

Chapter 2

Land Division and Subdivision

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Sec. 16-2-1 Introduction.

- (a) **Authority.** These regulations are adopted under the authority granted by Section 236.45 of the Wisconsin Statutes, and pursuant to 59.97 (3), 144.26 (2), and 144.26 (8) of the Wisconsin Statutes.
- (b) **Purpose.** The purpose of this Ordinance is to regulate and control the division of any land within the limits of Columbia County and outside the corporate limits of incorporated villages and cities, in order to promote the public health, safety, morals, prosperity, aesthetics and general welfare of the governing body.
- (c) **Intent.** It is the general intent of this Ordinance to regulate the division of land so as to lessen congestion in the streets and highways; to further the orderly layout and appropriate use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds, and other public requirements; to control the further division of larger tracts into smaller parcels of land; to ensure adequate legal description and proper survey monumentation of subdivided land; to provide for the administration and enforcement of this Ordinance; to provide penalties for its violation and in general to facilitate enforcement of governing body development standard as set forth in the Comprehensive Developing Plan, Zoning Ordinance building codes and official zoning maps in force in the County.

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- (d) **Abrogation and Greater Restrictions.** It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, Ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. However, whenever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.
- (e) **Interpretations.** In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.
- (f) **Severability.** If any section, provision or portion of this Ordinance is adjudged invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- (g) **Repeal.** All other Ordinances or parts of Ordinances of Columbia County inconsistent or in conflict with this Ordinance, to the extent of inconsistency or conflict only, are hereby repealed.
- (h) **Title.** This Ordinance shall be known as the "Land Division and Subdivision Ordinance, Columbia County, Wisconsin."
- (i) **Zoning Changes.** Any proposed subdivision requiring a zoning change in order to develop as proposed, shall submit these proposed changes to the County Board so that the zoning changes will be approved at the time of final approval.

Sec. 16-2-2 Definitions.

For the purposes of this Ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number and the plural number includes the singular number. The word "shall" is mandatory and not directory.

- (a) **Alley.** A public or private right of way shown on a plat, which provides secondary access to a lot, block or parcel of land.
- (b) **Arterial Street.** A street used, or intended to be used, primarily for fast or heavy through traffic. Arterial street shall include freeways and expressways as well as County Trunk Highways, State Highways, and minor arterial streets.
- (c) **Building Line.** A line parallel to a lot line and at a distance from the lot line to comply with the Zoning Ordinance yard requirements.
- (d) **Buildable Width.** The width between opposed building lines.
- (e) **Community.** Columbia County, Wisconsin.
- (f) **Comprehensive Plan.** Comprehensive Development Plan for Columbia County, Wisconsin, and its planning components.
- (g) **Copy.** A true and accurate copy of all sheets of the original subdivision plat. Such copy shall be on durable white, matte finished paper with legible dark lines and lettering.

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- (h) **Cul De Sac Street.** Minor street closed at one end with a turnaround provided for passenger vehicles.
 - (i) **Double Frontage Lots.** Lots having frontage on opposite property boundaries with public streets.
 - (j) **Engineer.** The person, persons or firm designated by Columbia County Highway Department for the purposes of this Ordinance.
 - (k) **Extraterritorial Plat Approval Jurisdiction.** The unincorporated area within three miles of the corporate limits of a first, second, or third-class city, or one and one-half miles of a fourth-class city or a village.
 - (l) **Frontage Road.** A local street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.
 - (m) **Governing Body.** The Columbia County Board of Supervisors.
 - (n) **Half-Streets.** A street located on the boundary of a Plat whose centerline meets the boundary at an angle of less than thirty (30) degrees or whose required right of way width is reduced by that boundary.
 - (o) **Local Street.** A street used, or intended to be used, primarily for access to abutting properties.
 - (p) **Municipality.** An incorporated city or village.
 - (q) **Outlot.** A parcel of land, other than a lot or block so designated on the plat.
 - (r) **Planning Agency.** The Columbia County Planning and Zoning Committee.
 - (s) **Plat.** A map of a subdivision.
 - (t) **Public Way.** Any public road, street, highway, walkway, drainageway, or part thereof.
 - (u) **Recording a Plat.** The filing of the original of the final plat with the Register of Deeds.
 - (v) **Replat.** The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof.
 - (w) **Reverse Frontage Lots.** Corner lots with no provision for extra width to permit side yard to be the same as front yards on that side.
 - (x) **Rural Subdivision.** A subdivision not within three (3) miles of the corporate limits of a last, 2nd or 3rd class city or within one and one-half (1 1/2) miles of other corporate limits.
 - (y) **Subdivider.** Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, or replat.
 - (z) **Subdivision.** The division of a lot, outlot, parcel or tract of land by the owner thereof, or agent, for the purpose of transfer of ownership or building development where the act of division creates five (5) or more parcels or building sites of fifteen (15) acres each or less in area by successive division within a period of five (5) years.
 - (aa) **Urban Subdivision.** A subdivision within the corporate limits or within three (3) miles of the corporate limits of a 1st, 2nd or 3rd class city or within one and one-half (1 1/2) miles of other corporate limits at the time of submission of the Final Plat.

