

TABLE OF CONTENTS

Forest County Subdivision Ordinance

Section	1.0	Introduction
	1.01	Authority
	1.02	Title
	1.03	Purpose and Intent
	1.04	Abrogation and Greater Restrictions
	1.05	Interpretation
	1.06	Severability
	1.07	Repeal
	1.08	Effective Date
Section	2.0	Rules and Definitions
	2.01	Rules
	2.02	Definitions
Section	3.0	General Provisions
	3.01	Jurisdiction
	3.02	Compliance
	3.03	Land Suitability
	3.04	Dedication and Reservations of Land
	3.05	Improvements
	3.06	Variances
	3.07	Violations
	3.08	Penalties
	3.09	Appeals
Section	4.0	Procedure
	4.01	Pre-Application
	4.02	Preliminary Plat Review
	4.03	Preliminary Plat Approval
	4.04	Final Plat Review
	4.05	Final Plat Approval
	4.06	Recordation
	4.07	Replat
	4.08	Minor Subdivision
Section	5.0	Preliminary Plat
	5.01	General
	5.02	Plat Data
	5.03	Street Plans and Profiles
	5.04	Testing
	5.05	Deed Restrictions
	5.06	Affidavit
Section	6.0	Final Plat

	6.01	General
	6.02	Additional Information
	6.03	Deed Restrictions
	6.04	Surveying and Monumenting
	6.05	Certificates
Section	7.0	Design Standards
	7.01	Street Arrangement
	7.02	Limited Access Highway & Railroad Right-of-Way Treatment
	7.03	Street Design Standards
	7.04	Street Intersections
	7.05	Blocks
	7.06	Lots
	7.07	Building Setback Lines
	7.08	Easements
Section	8.0	Required Improvements
	8.01	Required Improvements
	8.02	Lots Not Abutting Public roads
	8.03	Public Sanitary Sewerage and Private Sewerage Disposal Systems
Section	9.0	Planned Residential Unit Development
	9.01	Purpose
	9.02	Review
	9.03	Requirements
Section	10.0	Construction
	10.01	Commencement
	10.02	Building Permits
	10.03	Plans
	10.04	Inspection
Section	11.0	Certified Survey Map
	11.01	General
	11.02	Additional Information
	11.03	Review of CSM by the County Planning Committee
	11.04	Approval of CSM by the County Planning Committee
	11.05	Certificates
	11.06	Dedication
	11.07	Recordation
Section	12.0	Fees
	12.01	General
	12.02	Preliminary Plat Review Fee
	12.03	Final Plat Review Fee
	12.04	Minor Subdivision review Fee

The preparation of this document was financed in part through an urban planning grant from the Department of Housing and Urban Development under the provisions of Section 701 of the

Housing Act of 1954, as amended, and was executed under ta contract with the State of Wisconsin, Department of Resource Development.

Section 1.0 **Introduction**

1.0 **Authority**

Pursuant to the authority granted by Sections 59.971 (3), 144.26 (2), 144.26 (8), and 236.45 of the Wisconsin Statutes, the County Board of Supervisors of Forest County does ordain as follows:

1.01 **Title**

This Ordinance shall be known as, referred to, or cited as the Subdivision Ordinance, Forest County, Wisconsin.

1.02 **Purpose and Intent**

The purpose of this Ordinance is to regulate and control the division of land within the Unincorporated areas of Forest County for the following purposes: to promote the public health, safety and general welfare; to further the orderly layout and use of land; to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provisions for water, sewerage and other public requirements; to provide for proper ingress and egress; to promote proper monumenting of subdivided land and conveyancing by accurate legal description and to provide safe and orderly shoreland subdivision layouts.

1.03 **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.

1.04 **Interpretation**

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 Forest county, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

1.06 **Severability**

If any section, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

1.05 Repeal

All other ordinances or parts of ordinances of Forest County inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

1.06 Effective Date

This Ordinance shall be effective after a public hearing, adoption by the County Board of Supervisors, and publication or posting as provided by law.

