, public nuisance violations such as failure to mow lawns or remove noxious weeds, and snow removal violations.

ii. Property maintenance standards met (lawn mowed, exterior maintained, no junk storage, etc.).

iii. No more than two (2) substantiated nuisance complaints per year, where substantiated means: a complaint for which evidence to support the claim was provided or found upon investigation. Anonymous complaints shall be logged but not considered substantiated. Complaints shall be reviewed within ten (10) business days with a determination made within thirty (30) days from date of submission. Property owners shall be issued written notice when a complaint is substantiated.

iv. Compliance with all building and housing codes (property passes inspection).

- v. No property tax delinquencies of more than one hundred eighty (180) days. Property owners on an approved payment plan with the County Treasurer shall be considered current.
 - vi. Adequate parking provided as required by this ordinance.
 - vii. Proper trash and recycling management (containers stored properly, collection arranged).
- (d) Annual certification: Property owner must certify annually in writing that all good neighbor standards are being met.
- (e) Revocation: The conditional use permit may be revoked by the Zoning Administrator for violation of good neighbor standards following notice and opportunity to cure as specified in Section 4.04. Decisions by the Zoning Administrator may be appealed to the Plan Commission in accordance with Chapter 400 procedures.
- (f) No density cap: There is no limit on the number or percentage of non-owner-occupied ADUs allowed citywide or within any geographic area.

402.05(7) Short-Term Rental ADU Standards

- (a) Maximum citywide: No more than fifteen (15) short-term rental ADU permits shall be issued citywide.
- (b) Conditional use permit required: Property owners wishing to use an ADU for short-term rentals must obtain a conditional use permit in addition to any business licenses required by the City. Application fees are established in the Fee Schedule.
- (c) Annual registration fee: As established in the Fee Schedule reflecting additional administrative burden of monitoring short-term rentals.
- (d) Additional requirements:
 - i. Business license for short-term rental operations.
 - ii. Collection and remittance of all applicable room taxes.

- iii. Property owner or designated representative must be available twenty-four (24) hours per day, seven (7) days per week to respond to issues.
 - iv. Stricter good neighbor standards: Zero tolerance for substantiated noise complaints or other nuisance violations.
 - v. Compliance with all other ADU standards in this section.
- (e) All good neighbor standards apply: Short-term rental ADUs must meet all good neighbor standards in Section 402.05(6)(c) with enhanced enforcement for noise and nuisance issues.
- (f) Revocation: The conditional use permit may be revoked by the Zoning Administrator for violation of standards following notice and opportunity to cure as specified in Section 4.04. Decisions by the Zoning Administrator may be appealed to the Plan Commission in accordance with Chapter 400 procedures.
- (g) First-come, first-served: Short-term rental ADU permits shall be issued in the order complete applications are received until the citywide cap of fifteen (15) is reached. A complete application means an application containing all required information and documentation as specified by the Zoning Administrator. For new construction ADUs, the ADU must be constructed and receive a certificate of occupancy within twelve (12) months of conditional use permit approval, or the permit shall expire and the applicant shall lose their position. Applications received after the cap is reached shall be placed on a waiting list.
- (h) Discontinuance: If a property owner ceases to use an ADU for short-term rental purposes, the property owner shall notify the Zoning Administrator in writing within thirty (30) days.

402.06 PERMITTED ACCESSORY USES

No accessory structure or use of land shall be permitted in the R-1/2 District except for:

- (1) Unenclosed parking spaces and carports for passenger cars.
- (2) Private garages up to 1,000 square feet in area and 15 feet in height.
 - (a) Multiple garages are permitted if all setback and impervious surface requirements are met.

(b) Garages exceeding these dimensions require a conditional use permit under Section 402.04(7).

(3) Accessory buildings other than garages. Multiple accessory buildings are permitted if all setback and impervious surface requirements are met.

(a) Accessory buildings exceeding 15 feet in height require a conditional use permit under Section 402.04(7).

(4) Attached garages and breezeways (with open or closed sides) that extend beyond the front of the primary dwelling structure, provided all setback requirements are met.

(a) Attached garages and breezeways in the rear yard may have a rear setback of not less than 12 feet, provided the total of the front and rear yard setbacks is at least 32 feet, and provided the structure meets all side yard setback requirements or is in line with the existing house.

(5) Decorative landscape features.

(6) On-premises signs as regulated by Chapter 485 (Signs) and by any other ordinance or chapter dealing with the regulation of signs.

(7) Private recreational facilities (tennis courts, basketball courts, etc.) intended for the primary use of residents of the property and not for hire or held open to the public.

(a) Swimming pools (in-ground and above-ground permanent installations) are permitted subject to applicable fencing and safety regulations.

(b) Temporary seasonal pools (designed to be installed and removed each summer season) are permitted without additional approval.