- (bb) **Vision Clearance Triangle.** An unoccupied triangular space at the intersection of highways or streets with other highways, streets or roads, or at the intersection of highways or streets with railroads. Such vision clearance triangle shall be bounded by the intersecting highway, street, road or railroad right of way lines and a setback line connecting points located on such right of way lines by measurement from their intersection as specified in this Ordinance.

Sec. 16-2-3 General Provisions.

- (a) **Jurisdiction.** The provisions of this Ordinance as it applies to divisions of tracts of land into less than five (5) parcels shall not apply in those instances described in Section 236.45 of the Wisconsin Statutes.
- (b) **Compliance.** No person, firm or corporation shall divide any land located within the jurisdiction limits of these regulations which results in a subdivision, or a replat as defined herein; no such subdivision or replat shall be entitled to record; and, no street shall be laid out or improvements made to land without compliance with all requirements of this Ordinance, and:
- (1) In any division of land for building development not in a subdivision and not served by public sanitary sewer, the provisions set forth in DILHR 85, Wisconsin Administrative Code, establishing minimum lot size based on soil suitability.
 - (2) Provisions of Chapter 236, Wisconsin Statutes, the State platting law.
 - (3) Rules of the Department of Industry, Labor and Human Relations, set forth in the Wisconsin Administrative Code, Chapter DILHR 85, regulating subdivisions not served by public sanitary sewers.
 - (4) Rules of the Division of Highways, Department of Transportation, set forth in Chapter 33, Wisconsin Administrative Code, relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the subdivider abuts on a State trunk highway or connecting street.
 - (5) Duly approved Comprehensive Plan, or its component.
 - (6) Applicable Local and County Ordinances.
- (c) **Dedication and Reservation of Lands.** Whenever a tract of land to be subdivided embraces all or any part of any arterial street, drainageway or other public way which has been designated in the Comprehensive Plan, or its component, or on the official map, said public way shall be made a part of the plat and dedicated or reserved by the subdivider in the locations and dimensions, indicated on said plan or map and as set forth in Section 16-2-8 of this Ordinance.

Whenever a proposed playground, park, or other public land, other than streets or drainageways, or on the official map, is embraced, all or in part, in a tract of land to be subdivided, these proposed public lands shall be made a part of the plat and shall be

dedicated to the Town Government by the subdivider at the rate of five (5%) percent of the land in the total subdivision. Said proposed public lands, other than streets, drainageways, or public access as required in Chapter 236, in excess of the rate established herein shall be reserved for a period not to exceed three (3) years unless extended by mutual agreement for acquisition by a public agency at undeveloped land costs. Any such reservation shall have an outlot number.

If a park or playground is not designated, the owner will, prior to the division being recorded, donate five (5%) percent of the land or money in lieu of the land to the Town Government within which the division occurs. The Town Government must use the money or land for park purposes in the area of the division. (The Planning Agency, upon recommendation of the Town Board, shall decide if the dedication will be in land or money in lieu of land.) In determining the value of land when money is in lieu of land is to be conveyed to the Town Government, the criteria will be the fair market value of the land after division.

Public access ways are excluded in the five (5%) percent formula.

- (d) **Improvements.** Before final approval of any plat, the subdivider shall install street and utility improvements as hereinafter provided. If such improvements are not installed as required at the time that the final plat is submitted for approval, the subdivider shall before the recording of the plat enter into a contract with the governing body agreeing to install the required improvements and shall file with said contract a bond meeting the approval of corporation counsel or a certified check in an amount equal to the estimated cost of the improvements, said estimate to be made by the Highway Commissioner, as a guarantee that such improvements will be completed by the subdivider not later than one year from the date of recording of the plat and as a further guarantee that all obligations to subcontractors for work on the development are satisfied.
- (e) **Waiver of Requirements.** Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, the Planning Agency shall have the power in passing upon appeals to authorize such variance from the terms of this Ordinance as will not be contrary to the public interest so that the spirit of the Ordinance shall be observed and substantial justice done.
- (f) **Land Suitability.** No land shall be subdivided for residential use which is deemed unsuitable for such use by the Planning Agency for reason of flooding, inadequate drainage, 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 governing body. The planning agency shall confer with the United States Soil Conservation Service in determining land suitability of the proposed subdivision. The Planning Agency, 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 so desires. Thereafter the planning agency may affirm, modify, or withdraw its determination of unsuitability.