Section **2.0 Rules and Definitions**

2.01 Rules

In the construction of this Ordinance, the rules and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise.

- (1) Words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and the plural the singular.
- (2) The word "shall" is mandatory and not discretionary.
- (3) The word "may" is permissive.
- (4) The masculine gender includes the feminine and neuter.

2.01 Definitions

(1) Alley

A public or private right-of-way shown on a plat, which provides secondary access to a lot, block or parcel of land.

(2) 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 standard arterial streets, highways, and parkways.

(3) Block

A tract of land bounded by streets, or by a combination of streets and public parks, railroad rights-of-way, shorelines or waterways, or county or village lines.

(4) Building

Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and which is permanently affixed to the land.

(5) Building Setback Line

A line parallel to a lot line and at a distance from the lot line to comply with the County zoning Ordinance's yard requirements.

- (6) **Collector Street**
a street used, or intended to be used, to carry traffic from minor streets to the major system of arterial streets including principal entrance streets to residential developments.
- (7) **County**
Reference to County shall mean Forest County including any agency, department or committee thereof.
- (8) **County Planning Committee**
The county Zoning Committee as authorized by Section 59.97, Wisconsin Statutes or any other Committee created by the County Board and authorized to plan land use.
- (9) **County Sanitary Ordinance**
Reference to County Sanitary Ordinance shall mean the forest County Sanitary Ordinance.
- (10) **County Zoning Ordinance**
Reference to County Zoning Ordinance shall mean the Forest County Zoning Ordinance.
- (11) **Cul-de-Sac Street**
A minor street with only one outlet and having a turn around for the safe and convenient reversal of traffic movement.
- (12) **Extraterritorial Plat approval Jurisdiction**
The unincorporated area within 1-1/2 miles of a fourth-class city or village and within 3 miles of all other cities over which cities and villages may exercise Plat approval provided they have enacted an Official Map Ordinance or Subdivision Control Ordinance in accordance with Section 236.10, Wisconsin Statutes.
- (13) **Final Plat**
The map or plan of a subdivision, and any accompanying material, as described in Section 6.0 of this Ordinance.
- (14) **Frontage**
The length of the front property line of a lot, lots, or tract of land abutting the right-of-way of a public street.
- (15) **Frontage Street**
A minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.
- (16) **Grade**
The slope of a road, street, or other public way, specified in percent.
- (17) **Improvement, Public**
Any sanitary sewer, storm sewer, drainage ditch, water main, roadway, park, parkway, public access, sidewalk, pedestrian way, planting strip, off-street parking area, or other facility for which the County or Town may ultimately assume the responsibility for maintenance and operation.
- (18) **Lot**
A buildable parcel of land represented and identified in a subdivision as defined in Section 2.02 (28) and in accordance with the County Zoning Code.
- (19) **Lot, Corner**

A lot abutting two or more streets at their intersection provided that the corner of such intersection shall have an angle of 135 degrees or less, measured on the lot side.

- (20) **Lot, Through**
A lot which has a pair of opposite lot lines along two substantially parallel streets, and which is not a corner lot. On a "through lot" both street lines shall be deemed front lot lines.
- (21) **Minor Street**
A street used, or intended to be used, primarily for access to abutting properties.
- (22) **Outlot**
A remnant parcel of land not to be used for building purposes, so designated on the plat.
- (23) **Planning Administrator**
Person designed by the county Planning Committee to administer this Ordinance.
- (24) **Preliminary Plat**
A map showing the salient features of a proposed subdivision submitted to the County Planning Committee for purposes of preliminary consideration, as described in Section 5.0 of this Ordinance.
- (25) **Pubic Way**
Any public road, street, highway, walkway, drainage-way, or part thereof.
- (26) **Replat**
The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat.
- (27) **Subdivider**
Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor subdivision, or replat.
- (28) **Subdivision**
The division of a lot, parcel or tract of land by the owner thereof, or his agent, for the purpose of transfer of ownership or building development, where the act of division creates 5 or more parcels or building sites of 11/2 acres each or less in area, or where the act of division creates 5 or more parcels or building sites of 11/2 acres each or less in area by successive division with a 5 year period.
- (29) **Surety Bond**
A bond guaranteeing performance of a contract or obligation through possible forfeiture of bond if said contract or obligation is unfulfilled by the subdivider.
- (30) **Town**
Reference to Town shall mean any Town of the county including the town Board, town Clerk or any other designated Town Committee.
- (31) **Minor Subdivision**