(c) Pool drainage requirements: All swimming pools must be drained in compliance with the following standards:

i. Discharge location: Pool water may be drained to the sanitary sewer system through an appropriate cleanout or drain connection. Pool water shall NOT be discharged directly to streams, wetlands, or adjacent properties.

ii. Chemical treatment: Pool water containing chlorine, bromine, or other chemical treatments must be dechlorinated or allowed to dissipate to safe levels (chlorine below 0.1 ppm) before discharge. Pool water shall be tested prior to discharge to verify acceptable chemical levels.

iii. Rate of discharge: Pool water shall be discharged at a controlled rate to avoid overwhelming the sanitary sewer system. Large pools (over 5,000 gallons) shall be drained over a period of at least 8-12 hours.

- iv. Notification: Property owners draining pools larger than 10,000 gallons must notify the Public Works Department at least 24 hours in advance of draining.
 - v. Alternative discharge: If connection to the sanitary sewer is not feasible, property owners may discharge dechlorinated pool water to vegetated areas of their own property at a rate that allows infiltration without runoff, erosion, or ponding.
 - vi. Discharge to neighboring properties or public right-of-way is prohibited.
 - vii. Backwash water: Filter backwash water shall be discharged to the sanitary sewer or to vegetated areas on the property owner's lot in accordance with the standards above.
- (8) Electric vehicle (EV) charging stations, subject to the following standards:
- (a) Must be located in a designated parking area (driveway, garage, or approved parking area) constructed in accordance with Chapter 101 (Parking).
 - (b) Must not obstruct sidewalks or public right-of-way.
 - (c) Cord and cable management required to prevent trip hazards.
 - (d) Must comply with all applicable state, federal, and local electrical and safety codes.
 - (e) Setback requirements:
 - i. No setback required if wall-mounted on a building or garage, or if located within an existing parking area.
 - ii. If free-standing: may be located in side yard but must be at least 10 feet from adjacent property's driveway or parking area.
 - (f) Shared or public charging stations require a conditional use permit under Section 402.04(11).
- (9) Roof-mounted solar panels, subject to the following standards:
- (a) Permitted on any building roof surface.
 - (b) Must not exceed building height limits established in Section 402.07(1).
 - (c) Ground-mounted solar arrays are not permitted.
- (10) Fences, subject to the following standards:
- (a) Height limits:
 - i. Outside of traffic visibility triangle: maximum 48 inches in front yard
 - ii. Within traffic visibility triangle: no fence permitted
 - iii. Side and rear yards: maximum 8 feet

(b) Prohibited materials: Barbed wire, razor wire/concertina wire, electric fencing, temporary construction fencing used as permanent fencing, and salvaged or junk materials (pallets, sheet metal, tarps, etc.)

(c) Allowed materials:

- i. Wood
- ii. Vinyl
- iii. Ornamental metal
- iv. Masonry
- v. Composite materials
- vi. Chain link

(d) Chain link fencing location restrictions:

- i. Chain link fencing is only permitted in side and rear yards.
- ii. Chain link fencing may fully enclose an area provided that the closest point where the fence begins (when running parallel to the street) is at the front building line of the primary structure closest to the street.
- iii. If a structure is legal nonconforming and begins closer to the street than the required setback, then the closest a chain link fence running parallel with the street (in the front yard area) may be placed is at the required setback from the right-of-way line (20 feet).

(e) Placement and maintenance:

- i. Must be located on property side of lot line
- ii. Must not obstruct traffic visibility triangle as defined in Section 402.07(4)
- iii. Must be maintained in good repair

(f) Corner lot visibility standards: On corner lots, fences in side yards abutting streets must comply with traffic visibility triangle requirements (no fence permitted within triangle) and front yard height limits (48 inches maximum) for the portion within 33 feet of the street intersection.

(11) Prohibitions: The following are not permitted as accessory uses or structures in the R-1/2 District:

- (a) Shipping containers
- (b) Parking canopies
- (c) Portable garages

402.07 LOT AREA, FLOOR AREA, BUILDING HEIGHT, LOT WIDTH AND YARD REQUIREMENTS

402.07(1) Building Height

No structure or building shall exceed a height of thirty-five (35) feet, except as provided in Section 400.09(2) of this Zoning Ordinance.

402.07(2) Side Yard

- (a) A side yard abutting a street shall not be less than twenty (20) feet in width.
- (b) There shall be an aggregate of side yards for every building used for human habitation of not less than twenty (20) feet, and no single side yard shall be less than eight (8) feet.

402.07(3) Setback from Street (Front Yard)

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.