- (g) **Violations.** Any person, firm or corporation who fails to comply with the provisions of these regulations shall, upon conviction thereof, be subject to penalties and forfeitures as provided in this Ordinance and Section 236.30, 236.31, 236.32, 236.335, and 236.35 of the Wisconsin Statutes.
- (h) **Penalties.** Any person violating any provision of this Ordinance, including those provisions of the Wisconsin Statutes, Wisconsin Administrative Code, and other materials which are incorporated by reference, shall be subject to the penalty listed in the Penalty Section at Title 1, Chapter 2. In addition to such penalty, the Corporation Counsel is authorized to bring an action to enjoin any violation and the Zoning Administrator is authorized to refuse to issue a zoning permit for construction on any premises contrary to this Ordinance.
- (i) **Appeals.** Any person, firm or corporation aggrieved by any decision of the County Planning Agency, may appeal to a Court of Record within thirty (30) days after the rendering of the decision. The procedures to be followed are to be in substantial conformity with Sections 236.13 (5) and 62.23 (7)(e), 10 to 15 of the Wisconsin Statutes.

Sec. 16-2-4 Certified Survey Map.

- (a) **General.** A certified survey map prepared by a land surveyor registered in Wisconsin shall be required for any division of land less than thirty-five (35) acres in size which does not necessitate the preparing of a subdivision plat. All remnant parcels of less than ten acres shall require a certified survey map.
- (b) **Lot Size.** Minimum area of lot shall be twenty thousand (20,000) square feet and the average lot width shall be one hundred (100) feet.
- (c) **Access.** Every lot or parcel shall front or abut a public road. Conventional lots shall maintain a minimum frontage of sixty-six (66) feet to facilitate the possible development of a public right of way that could service additional lots. Cul de sac lots shall provide a minimum of thirty (30) feet of frontage on a public road.
- (d) **Tie To Government Corners.** The certified survey map shall be tied to two Federal Land Survey corners, unless the division is within a platted subdivision.
- (e) **Review.** The applicant shall file a copy of the proposed certified survey map with the Columbia County Planning and Zoning Department. Authority to approve certified survey maps may be delegated by the County to an authorized representative serving the County. The County or authorized representative shall within thirty-five (35) days approve, approve conditionally, or reject the certified survey map based on a

determination of conformance with the provisions of this Ordinance. In the event of rejection or conditional approval the land divider may appeal the decision to the Board of Adjustment.

(f) **Additional Information.**

(1) The certified survey map shall show correctly, in addition to the information required by Section 236.34 of the Wisconsin Statutes, the following:

- a. Date of preparation.
- b. Graphic scale, legend and north arrow.
- c. Name and address of the owner, divider, and surveyor.
- d. Location of existing buildings, watercourses, drainage ditches and other features.
- e. Building setback lines.
- f. Location of existing wells, septic tanks, drainfield and designated replacement drainfield area.
- g. The acreage of each tax parcel which is affected or created as determined from existing information.

(2) The certified survey map shall bear a statement indicating whether any portion of the property is designated as:

- a. Floodplain on a FEMA Flood Boundary and Floodway Map.
- b. Wetland on the Wisconsin Wetlands Inventory Maps.

(g) **Agriculturally Zoned Residences.** Homes permitted under Section 16-1-4 of the Columbia County Zoning Ordinance shall remain a part of the farm parcel unless the parcel is rezoned. Farm residences and structures which existed prior to December 21, 1977, may be separated from a larger farm parcel in the event of farm consolidation.

(h) **Fee.** A fee of will be charged as listed in the Fee Schedule and is payable to the Treasurer of Columbia County.

(i) **Waiver of Requirements.** The provisions of Section 16-2-3 (e) of this Ordinance shall apply.

Sec. 16-2-5 Subdivision Procedures.

(a) **Pre-Application.** The subdivider, prior to the filing of an application for the approval of a Preliminary Plat, may consult with the Planning Agency and/or staff in order to obtain their advice and assistance. This consultation is to inform the subdivider of the purpose and objectives of these regulations, the Comprehensive Plan, or its components, and duly adopted plan implementation devices and to otherwise assist the subdivider in planning his development. In so doing, both the subdivider and the Planning Agency may reach mutual conclusions regarding the general program and objectives of the proposed development

and its possible affects on the neighborhood and community. The subdivider will gain a better understanding of the subsequent required procedures.