The division of a lot, parcel or tract of land by the owner thereof, or his agent, for the purpose of transfer of ownership or building development, where:

- a. the act of division creates 1 to 4 parcels or building sites of 1 1/2 acres each or less in area or,
- b. the act of division creates any parcel or building site of more than 1 1/2 acres but less than 5 acres in area.

Section 3.0 **General Provisions**

3.01 **Jurisdiction**

The jurisdiction of this ordinance shall include all unincorporated lands within the County. However, in no instance shall the provisions of this Ordinance apply to:

- (1) Transfers of Interests in land by will or pursuant to court order.
- (2) Leases for a term not to exceed 10 years, mortgages or easements.
- (3) Sale or Exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the resultant lots are not reduced below the minimum sizes required by these regulations, the County Zoning Ordinance, or other applicable laws or ordinances.

3.02 **Compliance**

No subdivider shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, minor subdivision or a replat as defined herein; no such subdivision, minor subdivision or replat shall be entitled to record; and, no improvements shall be made to land without compliance with all requirements of this Ordinance, and:

- (1) Duly approved Regional and county comprehensive Plans, or approved plan components including the county zoning Ordinance and County Sanitary Ordinance.
- (2) Applicable Local Ordinances.
- (3) Provisions of Chapter 236, Wisconsin Statutes.

3.03 **Land Suitability**

No land shall be subdivided which is held unsuitable for any proposed use by the County Planning committee for reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities or any other feature likely to be harmful to the health, safety or welfare of future residents of the proposed subdivision or of the community. The County Planning Committee in applying the provisions of this Ordinance, shall in writing cite the particular facts upon which it bases its

conclusion that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such suitability at a public hearing. Thereafter, the County Planning Committee may affirm, modify or withdraw its determination of unsuitability.

3.04 **Dedication and Reservations of Land**

- (1) Whenever a Tract of Land to be subdivided embraces all or any part of a street, drainageway, or other public way which has been designated in the adopted regional and county comprehensive plans or adopted plan components, and public way shall be made a part of the plat and either dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan.
- (2) Whenever a proposed Park, Playground, Public Access, Open space Site or other public land, other public way which has been designated in the adopted regional and county comprehensive plans or adopted plan components is embraced, all or in part, in a tract of land to be subdivided, such proposed public lands shall be made a part of the plat and shall either be dedicated to the public or be reserved for acquisition at undeveloped land costs, for a period not to exceed 3 years from the date of recordation unless extended by mutual agreement between the subdivider and the public agency having jurisdiction. If the reserved land is not acquired by said public agency within the above time limit, the land shall be released to the owner.
- (3) Wherever feasible, all Public Access to the low watermark or navigable lakes and streams required by section 236.16(3), Wisconsin Statutes shall be at least 100 feet wide and contain land characteristics acceptable to the County Planning Committee.

3.04 **Improvements**

The subdivider shall not install any streets or other improvements required by the town until the Preliminary Plat has been approved by the County Planning Committee. Before recording the Final Plat with the County Register of Deeds, the subdivider shall enter into a contract with the Town agreeing to install all required improvements and shall file with said contract a surety bond or other satisfactory security meeting the approval of the Town Board and reviewed by the Town Attorney as a guarantee that such improvements will be completed by the subdivider or his subcontractors within the time limit established by the Town Board. In order that adequate inspections can be made, the subdivider shall notify the town Board one week prior to the time each improvement is to be installed and upon completion of the project.

