CHAPTER 5

PLANNED RESIDENTIAL DEVELOPMENT

5.01 Purpose

(1) The planned residential development is intended to provide opportunities for multiple family dwellings.

(2) The planned residential development option is intended to promote the benefits of:

(a) Coordinated area site planning.

(b) Diversified location of structures.

(c) Safe and efficient pedestrian and vehicular traffic systems.

(d) Attractive recreation and open spaces.

(e) Economical arrangement of public and private utilities and community facilities.

(f) Preservation of natural resources and agricultural land.

5.02 General requirements

(1) A planned residential development is permissible only on tracts of 5 acres or more in areas zoned PRD.

(2) The overall density of a tract developed as a planned residential development shall not be greater than 4 units per acre. Density per acre can be transferred between contiguous acres. Example: A five acre development can have four housing units on each acre or all the housing units (20) could be located on one acre provided the remaining contiguous acres remain undeveloped.

(3) Permissible types of residential development shall include multi-family dwellings. Approval of a planned residential development by the Zoning Committee shall remove the necessity to receive a Conditional Use Permit where required by these regulations.

(4) To the extent practicable, multi-family structures of a planned residential development shall be constructed more toward the interior rather than the periphery of the tract.
(5) In a planned residential development, landscape buffers shall apply between the development parcel and adjacent properties.

(6) The minimum lot width, side yards and rear yards in a planned residential development may be varied by twenty (20) percent from those of the underlying zoning district as contained in Table 3.02 (2) of these regulations.

(7) The setback from highways as contained in Section 3.06 of these regulations and the height requirements as contained in Section 3.08 of these regulations may be varied by twenty (20) percent.

5.03 Preserved open space. At least twenty five (25) percent of the parcel designated as a planned residential development shall be devoted to open space and/or recreation uses.

5.04 Reservation of development rights agreement. Within thirty (30) days following the approval of a development plan, a statement in recordable form under ch. 706, Wis. Stats. shall be recorded with the Register of Deeds for Trempealeau County which shall evidence the approval of that plan, to include at the minimum, the following information:

(1) A legal description of the property.

(2) A statement that copies of the plan are on file with the Zoning Administrator.

(3) A statement as to the nature of the plan, the proposed density of land uses and other pertinent information sufficient to notify any prospective purchasers or users of land of the existence of such a plan.

(4) A statement that the development plan shall become binding upon all successors and assigns unless amended in conformance with these regulations, or amendments thereto.

5.05 Application

(1) All applicants who desire to construct a planned residential development shall submit a development plan to the Zoning Administrator upon forms furnished by the Trempealeau County Zoning Department. The development plan shall contain the following information:

(a) All the information required for a land use permit listed in Section 10.01.

(b) Views within the site and vistas to and from the site.

(c) Noise generation sources.
Surrounding uses, activities and influences on the site within two hundred (200) feet including any existing or proposed streets, drives or buildings.

A schedule of all total floor area, dwelling units, land area, parking areas and other aspects relative to these requirements in order that compliance with these regulations can be determined.

A letter from the Town Board regarding the proposed development.

Upon written request of the Zoning Administrator, such additional information as may be required by the Zoning Administrator so that the Zoning Committee and/or the Trempealeau County Board of Supervisors can determine whether or not the proposed planned residential development at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to public health, public safety or the character of the surrounding area. The written request shall contain an explanation of why the additional information is needed.

Fee. All development plans shall be accompanied by a fee established by the County Board of Supervisors.

No application shall be accepted by the Zoning Administrator until complete as judged by the Zoning Administrator and until all fees established by Trempealeau County have been paid in full.

Public hearing. A public hearing shall be held by the Zoning Committee after public notice has been given as provided in s. 10.08. At the public hearing, any party may appear in person or be represented by agent or attorney.

Determination. Following review, investigation and public hearing, the Zoning Committee shall render a decision.

If the application is approved by the Zoning Committee, such decision shall include an accurate and complete description of the uses as permitted, including all the conditions attached thereto. The Zoning Committee may, in the process of approving the application, limit the use of the land to one specific permitted use in the zoning district for which the application has been submitted.

If the application is denied, the reasons for denial shall be stated.

The Zoning Committee shall review each application for a planned residential development for compliance with all relevant provisions of
these regulations. In approving a planned residential development, the Zoning Committee shall determine that the proposed planned residential development at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to the public health, public safety or character of the surrounding area.

(b) To aid in the review of the proposed planned residential development consistent with the above criteria, the Zoning Committee may evaluate the development according to criteria which shall include but shall not be limited thereto:

1. The basis for approval of a site plan contained in Section 10.03.
2. The basis for approval of a conditional use contained in Section 10.04.
3. Any additional criteria deemed relevant by the Zoning Committee, including sureties, restrictions and conditions.

(7) Resubmission. A development plan that has been heard and decided shall not be eligible to be resubmitted during the six (6) months following the decision. The six month period may be waived by the Zoning Committee in the same manner provided for conditional uses contained in Section 10.04.

5.06 Permit requirements

(1) Changes to Development Plan

(a) In the event of any proposed substantive change in the development plan of a planned residential development, the modified development plan must again be submitted for to the Zoning Committee and a public hearing must be held before such modification can be made.

(b) For the purposes of this section, substantive changes shall mean the following:

1. Increases in the density of residential uses of more than five (5) percent.
2. Increases of lot coverage of more than five (5) percent.
3. Increases in the height of any building of more than ten (10) percent.
5. Changes in ownership patterns or stages of construction that will lead to a different development concept.
6. Decreases of any peripheral setback of more than five (5) percent.
7. Decreases of areas devoted to open space of more than five (5) percent or the substantial relocation of such areas.
8. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries.
9. Modification or removal of conditions or stipulations to the development plan approval.

(c) All changes to the development plan which are not substantive shall be approved by the Zoning Administrator before the modification occurs.

(2) Abandonment of a Development Plan. In the event that a plan is given approval and there after the landowner shall abandon said plan and shall so notify the Zoning Administrator in writing, or in the event the landowner shall fail to commence the planned residential development within eighteen (18) months after approval has been granted, then in either event such approval shall terminate and shall be deemed null and void unless such time period is extended by the Zoning Committee upon written application of the landowner. Whenever a plan has been abandoned as provided by this section, no development shall take place on the property until a new development plan has been approved and filed in conformance with these regulations.