- (b) **Preliminary Plat Review.** Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat in accordance with this Ordinance, and the subdivider shall comply with the procedures of Section 236.11 and 236.12 of the Wisconsin Statutes. Fourteen (14) copies of this Preliminary Plat shall be submitted to the Planning Agency. The Planning Agency, hereby designated as approving authority for all preliminary plats, shall transmit a copy of the Preliminary Plat to all affected boards, commissions, or departments, unless the subdivider has elected to submit directly to the State as provided in Chapter 236.12 (6), and all affected local utility companies for their review and recommendations concerning matters within their jurisdiction. Their recommendations will be requested to be transmitted to the Planning Agency within thirty (30) days from the date the Plat is filed. The Preliminary Plat shall then be reviewed by the Planning Agency for conformance with this Ordinance and all Ordinances, rules, regulations, and Comprehensive Plan components which affect it.
- (c) **Preliminary Plat Approval.**
 - (1) The Planning Agency, within the time specified in Section 236.11 of the Wisconsin Statutes of the date of filing Preliminary Plat with the Agency, shall approve, approve conditionally, or reject such Plat. One copy of the Plat shall thereupon be returned to the subdivider with the date and action endorsed thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejection shall accompany the Plat. One copy each of the Plat and letter shall be placed in the Planning Agency's permanent file.
 - (2) Failure of the planning agency to act within this time limitation shall constitute an approval.
 - (3) Approval or Conditional Approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except as indicated in Section 236.11 of the Wisconsin Statutes. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the Final Plat which will be subject to further consideration by Planning Agency at the time of its submission.
- (d) **Final Plat Review.**
 - (1) Submission of a Final Plat and a letter of application in accordance with this Ordinance shall comply with the procedures of Sections 236.11 and 236.12 of the Wisconsin Statutes and the subdivider shall file four copies of the Plat and the application with the Planning Agency at least twenty-five (25) days prior to the meeting of the Planning Agency at which action is desired.

- (2) The Planning Agency shall examine the Final Plat as to its conformance with the approved Preliminary Plat; any conditions of approval of the Preliminary Plat; this Ordinance and all Ordinances, rules, regulations, general plans and general plan components which may affect it and shall recommend approval, conditional approval or rejection of the Plat to the governing body.
 - (3) The governing body shall approve or reject such Plat. If the Plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons supplied to the subdivider. The governing body may not inscribe its approval of the Final Plat unless the secretary of the Planning Agency certifies on the face of the Plat in compliance with Section 236.12 of the Wisconsin Statutes that the certificate required under 236.12 (4) or 236.12 (6) has been executed.
 - (4) Failure of the governing body to approve or reject such Plat within the time specified in Section 236.11 of the Wisconsin Statutes, the time having not been extended and no unsatisfied objections having been filed, the Plat shall be deemed approved.
 - (5) Recordation. After the Final Plat has been approved by the governing body and required improvements either installed or a contract and sureties insuring their installation is filed, the Planning Agency shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Plat returned to the subdivider for recording with the County Register of Deeds. The Register of Deeds shall not record the Plat unless it is offered within the time specified in Section 236.25 of the Wisconsin Statutes.
 - (6) Copies. The subdivider shall file five (5) certified copies of the Final Plat with the Planning Agency for distribution to appropriate local agencies and offices.
- (e) **Replat.** When it is proposed to replat a recorded subdivision, or part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded Plat as provided in Section 236.40 through 236.44 of the Wisconsin Statutes. The subdivider, or persons wishing to replat, shall then proceed as specified in Section 16-2-5 (a) through (d) of this Ordinance. Court vacations of plats are required when areas dedicated to the public are altered.

The secretary of the Planning Agency shall schedule, within the period specified in Section 16-2-5 (c) of this Ordinance for the Planning Agency to take action upon the Plat, a public hearing before the Planning Agency when a Preliminary Plat of a replat of lands within the governing body is filed, and shall cause notices of the proposed Replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed Replat and to the owners of all properties within two hundred (200) feet of the exterior boundaries of the proposed Replat.

Sec. 16-2-6 Preliminary Plat Requirements.

- (a) **General.** A preliminary Plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and the Plat prepared on tracing cloth or paper of good quality at a scale of not more than one hundred (100) feet to the inch and shall show correctly on its face the following information:
- (1) NAME under which the proposed subdivision is to be recorded which shall not be a duplicate name of any Plat recorded in Columbia County.
 - (2) LOCATION of proposed subdivision by: government lot, quarter-quarter section, township, range, county and State noted immediately under the name.
 - (3) DATE, GRAPHIC SCALE AND NORTH POINT.
 - (4) NAME AND ADDRESSES of the owner, subdivider and land surveyor preparing the Plat.
 - (5) ENTIRE AREA contiguous to the proposed plat owned or controlled by the subdivider shall be included on the Preliminary Plat even though only a portion of said area is proposed for immediate development. The planning agency may waive this requirement where it is unnecessary to fulfill the purposes and intent of this Ordinance and undue hardship would result from strict application thereof.
 - (6) TIE to all government corners required to be used for the survey, according to State and Federal surveying requirements.
- (b) **Plat Data.** All Preliminary Plats shall show the following:
- (1) CONTOURS at vertical intervals of not more than two (2) feet where the slope of the ground surface is less than ten (10%) percent, and of not more than five (5) feet where the slope of the ground surface is ten (10%) percent or more. Elevations shall be marked on such contours on datum established by the Engineer.
 - (2) WATER ELEVATIONS of adjoining lakes and streams at the date of the survey and approximate high and low water elevations, all referred to datum established by the Engineer.
 - (3) LOCATION, RIGHT OF WAY WIDTH, AND NAMES of all existing streets, alleys or other public ways, easements, railroad and utility rights of way and all section, and quarter section lines within the exterior boundaries of the Plat or immediately adjacent thereto.
 - (4) LOCATION AND NAMES OF ANY ADJACENT SUBDIVISIONS, parks and cemeteries, and owners of record of abutting unplatted lands.
 - (5) TYPE, WIDTH AND ELEVATION of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations, all to datum established by the Highway Commissioner.

