



## AGENDA

### VILLAGE OF LITTLE CHUTE PLAN COMMISSION SPECIAL MEETING

PLACE: Little Chute Village Hall – Village Board Room

DATE: Tuesday, May 28, 2024

TIME: 5:00 p.m.

Join Zoom Meeting

<https://us06web.zoom.us/j/82195256467>

Meeting ID: 821 9525 6467

• +1 312 626 6799 US (Chicago)

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A. Call to Order

B. Roll Call

C. Public Appearance for Items Not on the Agenda

1. Discussion/Action—Cluster Subdivision Lot Coverage

2. Items for Future Agenda

3. Adjournment

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made with as much advance notice as possible to the Clerk's Office at 108 West Main Street, (920) 423-3852 May 22, 2024



## Item For Consideration

### Plan Commission

For Plan Commission Review On: May 28, 2023  
Agenda Item Topic: Sec. 44-91 Cluster Subdivisions

Prepared On: May 22, 2024  
Prepared By: Jessica Titel – CDD

**Report:** On September 6, 2023 the Village Board approved the final plat for the Founders Estates Subdivision. This subdivision was approved with special exceptions as a two-family Cluster Subdivision per Section 44-91. While reviewing initial building permits for the subject subdivision, it was realized that the zoning code does not specify a maximum lot coverage within the lot area requirements for cluster subdivisions (Section 44-91(f)). This means the lot coverage would need to comply with the base zoning district lot coverage, which is 35% for two-family attached dwelling.

Lot Coverage (residential) is defined in Section 44-5 as *the area of a lot occupied by the principal building and accessory building*.

Given the intent of the Cluster Subdivision is to allow more compact/dense residential development, Staff would recommend establishing a lot coverage standard for cluster subdivision development. Ideally, the proposed lot coverage would be larger than the base zoning districts. Staff would recommend a maximum lot coverage of 50% within approved cluster subdivisions. Proposed text amendments are as follows:

#### **Sec. 44-91. Cluster subdivisions.**

- (a) *Intent.* The intent of the cluster subdivision provisions is to promote imaginative, well designed subdivisions which preserve open space, respect the physical qualities of the land and reduce the cost of subdivision.
- (b) *Unified control.* All land included for development as a cluster subdivision shall meet the requirements of unified control for planned unit developments in section 44-83(d).
- (c) *Permitted uses.* Single-family detached and two-family dwellings.
- (d) *General requirements.* All permitted uses shall be subject to the accessory use and structure, sign, height, and parking requirements of the district in which it is located.
- (e) *Area and density requirements.* A tract of land proposed for development as a cluster subdivision shall contain a minimum area of one acre and a maximum density of eight dwelling units per net acre.
- (f) *Lot area requirements.*



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- (1) All single-family detached dwellings shall have the following:
  - a. A minimum lot area of 3,600 square feet;
  - b. Setbacks. The following setback requirements of:
    - 1. A front yard of ten feet;
    - 2. A rear yard of 20 feet; and
    - 3. Side yards of five feet each.
  - c. The maximum lot coverage is 50 percent.
- (2) All two-family dwelling shall have:
  - a. A minimum lot area of 4,800 square feet (2,400 square feet per dwelling);
  - b. Setbacks. The following setback requirements of:
    - 1. A front yard of ten feet;
    - 2. A rear yard of 20 feet; and
    - 3. Side yards of six feet each.
  - c. The maximum lot coverage is 50 percent.
- (3) No principal residential structure shall be located closer than ten feet from any exterior boundary of the tract.

(g) *Procedures for approving cluster subdivision developments.* Approval of a cluster subdivision is subject to the following procedures:

- (1) *Preapplication conference.* Prior to initiating a request for a special exception, a preapplication conference with the plan commission is required. The purpose of such preapplication conference shall be to assist in bringing the overall proposal as nearly as possible into conformity with these regulations applying generally to the property involved and to define specifically those variations from general regulations which appear justified in view of equivalent service of the purpose of such regulations.
- (2) *Concept plan.* A concept plan shall accompany the application meeting the requirements for a PUD in section 44-88(c).
- (3) *Plan commission recommendation and village board approval.* After conferences with the applicant and a public hearing, the plan commission may recommend to the village board to approve, disapprove, or approve subject to stated stipulations and conditions, a request for a special exception. In making its recommendation, the plan commission shall find that plans, maps, and document submitted by the applicant have met the requirements of these



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regulations. Any village board approval applies to the concept plan and request for a special exception only. Final village board approval is necessary for the final plan according to subdivision approval procedures.

- (4) *Binding nature of approval.* All terms, conditions, safeguards, and stipulations made at the time of approval of the cluster subdivision shall be binding upon the applicant or any successor in interest. Deviations from approved plans or failure to comply with any requirement, condition, or safeguard shall constitute a violation of these zoning regulations.
- (5) *Preliminary and final plans.* Plans for development of land approved for cluster subdivision shall be processed in accordance with standard subdivision review procedures established by the village. The same information and data shall be furnished at each stage of plan approval as is required for a standard subdivision development.

(Code 2006, § 13-1-69)

Staff is also looking for the Plan Commission to provide clarity/direction to builders that have already applied for a building permit within the Founders Estate Subdivision regarding the maximum lot coverage in the interim, prior to the proposed zoning code update. These existing building permits for new homes within Founders Estates are currently under review and exceed the RT lot coverage required in the current zoning code.

**Fiscal Impact:** None

**Recommendation/Board Action:** To Recommend approval of the text updates to Section 44-91 and schedule the public hearing for the June 19, 2024 Village Board meeting.

Respectfully Submitted,  
Jessica Titel, Community Development Director