3.06 **Variances**

In any particular case where the subdivider can show that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirement of this Ordinance would cause practical difficulty or exceptional and undue hardship, the County Planning Committee may relax

such difficulty or hardship, provided such relief may be granted without detriment to the public good and without impairing the intent and purpose of this Ordinance or the desirable general development of the County. A majority vote of the entire membership of the County Planning Committee shall be required to grant any modification to these regulations, and any modification thus granted shall be entered in the minutes of the Committee setting forth the reasons, which in the opinion of the committee, justified the modification.

3.07 **Violations**

It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this Ordinance or the Wisconsin Statutes and no person, firm or corporation shall be issued a County Land-use permit and/or town building permit authorizing the building on or improvements of any subdivision, minor subdivision or replat within the jurisdiction of this Ordinance and not record as of the effective date of this Ordinance until the provisions and requirements of this Ordinance have been fully met. The County may institute appropriate action or proceedings to enjoin violations of this Ordinance or the applicable Wisconsin Statutes.

3.08 **Penalties**

Any person, firm or corporation that fails to comply with the provisions of this Ordinance shall upon conviction thereof forfeit not less than \$100 nor more than \$1,000 and the cost of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county Jail until payment thereof for a period not to exceed 6 months.

3.09 **Appeals**

Any person aggrieved by an objection to a plat or failure to approve a plat may appeal therefrom as provided in Sections 236.13(5) and 62.23(7), (10 to 15), Wisconsin Statutes.

Section

4.0 **Procedure**

4.01 **Pre-application**

(1) Preliminary Consultation

Prior to filing an application for approval of a preliminary plat, the subdivider shall consult with the county Planning administrator to become informed of the purpose and objectives of these regulations, adopted regional and county comprehensive plans, or adopted plan components, and duly adopted plan implementation ordinances of the County and to otherwise assist the subdivider in planning his development. In so doing, the subdivider will gain a better understanding of the subsequent required procedures.

4.02 **Preliminary Plat Review**

Before submitting a final Plat for approval, the subdivider shall prepare a Preliminary Plat in accordance with Section 5.0 of this Ordinance. The subdivider shall file the required number of copies of the Preliminary Plat as outlined in Section 4.02 (1) and a letter of application with the County Planning Administrator at least 25 days prior to the meeting of the County Planning Committee at which action is desired. The letter of application must indicate that copies of the plat are on file with the utility companies having jurisdiction over the subject area so that adequate provisions can be made by the utility companies to serve the proposed subdivision. In lieu of this procedure, the subdivider may submit the Preliminary Plat according to the alternate procedures outlined in Section 4.02 (4).

- (1) The County Planning Administrator, acting in the capacity of a deputy county clerk shall, within two days after filing, transmit copies of the Plat to the following agencies.
 - (a) Four copies to the County Planning Committee.
 - (b) Two copies to the applicable town Clerk
 - (c) Two copies to the clerk of an adjoining city or village if the subdivision lies within the extraterritorial plat approval jurisdiction of the city or village and they exercise this authority.
 - (d) Two copies to the Northeastern Wisconsin Regional Planning Commission.
 - (e) Two copies to the Head of the Planning function of the Department of Local Affairs and Development.
 - (f) Two copies to the Division of highways, Wisconsin Department of Transportation, if the subdivision abuts or adjoins a state trunk highway or connecting street.
 - (g) Two copies to the Division of Health, Wisconsin Department of Health and Social Services, if the subdivision is not served by a public sewer and provision for such service has not been made.
 - (h) Two copies to the Division of Environmental Protection, Wisconsin Department of Natural Resources, if the subdivision is within the Shoreland Jurisdictional Area.

Note: all copies of plats required by the various State reviewing agencies shall be sent directly to the Head of the Planning function, department of Local Affairs and Development, who will forward the necessary copies to the respective State agencies.