402.07(4) Traffic Visibility Triangle

No fences, structures, trees, bushes, other plantings or other objects other than lawn grass, sidewalks or city utility system components or street signs, traffic signs or other signs installed by the city shall be permitted, placed or maintained within any area of a lot or boulevard abutting intersecting streets within the triangular area described as follows:

A triangle, the sides of which are determined by measuring to points 33 feet along the curb lines of each of the two intersecting streets from the point of intersection of the lines of the two curbs, and the base of which is a line connecting such two points. The measurement of a curb line shall be made at the top edge of the curb where the back of the concrete curb meets the boulevard. For purposes of such measurement, where the area of the curb intersection is rounded or set back to enable handicapped access to the sidewalks, the curb lines shall be extended to the point where the extended lines intersect. Where there is no curb installed, the measurement shall be made along the edge or edges of the paved street roadway(s) closest to the lot line of the abutting property.

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.

402.07(5) Rear Yard

There shall be a rear yard having a minimum depth of ten (10) feet from the rear property line.

402.07(6) Lot Area, Width, and Length

- (a) Minimum lot area: 6,500 square feet
- (b) Minimum lot width: 50 feet
- (c) Minimum lot length: 130 feet
- (d) These requirements apply to both single-family dwellings and two-family dwellings (duplexes).
- (e) Lot dimension rationale: The minimum lot dimensions are designed to accommodate required setbacks, building footprints, and impervious surface limitations while allowing for efficient subdivision of land. A 50-foot by 130-foot lot (6,500 square feet) provides adequate space for a primary dwelling, accessory structures, required yards, and permeable surfaces while maximizing the number of buildable lots per acre.

402.07(7) Floor Area per Dwelling Unit

- (a) Primary dwelling units (single-family and duplex units): Every dwelling unit erected or created by structural alteration for human habitation shall provide a minimum living area of eight hundred (800) square feet.
- (b) Accessory dwelling units: Maximum 800 square feet OR 50% of primary dwelling's total finished living floor area, whichever is less, as specified in Section 402.05(1)(a).

402.07(8) Impervious Surface Coverage

- (a) Maximum impervious surface coverage: No more than fifty percent (50%) of the total lot area may be covered by impervious surfaces.

(b) Credit for permeable surfaces: For purposes of calculating impervious surface coverage, permeable surfaces as defined in Section 402.02 shall count as fifty percent (50%) impervious. For example, 100 square feet of permeable pavement shall be calculated as 50 square feet toward the impervious surface limit.

(c) Impervious surfaces include:

- i. Buildings (primary dwelling, ADUs, garages, sheds)
- ii. Driveways
- iii. Parking areas
- iv. Concrete or asphalt patios and walkways
- v. Other surfaces that do not allow water infiltration

(d) Maintenance requirement: Property owners must maintain permeable surfaces to preserve their infiltration capacity in order to receive the 50% credit.

(e) Calculation methodology for impervious surface coverage:

STEP 1 - Calculate total lot area:

Total Lot Area = Lot Width x Lot Length (in square feet)

STEP 2 - Measure all impervious surfaces:

- Primary dwelling footprint: _____ sq ft
- ADU footprint (if applicable): _____ sq ft
- Garage(s) footprint: _____ sq ft
- Other accessory buildings: _____ sq ft
- Traditional concrete/asphalt driveway: _____ sq ft
- Traditional concrete/asphalt parking areas: _____ sq ft
- Traditional concrete/asphalt walkways/patios: _____ sq ft
- Roof overhangs (if not included in footprints): _____ sq ft

Subtotal Traditional Impervious = _____ sq ft (A)

STEP 3 - Measure all permeable surfaces:

- Permeable pavers driveway: _____ sq ft
- Permeable pavers parking: _____ sq ft

- Permeable pavers walkways/patios: _____ sq ft
- Porous concrete surfaces: _____ sq ft
- Porous asphalt surfaces: _____ sq ft
- Gravel/crushed stone surfaces: _____ sq ft
- Reinforced grass pavers: _____ sq ft

Subtotal Permeable Surfaces = _____ sq ft (B)

STEP 4 - Calculate credit for permeable surfaces:

Permeable Surface Credit = (B) \times 0.50 = _____ sq ft (C)

STEP 5 - Calculate total impervious surface coverage:

Total Impervious Coverage = (A) + (C) = _____ sq ft (D)

STEP 6 - Calculate percentage:

Impervious Coverage Percentage = [(D) \div Total Lot Area] \times 100 = _____%

STEP 7 - Verify compliance:

Maximum Allowed = Total Lot Area \times 0.50 = _____ sq ft

If (D) \leq Maximum Allowed, the property COMPLIES.

If (D) $>$ Maximum Allowed, the property DOES NOT COMPLY.