- (6) LOCATION, SIZE AND INVERT ELEVATIONS of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, power and telephone poles, and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereof. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by their direction and distance from the tract, size, and invert elevations.
 - (7) LOCATIONS OF ALL EXISTING PROPERTY BOUNDARY LINES, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other similar significant features within the tract being subdivided, or immediately adjacent thereto.
 - (8) LOCATION, WIDTH AND NAMES of all proposed streets and public rights of way such as alleys and easements.
 - (9) APPROXIMATE DIMENSIONS OF ALL LOTS together with proposed lot and block numbers.
 - (10) APPROXIMATE DIMENSIONS OF ALL OUTLOTS, together with proposed outlot numbers.
 - (11) APPROXIMATE RADII OF ALL CURVES.
 - (12) EXISTING ZONING on and adjacent to the proposed subdivision.
 - (13) TOWN AND CORPORATE LIMIT LINES.
 - (14) ANY PROPOSED LAKE AND STREAM ACCESS with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.
 - (15) ANY PROPOSED LAKE OR STREAM improvement, relocation or creation.
 - (16) LANDS LYING BETWEEN THE MEANDER LINE and the water's edge and any other unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots, or public dedications in any Plat abutting a lake or stream.
- (c) **Street Plans and Profiles.** The Highway Commissioner may require that the subdivider provide street plans and profiles showing existing ground surface, proposed and established street grades, including, extension for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall be based upon datum established by the Highway Commissioner and plans and profiles shall meet the approval of the Highway Commissioner.
- (d) **Testing.** The Director of Planning and Zoning may require that borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depths to bedrock and depth to ground water table. Where any urban subdivision will not be served by public sanitary sewerage service, the provisions of DILHR 85 of the Wisconsin Administrative Code shall be complied with; and the appropriate data submitted with the Preliminary Plat. Where a rural subdivision will not be served by

public sanitary sewer service, the minimum lot size shall be determined according to the percolation rates, as provided in DILHR 85 of the Wisconsin Administrative Code and according to the soil suitability.

- (e) **Covenants.** The Planning Agency may require submission of a draft of protective covenants whereby the subdivider intends to regulate land use in the proposed subdivision and otherwise protect the proposed development.
- (f) **Affidavit.** The registered land surveyor preparing the Preliminary Plat shall certify on the face of the Plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this Ordinance.

Sec. 16-2-7 Final Plat.

- (a) **General.** A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of Chapter 236 of the Wisconsin Statutes.
- (b) **Additional Information.** The Plat shall show correctly on its face, in addition to the information required by Chapter 236 of the Wisconsin Statutes, the following:
 - (1) EXACT STREET WIDTH along the line of any obliquely intersecting street.
 - (2) TIE to all government corners required to be used for the survey, according to State and Federal surveying requirements.
 - (3) RAILROAD RIGHTS OF WAY within and abutting the Plat.
 - (4) UTILITY EASEMENTS of sufficient width to provide all lots with necessary services based upon recommendation of the utility companies.
 - (5) ALL LANDS RESERVED for future public acquisition or reserved for the common use of property owners within the plat (shown as outlots).
 - (6) SPECIAL RESTRICTIONS required by the Planning Agency relating to access control along public ways or to the provision of planting strips.
 - (7) DEED RESTRICTIONS may be required to be filed by the Planning Agency with the Final Plat.
 - (8) SURVEYING AND MONUMENTING requirements of Section 236.15 of the Wisconsin Statutes shall be met.
 - (9) CERTIFICATES shall be provided as required by Section 236.21 of the Wisconsin Statutes; and, in addition, the surveyor shall certify that he has fully complied with all the provisions of this Ordinance. The owner's certificate shall be fully executed prior to local approval.

Sec. 16-2-8 Design Standards.

