

**Sec. 5.6.8. RIO - RESIDENTIAL, INSTITUTIONAL AND OFFICE.**

5.6.8.1. STATEMENT OF INTENT. This district is intended for mixed residential, institutional, office, cultural, and allied uses. The primary uses in the district are not commercial in nature, but limited commercial activities are permitted in support of office and institutional uses as well as certain small retail shops and service activities.

5.6.8.2. PERMITTED PRINCIPAL USES AND STRUCTURES.

5.6.8.2.1. Public and private educational facilities with conventional state approved academic curriculums.

5.6.8.2.2. Churches, provided that minimum parcel size shall not be less than 2 acres.

5.6.8.2.3. Public parks, playgrounds and playfields, and neighborhood and municipal buildings and uses in keeping with the character and requirements of the district.

5.6.8.2.4. After review by the Administrative Official, private child care center, provided:

5.6.8.2.4.1. Lot area shall not be less than 9,500 sq. ft., lot width in portion used for fenced play area shall not be less than 75 feet.

5.6.8.2.4.2. Fenced play area of not less than 3,000 sq. ft. shall be provided for the first 15 or fewer children, with 200 sq. ft. additional for each additional child.

5.6.8.2.4.3. No portion of the fenced play area shall be closer than 20 feet to any public street right of way.

5.6.8.2.4.4. A 5 foot high solid wall, or fence shall be provided between fenced play areas and residential lot lines in such locations as may be directed by the Administrative Official.

5.6.8.2.4.5. All outdoor play activities shall be conducted within the fenced play area and no outdoor play activities shall be conducted before 8 a.m. or after 8 p.m.

5.6.8.2.4.6. All facilities, operation, and maintenance shall meet City, County and State requirements for the operation of child care centers.

5.6.8.2.5. Attached dwellings (townhouses) and multiple family dwellings.

5.6.8.2.6. Private clubs of a fraternal or social character not operated or maintained for profit, including a dining facility incidental to the club activity and operated for the benefit of members only.

5.6.8.2.7. Single family detached dwellings, two family dwelling (duplex).

5.6.8.2.8. Hotels.

- 5.6.8.2.9. Hospitals, sanitariums, rest homes, nursing homes, convalescent homes, and homes for the aged and orphans, provided that no such facility shall have a lot area of less than 2 acres, that no building in connection with such facilities shall be closer than 50 feet to the lot line of any adjoining property, and that all other State, County, and City regulations shall be met.
- 5.6.8.2.10. Medical and dental clinics, but not veterinary clinics.
- 5.6.8.2.11. Professional and business offices.
- 5.6.8.2.12. Banks and financial institutions, travel agencies, employment offices and similar establishments.
- 5.6.8.2.13. Art gallery, library, museum, community center, publicly owned and operated recreational facility, little theater (but not motion picture theater).
- 5.6.8.2.14. Dance, art, and music studios.
- 5.6.8.2.15. Funeral Homes.
- 5.6.8.2.16. Limited commercial and service activities in support of institutional and office uses such as:
  - 5.6.8.2.16.1. Retail outlets for sale of books, educational, and art supplies, florist or gift shop, delicatessen, prescription drug store, prosthetic appliance establishments, and similar establishments.
  - 5.6.8.2.16.2. Service establishments such as barber or beauty shop, restaurant (but not drive-in restaurant), laundry or dry cleaning pickup station, and similar activities.
  - 5.6.8.2.16.3. The above uses 5.6.8.2.16.1. and 5.6.8.2.16.2. are subject to the following limitations:
    - 5.6.8.2.16.2.1. Sale, display, preparation, and storage to be conducted within a completely enclosed building, and no more than 20% of floor space to be devoted to storage.
    - 5.6.8.2.16.2.2. Products to be sold only at retail.
- 5.6.8.2.17. Foster homes, family group homes and group homes.
- 5.6.8.2.18. Bed and Breakfast Inn.
- 5.6.8.2.19. One family residential and office or retail combinations with no minimum residential floor area requirements.
- 5.6.8.3. **PERMITTED ACCESSORY USES AND STRUCTURES.** Uses and structures which:
  - 5.6.8.3.1. Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.

5.6.8.3.2. Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.

5.6.8.3.3. Do not involve operations or structures not in keeping with the character of this district.

5.6.8.3.5. Senior adult flats (See Sec. 4.2.1.94. of the LDR.).

5.6.8.3.6. Funeral Homes.

5.6.8.4. SPECIAL EXCEPTIONS. In connection with multiple family dwellings having a minimum of 100 dwelling units, establishments for sale of convenience goods, personal and professional service establishments, and eating and drinking establishments, provided that all such establishments shall be designed and scaled to meet only the requirements of occupants and their guests, and that there shall be no external evidence of the existence of such establishments. Floor area devoted to such incidental and accessory uses other than parking shall not exceed 20% of the total residential floor area.