EXAMPLE CALCULATION:

Lot: 50 feet wide \times 130 feet long = 6,500 sq ft total

Traditional Impervious:

- House: 1,200 sq ft
- Detached garage: 400 sq ft
- Asphalt driveway: 400 sq ft
- Concrete walkway: 100 sq ft

Subtotal (A) = 2,100 sq ft

Permeable Surfaces:

- Permeable paver parking pad: 300 sq ft
- Permeable paver patio: 200 sq ft

Subtotal (B) = 500 sq ft

Permeable Credit (C) = $500 \times 0.50 = 250$ sq ft

Total Impervious Coverage (D) = $2,100 + 250 = 2,350$ sq ft

Percentage = $(2,350 \div 6,500) \times 100 = 36.2\%$

Maximum Allowed = $6,500 \times 0.50 = 3,250$ sq ft

Result: $2,350 \text{ sq ft} \leq 3,250 \text{ sq ft} = \text{COMPLIES}$ ($36.2\% \leq 50\%$)

402.07(9) Distance of Detached Accessory Buildings from Lot Lines

No detached accessory structure (except ADUs, which are governed by Section 402.05(4)) 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 (20 feet).

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

402.08 PERFORMANCE STANDARDS

402.08(1) Exterior Storage in the R-1/2 District

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:

- (a) Laundry being dried.
- (b) Recreational equipment, other than boats, canoes, snowmobiles and trailers.
- (c) Boats, canoes, snowmobiles, trailers and unoccupied recreational-type campers under twenty (20) feet in length, if stored in the rear yard and more than five (5) feet from any property line.
- (d) Recreational vehicles (RVs) in driveways from May 1 through September 30:
 - i. RVs up to thirty-five (35) feet in length may be stored in the driveway or parking area during this period
 - ii. RV must not block the public sidewalk or right-of-way
 - iii. RV must be legally operable, roadworthy, and display current registration
 - iv. No utility hookups (water, sewer, electrical) are permitted while RV is in driveway or parking area
- (e) 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.

(f) Off-street parking of an aggregate of not more than four (4) 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.

(g) 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.

402.08(2) Additional Performance Standards

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

402.09 SETBACKS

DIAGRAM A: SETBACKS

DIAGRAM A: SETBACKS R-1/2 District Lot Layout

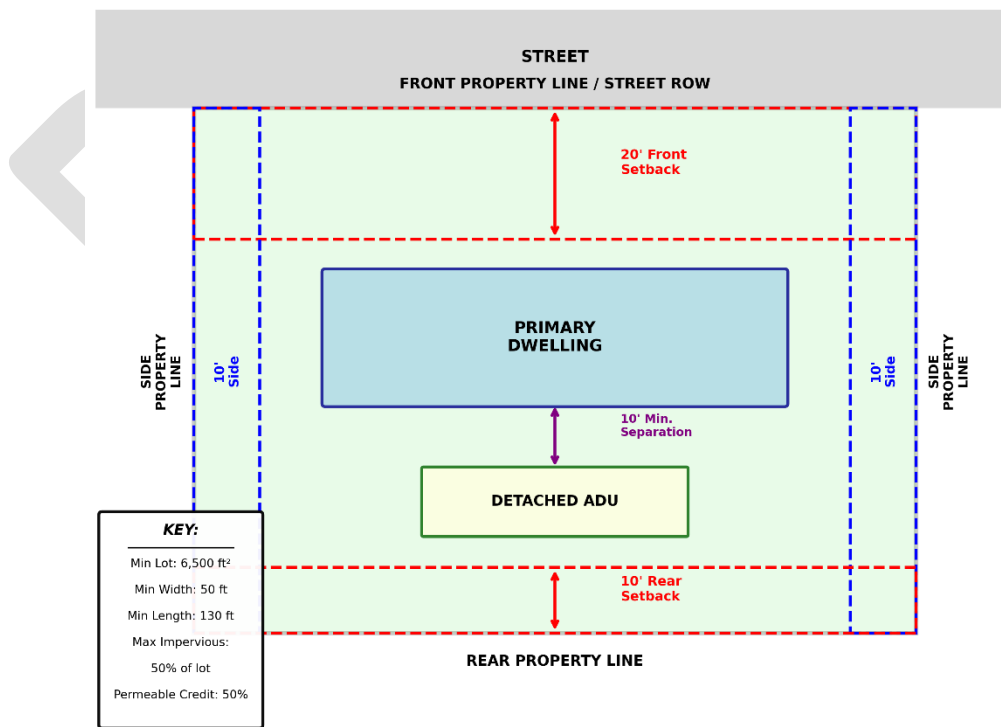
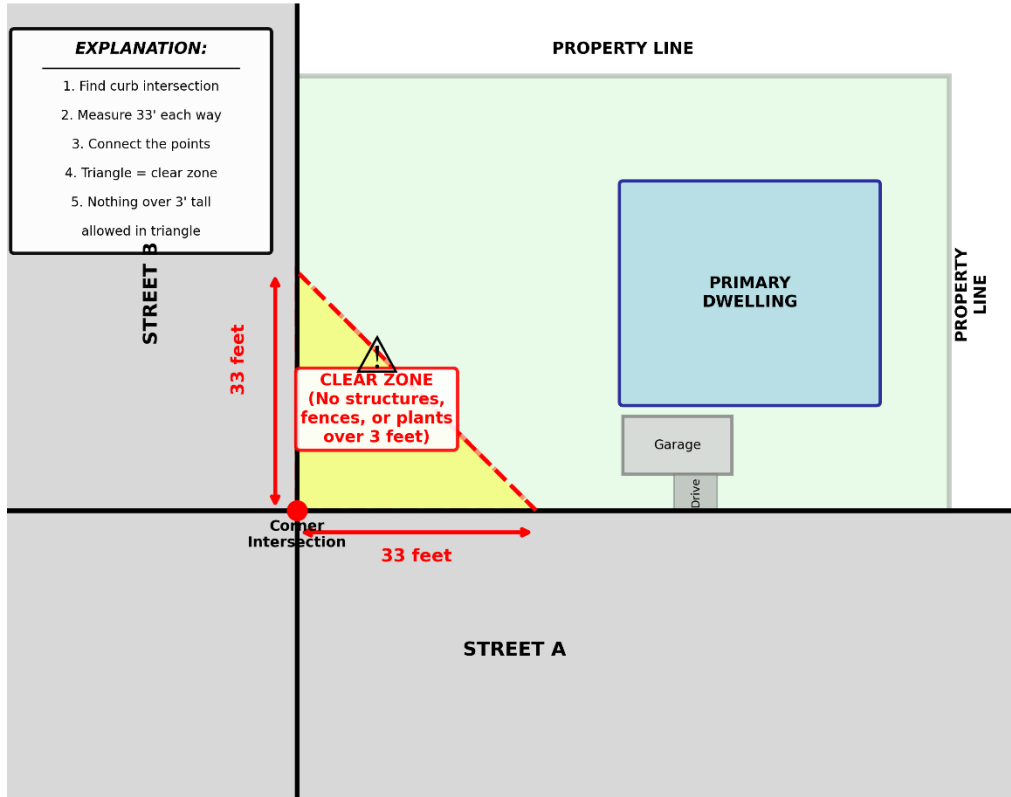


