



Meeting: Plan Commission
Meeting Date: 07/22/13
Agenda Item: # 6-7

PLAN COMMISSION STAFF REPORT

REPORT TO: Burt R. McIntyre, President, and Plan Commission members

REPORT FROM: Dave Wiese, Executive Director of Community Development

AGENDA ITEM: A Public hearing and action regarding a proposed amendment to the R-1 Residential Single Family Zoning district regarding the minimum lot width, minimum lot area, and minimum side yard setback.

ACTION REQUESTED: Ordinance Resolution Motion Receive/File

RECOMMENDED ACTION

Staff recommends the Plan Commission open the public hearing, invite comments from the public and then take action on the proposed amendment.

BACKGROUND

Residential lot sizes are established in municipal zoning codes. Currently, in the R-1 Residential Single Family Zoning district, the Village requires a minimum 90-foot lot width, 12,150 square feet of lot area, and side yard setbacks of 8 feet. Staff is proposing to change the minimums to a minimum 75-foot lot width, 12,125 square feet of lot area, and side yard setback of 5 feet. Codes can set the minimum and/or the maximum acreage or square footage on which a residential unit can be built.

Minimum lot sizes: By setting minimum lot sizes, many municipalities effectively preclude (or "zone out") the possibility of providing smaller, more affordable homes and lots. Relaxing zoning restrictions to reduce or eliminate minimum lot-size requirements gives developers the flexibility to build smaller, more affordable homes on smaller, more affordable lots for a variety of consumer groups who need and desire such options, including empty nesters, elderly adults, younger individuals with disabilities, young single workers, childless couples, and others.

Benefits:

For residents:

- Greater zoning flexibility in specifying lot sizes allows more alternatives in housing types and housing affordability, which:
- Responds more effectively to the diversity in housing needs and preferences that characterizes a community's resident population.
- Supports the ability of older adults and individuals with disabilities to successfully age in place in their own communities.
- Supports the substantial efforts of family caregivers of older adults and younger people with disabilities by providing much greater housing choices from which to organize the living environment that works best for both the caregiver and the individual needing on-going care.

For communities:

- Greater zoning flexibility in specifying residential lot sizes allows much greater development innovation, which:

- Stabilizes the community's residential base by providing residents with greater choices for successfully remaining in the community instead of relocating to other communities or states to find housing choices that better meet their needs.
- Improves the overall well-being of the community by promoting the development of alternative housing choices, which is a critical element of a *livable community*.

Attachments

I Draft Village of Howard Ordinance

ORDINANCE NO. 2013 - 11

AN ORDINANCE CREATING ARTICLE IV, DIVISION 2, OF CHAPTER 50 OF THE HOWARD MUNICIPAL CODE RELATING TO THE MINIMUM LOT WIDTH, LOT AREA AND SETBACK REQUIREMENTS IN THE R-1 RESIDENTIAL SINGLE FAMILY ZONING DISTRICT

WHEREAS the Village Clerk published a notice of public hearing regarding such proposed amendment to Chapter 50 of the Municipal Code of the Village of Howard and a public hearing was held at the Village Hall on July 22, 2013 at 5:35 P.M., whereupon the Plan Commission heard all interested persons and/or their agents and attorneys; and

WHEREAS the Village Board of the Village of Howard has received a written recommendation and findings of the Village Plan Commission regarding such proposed amendment to Chapter 50 of the Municipal Code of the Village of Howard;

NOW THEREFORE the Village Board of the Village of Howard, Brown County, Wisconsin, does hereby ordain that Chapter 50 of the Municipal Code of the Village of Howard be amended as follows:

PART II Article IV, Division is hereby amended recreated to read as follows:

Sec. 50-343 Lots in the single-family (R-1) zoning district shall have an area of at least 10,125 ~~(12,150)~~ square feet and a width of at least 75 ~~(90)~~ feet.

Sec. 50-344. Setback regulations.

Unless otherwise regulated in this article, and unless otherwise specifically shown on a recorded subdivision plat or certified survey map, the following minimum setback regulations shall apply to all lots in the single-family (R-1) zoning district for the uses listed:

- (1) Manmade ponds and lakes and radio and television stations, antennas and towers. Setback regulations shall be as specified by the village plan commission.
- (2) Planned developments. Setback regulations shall be as specified in [division 16](#) of this article.
- (3) Religious institutions, nursery schools, elementary schools, junior and senior high schools, colleges, junior colleges, universities, vocational schools and public libraries (including principal and accessory buildings for such uses).
 - a. Front, corner side and rear yard: 50 feet.
 - b. Interior side yard: 25 feet.
- (4) All other permitted and conditional uses.
 - a. Front and corner side yard, arterial streets: 35 feet.
 - b. Front and corner side yard, minor/collector streets: 30 feet.
 - c. Interior side yard: ~~eight~~ five feet.
 - d. Rear yard: 25 feet.

Approved this 22nd day of July, 2013.

BURT R. McINTYRE, Village President

CHRISTOPER HALTOM, Village Clerk

Date of publication: 7/26/2013