- (a) **Street Arrangement** shall be approved by the Planning Agency. In any new subdivision the street layout shall conform to the arrangement, width and location indicated on the Official Map or General Plan of the County or community. In areas for which such plans have not been completed, the street layout shall recognize the functional classification

of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street.

- (1) **PROPOSED STREETS** shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Planning Agency, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts.
 - (2) **ARTERIAL STREET AND HIGHWAY PROTECTION.** Whenever the proposed subdivision contains or is adjacent to a major street or highway, adequate protection of residential properties, limitation of access, and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a non-access reservation along the rear property line, or by the use of frontage streets.
 - (3) **STREAM OR LAKE SHORES** shall be provided with public access in conformance with the provisions of Section 236.16 (3) of the Wisconsin Statutes.
 - (4) **RESERVE STRIPS** shall not be provided on any Plat to control access of streets or alleys, except where control of such strips is placed with the governing body under conditions recommended by the Planning Agency and approved by the governing body.
 - (5) **STREET NAMES** shall not duplicate or be similar to existing street names within ten (10) miles of the boundary of the community and existing street names shall be projected wherever possible.
- (b) **Limited Access Highway and Railroad Right of Way Treatment.** Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right of way, the design shall provide the following treatment:
- (1) **WHEN LOTS WITHIN THE PROPOSED SUBDIVISION** back upon the right of way of an existing or proposed limited access highway, including I system highway, or a railroad, a planting strip at least thirty (30) feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the Plat: "This strip reserved for the planting of trees and shrubs, the building of structures hereon prohibited."
 - (2) **COMMERCIAL AND INDUSTRIAL DISTRICTS** shall have provided, on each side of the limited access highway interchange or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad for the appropriate use of the land between such streets and highway or railroad, but not less than one hundred fifty (150) feet.

- (3) STREETS PARALLEL TO A LIMITED ACCESS HIGHWAY or railroad right of way, when intersecting a major street or highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of two hundred fifty (250) feet from said highway or railroad right of way. Such distance, where desirable and practical, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
 - (4) LOCAL STREETS immediately adjacent and parallel to railroad rights of way shall be avoided, and location of local streets immediately adjacent to arterial streets and highways and railroad rights of way shall be avoided in residential areas.
- (c) **Street Design Standards.** All streets shall conform to Section 86.26, Wisconsin Statutes, relating to town and county road standards. The following provisions shall apply when more restrictive than the State regulations. The minimum right of way and roadway width of all proposed streets shall be as specified by the Comprehensive Plan component, or Official Map, or if no width is specified therein, the minimum widths shall be as follows:

(1-a) URBAN CROSS SECTION

Type of Street *	Right of Way Width to be Dedicated
Statewide Principal Primary or Standard Arterial Streets	180 feet
Statewide Minor Arterial or Areawide High or Low Collectors	100 feet
Local Streets	66 feet
Pedestrian Ways	10 feet

(1-b) URBAN CROSS SECTION

Type of Street *	Pavement Width (Face of Curb To Face of Curb)
Statewide Principal Primary or Standard Arterial Streets	*
Statewide Minor Arterial or Areawide High or Low Collectors	*
Local Streets	32 feet
Pedestrian Ways	5 feet

(2) RURAL CROSS SECTION

Type of Street *	Right of Way Width to be Reserved
Statewide Principal, Primary, Standard, Arterial	*
Local Street	66 feet
Areawide High and Low Collectors	100 feet

(2-a) RURAL CROSS SECTION

Type of Street *	Right of Way Width to be Dedicated
Statewide Principal, Primary, Standard, Arterial	*
Local Street	66 feet
Areawide High and Low Collectors	100 feet

(2-b) RURAL CROSS SECTION

Type of Street *	Pavement Width (Face of Curb to Face of Curb)
Statewide Principal, Primary, Standard, Arterial	*
Local Street	20 feet
Areawide High and Low Collectors	*

* To be determined by the governing body which has jurisdiction with advice from the Highway Commissioner.

- (3) CUL DE SAC STREETS designed to have one end permanently closed shall not exceed one thousand (1,000) feet in length. All cul de sac streets designed to have one end permanently closed shall terminate in a circular turnaround having a minimum right of way radius of sixty (60) feet and a minimum outside curb radius of fifty (50) feet.
- (4) STREET GRADES. Unless necessitated by exceptional topography subject to the approval of the Highway Commissioner, the maximum centerline grade of any street or public way shall not exceed the following:
 - a. Local Street: Ten (10%) percent.
 - b. Pedestrian Ways: Twelve (12%) percent unless steps of acceptable design are provided.
 - c. The grade of any street shall in no case exceed eleven (11%) percent or be less than one-half of one (0.5%) percent.