5.6.8.4.1. Kennels, provided that outdoor animal runs and outdoor structures housing animals shall be a minimum distance of 50 feet from all residential property lines within the RIO zoning district and 100 feet from all property lines abutting other residential zoning districts. Animal run areas shall be completely surrounded by an eight (8) feet high solid wall or solid fence. Kennels shall be maintained so as not to violate existing city codes.

5.6.8.5. PROHIBITED USES AND STRUCTURES. Any use or structure which is not specifically, provisionally, or by reasonable implication permitted herein.

5.6.8.5.1. Abandoned signs.

5.6.8.5.2. Off-site signs.

5.6.8.5.3. Excavation, borrow pits.

5.6.8.5.4. Mining.

5.6.8.5.5. Junk yards.

5.6.8.5.6. Livestock, including swine, cattle, sheep, goats, and poultry but not to include horses.

5.6.8.6. MINIMUM LOT REQUIREMENTS. (Area & width)

5.6.8.6.1. Single family:

Detached:

Lot width: 60 feet

Lot area: 7,200 sq. ft.

Semi-detached and attached dwellings:

Lot width: 80 feet.

Lot area: 8,400 sq. ft.

Lot width for attached unit: 20 feet.

Lot width for end unit: 30 feet.

5.6.8.6.2. Multiple family:

Lot width: 70 feet.

Lot area: 8,400 sq. ft. plus 2,000 sq. ft. for each dwelling unit in excess of 2.

5.6.8.6.3. Other permitted or permissible uses or structures: As needed to meet other requirements herein.

5.6.8.7. MINIMUM YARD REQUIREMENTS. (Depth of front and rear yard, width of side yard)

Front: 25 feet.

Side: 10 feet provided that where a single-family detached dwelling is erected on a nonconforming lot of record in separate ownership, and the lot is less than 50 feet in width, side yards shall be a minimum of 5 feet in width, unless the structure is over 9 feet in height from the ground to eaves. For any building over 9 feet in height from the ground to the eaves, side yards shall be increased 1 foot for each 3 feet of height above 9 feet; provided that for single-family attached, side yard requirements apply only to end units.

Rear: 10 feet.

5.6.8.7.1. Other permitted or permissible structures:

Front: 20 feet.

Side: A combined total of 20 feet in side yards, provided that no structure shall have a side yard less than 5 feet.

Rear: 15 feet.

5.6.8.8. MAXIMUM LOT COVERAGE BY ALL BUILDINGS.

5.6.8.8.1. Multiple family dwellings: 40%

5.6.8.8.2. Other permitted and permissible uses and structures: 35%

5.6.8.9. MAXIMUM IMPERVIOUS SURFACE COVERAGE. 55% for all upland soils. All other soils shall remain unimproved.

5.6.8.10. MAXIMUM HEIGHT OF STRUCTURES. Except as provided in Sec. 5.2.4. No portion shall exceed 35 feet, provided any building constructed in excess of 35 feet shall meet the following requirements:

5.6.8.10.1. Multiple family dwellings: 35 feet at boundaries of buildable area, increasing 3 feet for each 1 foot from such boundaries to a maximum height of 70 feet.

5.6.8.10.2. Other permitted or permissible structures: 35 feet.

5.6.8.11. MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS.

5.6.8.11.1. Single-family detached residences: 2 spaces.

5.6.8.11.2. Schools:

Elementary and junior high: 2 spaces for each classroom or office room, plus 1 for each 150 sq. ft. of seating area (including aisles) in any auditorium, or any gymnasium or cafeteria intended to be used as an auditorium.

Senior: 4 spaces for each classroom or office room, plus 1 for each 150 sq. ft. seating area (including aisles) in any auditorium, or any gymnasium or cafeteria intended to be used as an auditorium.

5.6.8.11.3. Municipal and neighborhood buildings and churches: 3 spaces for each office room, plus 1 for each 150 sq. ft. of seating area (including aisles) in any room to be used for public meetings.

5.6.8.11.4. Child care center: 2 spaces per employee, plus adequate provision for loading and unloading children from off the street.

5.6.8.11.5. Family group home: 1 space for each 2 beds.

5.6.8.11.6. Group homes: 1 space for each bed.

5.6.8.11.7. Supervised living facility: 1 space for each bed.

5.6.8.11.8. All other dwellings: 2 spaces per unit.

5.6.8.11.9. Funeral home: 1 space for each 3 seats in auditorium or chapel area.

5.6.8.11.10. Private clubs: 1 space for each 3 seats, or 1 space for 200 sq. ft. of gross floor area, whichever is greater.