DIAGRAM B: TRAFFIC VISIBILITY TRIANGLE AT INTERSECTIONS

**DIAGRAM B: TRAFFIC VISIBILITY TRIANGLE
Corner Lot Requirements**



402.10 COMPARISON TABLE: STRUCTURE REQUIREMENTS IN R-1/2 DISTRICT

| Requirement | Primary Dwelling (House/Duplex) | Accessory Dwelling Unit (ADU) | Accessory Buildings (Garage/Shed) |
|----------------------|--|--|---|
| Min/Max Size | Min: 800 sq ft living area per dwelling | Max: 800 sq ft OR 50% of primary's finished living area, whichever is less | No minimum; garages up to 1,000 sq ft by right; larger requires CUP |
| Front Setback | 20 feet from street ROW | 20 feet if attached to primary; Prohibited in front yard if detached | 20 feet if fronting street; otherwise not applicable |
| Side Setback | Min 8 feet per side; 20 feet aggregate total | Same as primary if attached; 10 feet if detached | Min 8 feet if located in side yard; 3 feet |

| | | | |
|---|---|--|--|
| | | | if entirely in rear yard |
| Rear Setback | 10 feet minimum; 12 feet for attached garage if front + rear total \geq 32 feet | Same as primary if attached; 10 feet if detached | 3 feet (foundation); 1.5 feet (eaves/overhangs) |
| Separation from Primary | N/A | 10 feet if detached; N/A if attached | No requirement (see setbacks) |
| Height Limit | 35 feet maximum | 16 feet (1-story); 25 feet (2-story); 3-story prohibited | 15 feet by right; taller requires CUP |
| Utilities Required | Water, sewer, electric | Water, sewer, electric | Not required unless space is habitable |
| Owner-Occupancy Required | No | Yes (owner must live in primary OR ADU) - Exception: CUP allows non-owner-occupied | N/A |
| Registration | No | Yes - one-time \$100 fee; renew upon ownership change | No |
| Additional Fees | Building & Zoning permits only | CUP: \$500 if non-owner-occupied; STR: \$200/year if short-term rental | Building & Zoning permits only |
| Parking Requirement | Per Chapter 101 | 0-1 space depending on location/existing parking | N/A |
| Counts Toward Impervious Surface | Yes | Yes | Yes |
| Can Be Rented | Yes, no restrictions | Yes, but must comply with owner-occupancy or get CUP; STR requires additional CUP + room tax | Only if considered ADU (living space above garage) |
| Modular Homes Allowed | Yes | N/A | N/A |
| Manufactured Homes Allowed | Yes, if meeting UDC requirements on permanent foundation | N/A | N/A |