- d. Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and general leveling of the topography. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to fifteen (15) times the algebraic difference in the rates of grades for major streets and one-half (1/2) this minimum for all other streets.
 - (5) **RADII OF CURVATURE.** When a continuous street centerline deflects at any one point by more than ten (10) degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:
 - a. Local Streets: One hundred (100) feet.
 - b. A tangent at least one hundred (100) feet in length shall be provided between reverse curves on arterial and collector streets.
 - (6) **HALF STREETS.** Where, on the date of enactment of this Ordinance, an existing dedicated or platted half street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider. The creation of new half streets is prohibited.
- (d) **Street Intersections.**
- (1) **STREETS** shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.
 - (2) **NUMBER OF STREETS CONVERGING** at one intersection shall be reduced to a minimum, preferably not more than two. For local streets only cross-type intersections shall be avoided in favor of T-type intersections.
 - (3) **NUMBER OF INTERSECTIONS** along major streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections shall be not less than one thousand (1,000) feet.
 - (4) **STREET INTERSECTIONS** shall show corner easement radii of fifteen (15) feet or greater when required by the Planning Agency.
 - (5) **LOCAL STREETS** shall not necessarily continue across arterial or collector streets; but if the centerlines of such local streets approach the major streets from opposite sides within three hundred (300) feet of each other, measured along the centerline of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the major or collector street is continuous; and a jog is avoided.
- (e) **Blocks.** The widths, lengths, and shapes of blocks shall be suited to the planned use of the land; zoning requirements; need for convenient access, control and safety of street traffic; and the limitations and opportunities of topography.
- (1) **LENGTH.** Blocks in residential areas shall not as a general rule be less than six hundred (600) feet nor more than fifteen hundred (1,500) feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

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- (2) PEDESTRIAN WAYS of not less than ten (10) feet in width may be required near the center and entirely across any block over nine hundred (900) feet in length where deemed essential by the Planning Agency to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.
 - (3) WIDTH. Blocks shall have sufficient width to provide for two tiers or lots or appropriate depth except where otherwise required to separate residential development from through traffic. Width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the zoning restrictions for such use.
 - (4) UTILITY EASEMENTS. All utility lines for electric power and telephone service shall be placed on mid-block easements along rear lot lines wherever carried on overhead poles.
- (f) **Lots.** The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.
- (1) SIDE LOT LINES, whenever practicable as determined by the Planning Agency, shall be at right angles to straight street lines or radial to curbed street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.
 - (2) DOUBLE FRONTAGE AND REVERSE FRONTAGE LOTS shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.
 - (3) ACCESS. Every lot shall front or abut for a distance of at least sixty-six (66) feet on a public street, or thirty (30) feet on a cul de sac.
 - (4) AREA of lots served by public sanitary sewer shall have a minimum of eight thousand (8,000) square feet, unless otherwise provided for in the Zoning Ordinance. Subdivisions not served by public sewers shall conform to the requirements of Chapter DILHR 85, Wisconsin Administrative Code. Whenever a tract is subdivided into large parcels, such parcels may be arranged and dimensioned so as to allow further division of such parcels into normal lots in accordance with the provisions of this Ordinance. Deed restrictions may be required to regulate the placement of buildings on these lots.
 - (5) DEPTH. Lots shall have a minimum average depth of two hundred (200) feet. Depth of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning regulations for such use.
 - (6) WIDTH OF LOTS shall conform to the requirements of the zoning regulations.

- (7) CORNER LOTS shall have an extra width of ten (10) feet to permit adequate building setbacks from side streets.
- (8) VISION CLEARANCE TRIANGLE shall be provided for each corner lot and shall be approved by the Planning Agency.
- (g) **Outlots.** All lands within the plat boundaries which are not numbered as lots or dedicated as streets shall be outlots, and shall be consecutively numbered. All outlots shall meet the minimum lot size requirements of this Ordinance, unless dedicated to the public.
- (h) **Building Setback Lines.** Where not controlled by zoning regulations, building setback lines appropriate to the location and type of development contemplated shall be established as may be required by the Planning Agency.
- (i) **Easements.** The Planning Agency may require utility easements of widths deemed adequate for the intended purpose on each side of all rear lot lines and on said lot lines or across lots where necessary or advisable for electric power and communication poles, wires, conduits; storm and sanitary sewers; and gas, water and other utility lines.

DRAINAGE EASEMENTS. Where a subdivision is traversed by a watercourse, drainageway channel or stream, an adequate drainageway or easement shall be provided as may be required by the Planning Agency. The location, width, alignment and improvements of such drainageway or easement shall be subject to the approval of the Engineer; and parallel streets or parkways may be required in connections therewith. Where necessary, storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. These design details are subject to review and approval by the Planning Agency.