5.6.8.11.11. Hospitals: 2 spaces for each bed.

5.6.8.11.12. Sanitariums, rest homes, nursing homes convalescent homes, homes for the aged: 1 space for each 4 beds.

5.6.8.11.13. Medical and dental office or clinic: 1 space for each doctor, nurse, and employee, plus 3 spaces for each consultation and/or examination room.

- 5.6.8.11.14. Professional and business office: 1 space for each 300 sq. ft. of gross floor area, plus 1 space for each 2 occupants or employees.
- 5.6.8.11.15. Business, commercial, or personal service establishments, unless otherwise listed: 1 space for each 150 sq. ft. of non-storage first floor area, plus 1 space for each 250 sq. ft. of non-storage area above the first floor.
- 5.6.8.11.16. Art gallery or museum: 1 space for each 200 sq. ft. of public floor area.
- 5.6.8.11.17. Library, community center, recreational facility: 1 space for each 200 sq. ft. of gross floor area or 1 space for each 3 seats, whichever is greater.
- 5.6.8.11.18. Little theater: 1 space for each 3 seats.
- 5.6.8.11.19. Dance, art, and music studios: 1 space for each 300 sq. ft. of gross floor area.
- 5.6.8.11.20. Restaurant: 1 space for each 3 seats in public rooms plus 1 space for each 2 employees.
- 5.6.8.11.21. Special exceptions permissible by Board of Adjustment: To be determined by the Board by general rule or by findings in the particular case. Required off-street parking may be located on or within 200 feet of the premises. If located off the premises, required off-street parking shall be marked as reserved for the use for which provided. Failure to maintain and mark such required off-street parking space as reserved shall be a violation of this ordinance.
- 5.6.8.11.22. Off-Street Loading: Off-street loading space shall be provided if required in the routine operations of the use.
- 5.6.8.11.23. Two family (duplex), attached and multiple family dwellings: 2 spaces for each dwelling.
- 5.6.8.11.24. Single-family residence in combination with office: 3 spaces.
- 5.6.8.11.25. Single-family residence in combination with limited retail: 4 spaces.

5.6.8.12. LIMITATIONS ON SIGNS.

No signs intended to be read from off the premises shall be permitted except:

- 5.6.8.12.1. In connection with a church, school, public park, playground, playfield, a municipal or neighborhood building, day care center, medical and dental clinics, health care facilities including therapy offices, and art gallery:
  - 5.6.8.12.1.1. Not more than 2 identification signs, with combined surface area not exceeding 140 sq. ft.
  - 5.6.8.12.1.2. Not more than 2 bulletin boards or notice boards, with combined surface area not exceeding 60 sq. ft.

5.6.8.12.1.3. In addition to the provisions of 5.6.8.12.1.1. and 5.6.8.12.1.2. above, these sign areas may be combined but in no case shall the combined area exceed 200 sq. ft.

5.6.8.12.1.4. Not more than 2 temporary signs or banners with combined surface area not exceeding 80 sq. ft. in connection with special events, provided that no such sign or banner shall be displayed longer than the duration of the special event plus one week before it begins. Portable signs shall be permitted under these conditions except that such signs shall not exceed 32 sq. ft. for each sign surface area.

5.6.8.12.2. No such sign shall be erected within 10 feet of any property line.

5.6.8.12.3. For dwelling developments, permitted or permissible in this district: One permanent identification sign, not exceeding 12 sq. ft. in area, which can be located within the minimum required front yard setback, provided however that there is a minimum of 4 foot separation between the street pavement edge or back of curb and the sign.

5.6.8.12.4. Funeral home, Bed and Breakfast: One identification sign illuminated but with lighting so directed as not to shine toward adjoining residential uses, and not to exceed 10 sq. ft. in area per surface side in any required front yard.

5.6.8.12.5. Private clubs: Not more than 1 sign, non-illuminated, mounted flat against the wall of the building, and not exceeding 8 sq. ft. in area.

5.6.8.12.6. Signs relating only to identification of the premises and the occupants and to goods sold or services rendered on the premises, limited as to number and area as follows: Not to exceed 1 sign, with not to exceed 5 sq. ft. of surface area, for each 15 lineal feet of lot adjoining a public street. Such signs shall be mounted on the main building or an accessory building and shall not extend more than 3 feet above the roof or beyond the sides of the building. No source of incandescent or mercury vapor illumination for any sign on premises shall be directly visible in any portion of a residential district or from any room used for sleeping purposes in any district. The display surface of all signs shall be oriented away from residential districts in the immediate vicinity.

5.6.8.12.7. In advertising any property for sale, rent, or lease, signs with a combined total surface area not exceeding 3 sq. ft.

5.6.8.12.8. No such signs shall be erected within 10 feet of any property line.