SECTION 3: AMENDMENTS TO CHAPTER 400 (GENERAL PROVISIONS)

3.01 Amendment to Section 400.09(5) - Transitional Uses in "R" Residential Districts

Section 400.09(5) of the Richland Center Zoning Ordinance is hereby amended to read as follows:

400.09(5) Transitional Uses in "R" Residential Districts. In any "R-A" or "R-1/2" Residential District, a transitional use is permitted on a lot which has a side lot line abutting a lot in any "C" or "I" District. The permitted transitional uses for any such lot are as follows:

- (a) For a lot in an "R-A" District: any use permitted in the "R-1/2" District.
- (b) For a lot in an "R-1/2" District: any use permitted in the "R-3/4" District.
- (c) Notwithstanding the foregoing, any transitional use authorized under this paragraph shall not extend beyond one (1) lot of record nor more than seventy-five (75) feet into an abutting lot, whichever is less.

SECTION 4: REGISTRATION AND ENFORCEMENT

4.01 ADU Registration System

- (a) The Zoning Administrator shall establish and maintain a registration system for all Accessory Dwelling Units in the R-1/2 District.
- (b) Registration forms shall be made available online and at the Municipal Building.
- (c) The Zoning Administrator shall maintain a database of all registered ADUs including:
 - i. Property address and parcel number
 - ii. ADU assigned address
 - iii. Owner information and contact details
 - iv. Type of ADU (attached/detached, owner-occupied/non-owner-occupied, short-term rental)
 - v. Date of registration and ownership changes
 - vi. Conditional use permit status (if applicable)

- vii. Utility meter information and separate meter confirmation or approved alternative arrangement
 - viii. Compliance history
- (d) Upon change of property ownership, the new owner must register the ADU within sixty (60) days and pay the registration fee established in the Fee Schedule. Changes in membership of limited liability companies that own property shall not require re-registration unless there is a transfer of the underlying real property ownership.
- (e) If a property owner ceases to use an ADU as a dwelling unit, the property owner shall notify the Zoning Administrator in writing within thirty (30) days of such discontinuance.

4.02 Inspection and Monitoring

- (a) The Zoning Administrator may conduct inspections of ADUs to verify compliance with registration requirements and good neighbor standards.
- (b) Inspections may be triggered by:
- i. Complaints from neighbors or other parties
 - ii. Failure to complete annual certification (for non-owner-occupied ADUs)
 - iii. Building or code violations
- (c) Property owners shall provide access for inspections upon reasonable notice (minimum 24 hours).

4.03 Penalties for Violations

- (a) Initial citation: Any person, firm, or corporation violating any provision of this Chapter shall, upon conviction, be subject to a citation with penalty of \$263.50 plus court costs and applicable surcharges for each violation.
- (b) Continuing violations: Each day a violation continues shall constitute a separate offense. A daily forfeiture of not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00) may be imposed per day the violation is permitted to exist until compliance is achieved.

(c) Determination of forfeiture amount: The specific daily forfeiture amount within the range of \$200.00 to \$500.00 per day shall be determined through court proceedings.

(d) Enforcement philosophy: The City shall seek voluntary compliance as the first course of action. Citations shall be issued only when:

- i. The property owner fails to make a good faith effort to comply after notice; or
- ii. The violation presents an immediate threat to public health, safety, or welfare; or
- iii. The property owner has a history of repeated violations

(e) Additional remedies: In addition to citations and forfeitures, the City may pursue injunctive relief, revocation of conditional use permits, or other remedies available under law.

4.04 Revocation of Conditional Use Permits

(a) Causes for revocation: A conditional use permit for a non-owner-occupied ADU or short-term rental ADU may be revoked if one or more of the following are present:

- i. The property owner fails to maintain good neighbor standards
- ii. The property owner provides false information in registration or certification
- iii. The property owner fails to pay required fees or fines
- iv. The ADU is used in violation of permit conditions
- v. The property accumulates two or more uncorrected code violations related to the ADU operation within a twelve (12) month period

(b) Notice and opportunity to cure: Before initiating revocation proceedings, the Zoning Administrator shall:

- i. Provide written notice to the property owner specifying the violation(s)
- ii. Provide opportunity for the property owner to cure the violation(s) within thirty (30) days (if curable)

(c) Revocation proceedings: If violations are not cured within the specified time period, the Zoning Administrator may initiate revocation proceedings by:

- i. Scheduling a public hearing before the Plan Commission
- ii. Providing written notice to the property owner of the hearing date, time, and location at least fifteen (15) days in advance
- iii. Allowing the property owner to present evidence and testimony at the hearing

(d) Decision: Following the hearing, the Zoning Administrator shall make a final decision on revocation. The property owner may appeal the Zoning Administrator's decision to the Plan Commission within fourteen (14) days of the decision in accordance with Chapter 400 procedures.