- (j) **Public Sites and Open Space.** In the design of the Plat, due consideration shall be given to the reservation of suitable sites of adequate area for future schools, parks, playgrounds, drainageways and other public purposes. Dedications are described in Section 16-2-3 (c).

Sec. 16-2-9 Required Improvements.

- (a) **General.** Improvements required for urban subdivisions shall be those required by the Municipality. All rural subdivisions shall provide the required improvements set forth in this section.
- (b) **Grading.** After the installation of temporary block corner monuments by the subdivider and establishment of street grades by the governing body, the subdivider shall grade the full width of the right of way of all streets proposed to be dedicated in accordance with the plans and standard specifications approved by the Highway Commissioner. The subdivider shall grade the roadbeds in the street rights of way to subgrade.

- (c) **Surfacing.** After the installation of all utility and storm water drainage improvements, if any, the subdivider shall surface all roadways and streets proposed to be dedicated to the widths prescribed by this Ordinance and components. Said surfacing shall be done in accordance with plans and standard specifications approved by the Highway Commissioner. The cost of surfacing in excess of thirty-six (36) feet in width that is not required to serve the needs of the subdivision shall be borne by the governing body.
- (d) **Street Cross Sections.** When permanent rural street cross sections have been approved by the governing body, the County Highway Commission or the State Department of Transportation, Division of Highways, whoever has jurisdiction, the subdivider shall finish-grade all shoulders and road ditches, install all necessary culverts at intersections and, if required, surface ditch inverts to prevent erosion and sedimentation in accordance with plans and standard specifications approved by the Highway Engineer.
- (e) **Storm Water Drainage Facilities.** The subdivider shall construct storm water drainage facilities, which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches and open channels, as may be required. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow; the type facility required, the design criteria and the sizes and grades to be determined by the Highway Commissioner. Storm drainage facilities shall be so designed as to present no hazard to life or property; and the size, type, and installation of all storm water drains and sewers proposed to be constructed shall be in accordance with the plans and standard specifications approved by the Highway Commissioner.
- IF GREATER THAN 24-INCH DIAMETER SEWERS are required to handle the contemplated flows, the cost of such larger sewers shall be prorated in proportion to the ratio which the total area of the proposed Plat is to the total drainage area to be served by such larger sewer, and the excess cost either borne by the governing body or assessed against the total tributary drainage area.
- (f) **Improvements on Boundaries of Subdivisions.** Any public improvements occurring on the boundaries of the subdivision shall use normal assessing values for establishing payments.

Sec. 16-2-10 Construction.

- (a) **Commencement.** No construction or installation of improvements shall commence in a proposed subdivision until the Preliminary Plat has been approved and the Planning Agency has given written authorization.
- (b) **Zoning Permits.** No zoning permits shall be issued for erection of a structure on any parcel until all the requirements of this Ordinance have been met.

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- (c) **Plans.** The following plans and accompanying construction specifications may be required by the Planning Agency before authorization of construction or installation of improvements:
- (1) **STREET PLANS AND PROFILES** showing existing and proposed grades, elevations and cross sections of required improvements.
 - (2) **SANITARY SEWER** plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities.
 - (3) **WATER MAIN** plans and profiles showing the locations, sizes, elevations and materials of required facilities.
 - (4) **PLANTING PLANS** showing the locations, age and species of any required street trees.
 - (5) **ADDITIONAL** special plan or information as required.
 - (6) **INSPECTION.** The Planning Agency shall inspect and approve all completed work prior to approval of the Final Plat or release of the sureties.

Sec. 16-2-11 Fees.

- (a) The subdivider shall pay the governing body all fees as hereinafter required and at the times specified.
- (b) **Preliminary Plat Review Fee.** The subdivider shall pay a fee as specified in the Fee Schedule at Title 9 to the Planning Agency at the time of first application for approval of any Preliminary Plats to assist in defraying the cost of review. Reapplication fee as specified in the Fee Schedule at Title 9 shall be paid to the Planning Agency at the time of reapplication approval of any Plat which has been previously reviewed.
- (c) **Improvement Review Fee and Inspection Fee.** The subdivider shall pay a fee equal to the actual cost to the County for such inspection as the Planning Agency deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and Ordinances of the County or any other governmental authority.
- (d) **Engineering Fee.** The subdivider shall pay a fee equal to the actual cost to the County for all engineering work incurred by the County in connection with the plat. Engineering work shall include the preparation of construction plans and standard specifications. The Planning Agency may permit the subdivider to furnish all, some or part of the required construction plans and specifications, in which case no engineering fees shall be levied for such plans and specifications.
- (e) **Administrative Fee.** The subdivider shall pay a fee equal to the cost of any legal, administrative or fiscal work which may be undertaken by the County in connection with the Plat. Legal work shall include the drafting of contracts between the County and the subdivider.