(e) Effect of revocation: Upon final revocation decision:

- i. The ADU must cease being used for rental purposes
- ii. The property owner must either occupy the ADU or primary dwelling (bringing property into compliance with owner-occupancy requirements) or cease use of the ADU as a dwelling unit
- iii. The property owner may not reapply for a conditional use permit for the same ADU for a period of one (1) year

SECTION 5: TRANSITION PROVISIONS

5.01 Automatic Rezoning

All properties currently zoned R-1 (Single Family Residential District) or R-2 (Two-Family Residential District) are automatically rezoned to R-1/2 (Single and Two-Family Residential District) upon the effective date of this ordinance. No application or fee is required for this automatic rezoning.

5.02 Legal Nonconforming Status

(a) Structures and lots: Properties that currently meet R-1 or R-2 standards but do not meet the new R-1/2 standards (such as lots smaller than 6,500 square feet or structures with setbacks less than required) are granted legal nonconforming status pursuant to Section 402.02 (Nonconforming definition) and may continue.

(b) Legal, permitted structures: Structures that were legally permitted and constructed in compliance with R-1 or R-2 standards in effect at the time of construction shall be considered legal nonconforming structures under this ordinance.

(c) Illegal or unpermitted structures: Any structure that was erected, placed, or established without proper permits or in violation of R-1 or R-2 requirements in effect at

the time of construction shall NOT be considered legal nonconforming. Such structures constitute violations of this code and are subject to enforcement action.

(d) Determination of legal status: The burden of proof to establish that a structure was legally permitted and constructed in compliance with previous ordinances rests with the property owner. The Zoning Administrator may request documentation including building permits, certificates of occupancy, surveys, or other records to verify legal status.

5.03 Existing Accessory Dwelling Units

(a) Registration required: All existing ADUs must be registered with the Zoning Administrator within three (3) months of the effective date of this ordinance. The effective date shall be the date of adoption of this ordinance by the Common Council.

(b) Registration fee: A one-time registration fee as established in the Fee Schedule is due upon initial registration.

(c) Owner-occupancy compliance: Property owners with existing ADUs who do not occupy either the primary dwelling or the ADU as their primary residence must, within three (3) months of the effective date:

- i. Move into either the primary dwelling or the ADU and provide proof of owner-occupancy; OR
- ii. Apply for a conditional use permit for non-owner-occupied ADU; OR
- iii. Cease using the additional unit as a separate dwelling

(d) Nonconforming ADUs: Existing ADUs that do not meet the new size, setback, or other dimensional standards in Section 402.05 are granted legal nonconforming status, provided they:

- i. Were legally permitted and constructed under previous regulations; AND
- ii. Register within the three-month grace period; AND
- iii. Comply with owner-occupancy requirements (or obtain conditional use permit)

(e) Utility requirements: All existing ADUs must demonstrate connection to water, sewer, and electrical service within the three-month grace period. ADUs lacking proper utility connections must either:

- i. Install required utilities within six (6) months; OR
- ii. Cease being used as a dwelling unit

(f) Utility meter requirements for existing ADUs: Existing legal ADUs that are properly registered during the grace period and that demonstrate adequate utility service are exempt from the separate utility meter requirement of Section 402.05(1)(g) unless and until the property undergoes a change of ownership, at which time the separate meter or approved alternative metering arrangement requirement shall apply.

5.04 Grace Period and Enforcement

(a) Three-month grace period: For the first three (3) months following the effective date of this ordinance (date of adoption by Common Council), the City shall focus on education and assistance to help property owners understand and comply with new requirements.

(b) Assistance available: The Zoning Administrator shall:

- i. Provide information on new requirements
- ii. Assist property owners with registration process
- iii. Answer questions about compliance
- iv. Work cooperatively with property owners to achieve compliance

(c) Enforcement after grace period: After the three-month grace period expires:

- i. Property owners who have made a good faith effort to comply but need additional time may request an extension from the Zoning Administrator (up to 90 additional days)
- ii. Property owners who have not made a good faith effort to comply shall be subject to enforcement action including citations and penalties under Section 4.03
- iii. Unregistered ADUs discovered after the grace period shall be required to register immediately or cease operation as a dwelling unit

5.05 Short-Term Rental Transition

(a) Existing ADUs currently being used for short-term rentals must apply for a conditional use permit within three (3) months of the effective date.

(b) Short-term rental ADU applications received during the grace period shall be processed in the order received until the citywide cap of fifteen (15) is reached.

(c) ADUs operating as short-term rentals without proper permits after the grace period shall immediately cease short-term rental operations or be subject to enforcement action.

SECTION 6: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7: EFFECTIVE DATE

This ordinance shall take effect upon passage and adoption by the Common Council and publication as required by law. The effective date for purposes of Section 5 transition provisions shall be the date of adoption by the Common Council.

SECTION 8: NOTICE REGARDING CHAPTER 400 REVIEW

The Zoning Administrator is directed to review Chapter 400 (General Provisions) of the Richland Center Zoning Ordinance for:

- (a) Inconsistencies with definitions and provisions in this Chapter 402;
- (b) References to the former R-1 and R-2 districts that need updating;
- (c) Any other provisions that may need amendment to ensure consistency with this ordinance; and
- (d) Report findings and recommendations to the Plan Commission and Common Council within six (6) months of the effective date of this ordinance.

APPENDIX A: CROSS-REFERENCE TABLE

R-1/2 Ordinance Section | Related City Ordinances

402.02 - Signs definition | Chapter 485 - Signs

402.02 - Family Daycare definition | Wis. Stat. § 48.65; Wis. Admin. Code ch. DCF 250

402.02 - Owner-Occupancy definition | Wis. Stat. § 6.10

402.02 - Nonconforming definition | Wis. Stat. § 60.61(5e), § 60.61(5m), § 60.61(5)(am), § 62.23(7)(h)

402.04(5) - Professional office signs | Chapter 485 - Signs

402.04(13)(d) - Parking | Chapter 101 - Parking

402.05(3) - ADU parking | Chapter 101 - Parking

402.06(6) - Signs | Chapter 485 - Signs

402.06(8) - EV charging | Chapter 101 - Parking

APPENDIX B: QUICK REFERENCE GUIDE FOR PROPERTY OWNERS

WHAT CAN I BUILD ON MY R-1/2 LOT?

With a Zoning and Building permit:

- Single-family home
- Duplex
- Accessory Dwelling Unit (if you live on the property)
- Garage up to 1,000 sq ft
- Shed up to 15 ft tall
- Fence (following height/material rules)
- Solar panels on roof
- EV charging station

With Conditional Use Permit:

- ADU where you don't live on property
- ADU for short-term rental (limit of 15 citywide)
- Small business (corner stores, cafes, etc. - max 2,000 sq ft)

- Garage taller than 15 feet
- Church, school, government building

ADU REQUIREMENTS AT A GLANCE

Size: Max 800 sq ft OR 50% of your house size (whichever is smaller)

You Must:

- Register it
- Connect to water, sewer, and electric
- Have separate utility meters (or approved alternative)
- Get separate address from City
- Follow all building codes

Parking:

- NO extra parking needed if: you're within 1/4 mile of downtown OR you already have 2+ parking spaces
- YES need 1 extra space if neither above applies

Setbacks for Detached ADU:

- 10 feet from all property lines
- 10 feet from primary dwelling
- Can't be in front yard

Renting Out Your ADU:

- Long-term rental where you don't live there: Need conditional use permit and meet good neighbor standards
- Short-term rental (like Airbnb): Need CUP, pay annual fee, remit room tax, and only 15 are allowed citywide

APPENDIX C: FEE SCHEDULE

FEE AND PENALTY SCHEDULE

1. ADU Registration Fee

- Registration fee: \$100.00
- Applies to owner-occupied and non-owner-occupied ADUs
- Due upon initial registration and upon change of property ownership
- Covers administrative costs of registration, database maintenance, and address assignment

2. Conditional Use Permit Fee

- Conditional Use Permit Application fee: \$500.00
- Applies to non-owner-occupied ADUs, short-term rental ADUs, small-scale commercial uses, oversized accessory buildings, and all other conditional uses listed in Section 402.04
- Covers processing, notice publication, public hearing, and Plan Commission review
- Non-refundable once application is submitted

3. Short-Term Rental ADU Annual Fee

- Annual registration/monitoring fee: \$200.00
- Due upon initial approval and every June thereafter
- Reflects additional administrative burden of monitoring short-term rental compliance
- In addition to standard ADU registration fee and conditional use permit fee

4. Violation Citation

- Penalty: \$263.50 plus court costs and any other applicable charges or fees
- Applies to any violation of any provision of Chapter 402
- Each separate violation constitutes a separate offense

5. Continuing Violation Daily Forfeiture

- Minimum daily forfeiture: \$200.00
- Maximum daily forfeiture: \$500.00
- Each day a violation continues to exist constitutes a separate offense
- Daily forfeitures accumulate until compliance is achieved

6. Subject to Change

- All fees are subject to change by resolution of the Common Council

- Fees are non-refundable unless otherwise specified
- Payment required at time of application or registration

PASSED AND ADOPTED by the Common Council of the City of Richland Center,
Wisconsin, this ____ day of ____, 2026.

Mayor

ATTEST:

City Clerk