- (2) Agencies (a) (b) and (c) are designated approving agencies while agencies (e) (f) and (g) are designated objecting agencies.
- (3) The Northeastern Wisconsin Regional Planning Commission shall serve as a reviewing agency and shall make recommendations to the county Planning committee. For the purpose of this Ordinance, the Northeastern Wisconsin Regional Planning commission shall have the same time limits as the objecting agencies.
- (4) Alternate Procedure. In accordance with Section 236.12 (6) of the Wisconsin Statutes, the subdivider or his agent may submit the original

drawing of the Preliminary Plat directly to the Head of the Planning Function of the Department of Local Affairs and Development who will prepare and forward copies of the original Plat to each of the State agencies required to review it. When this procedure is used it shall be the responsibility of the subdivider or his agent to submit copies of the Plat to the approving agencies and the Northeastern Wisconsin Regional Planning Commission as specified in Section 4.02 (1) of this Ordinance.

4.03 **Preliminary Plat Approval**

The objecting agencies shall, within 20 days of the date of receiving their copies of the Preliminary Plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of a copy of the Plat and shall return that copy to the county Planning Committee. If an objecting agency fails to act within 20 days, it shall be deemed to have no objections to the Plat. However, when the Plat is submitted under the alternate procedure listed in Section 4.01 (4), the Head of the Planning Function shall have 30 days in which to object to the Plat.

- (1) The County Planning administrator shall inform the applicable town Clerk and the Northeastern Wisconsin Regional Planning Commission not less than 20 days in advance of the date, time and place of the County Planning Committee meeting at which the Plat will be reviewed.
- (2) The county Planning committee shall review the Plat for conformance with this Ordinance and all other ordinances, rules, regulations and adopted regional and county comprehensive plans or adopted plan components which affect the Plat.
- (3) The county Planning committee within 40 days of the date of filing of Preliminary Plat with the County Planning Administrator shall approve, approve conditionally, or reject such Plat unless the time is extended by agreement with the subdivider. 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 rejections shall accompany the Plat. One copy of the Plat and letter shall be placed in the County Planning Committee's permanent file.
- (4) Failure of the County Planning Committee to act within 40 days of the filing date shall constitute an approval as provided in Section 236.11 (1) (a) of the Wisconsin Statutes.
- (5) Approval or conditional Approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within 6 months of Preliminary Plat approval and conforms substantially to the Preliminary Plat layout as indicated in Section 236.11 (1) (b), Wisconsin Statutes, the final Plat shall be entitled to approval with respect to such layout.

4.04 **Final Plat Review**

The subdivider shall prepare a Final Plat in accordance with Section 6.0 of this Ordinance and shall file the required number of copies of the Final Plat as outlined in Section 4.01 (1) and a letter of application with the County Planning Administrator at least 25 days prior to the meeting of the County Planning Committee at which actions desired.

- (1) The County Planning administrator shall, within 2 days after filing, transmit copies of the Plat to the agencies identified in Section 4.02 (1) of this Ordinance which are required to review the Plat.
- (2) Alternate Procedure. The subdivider or his agent may submit the original drawing of the final Plat directly to the Head of the Planning Function of the Department of Local Affairs and Development as provided in Section 4.01 (4) of this Ordinance.
- (3) Partial Platting. The final Plat may, if permitted by the county Planning Committee, constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record at that time.

4.05 **Final Plat Approval**

The objecting agencies shall, within 20 days of the date of receiving their copies of the Final Plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of a copy of the Plat and shall return that copy to the County Planning Committee. If an objecting agency fails to act within 20 days, it shall be deemed to have no objection to the Plat. However, when the Plat is submitted under the alternate procedure listed in Section 4.04 (2), the Head of the Planning Function shall have 30 days in which to object to the Plat.

- (1) The County Planning Administrator shall inform the applicable Town Clerk and the Northeastern Wisconsin Regional Planning commission not less than 20 days in advance of the date, time and place of the County Planning committee meeting at which the Plat will be reviewed.
- (2) The County Planning Committee shall examine the final Plat as to its conformance with the approved Preliminary Plat; and conditions of approval or the Preliminary Plat; this ordinance and all ordinances, rules, regulations and adopted regional and county comprehensive plans or adopted plan components which may affect the Plat.
- (3) The County Planning Committee shall within 60 days of the date of filing of the Final Plat with the County Planning Administrator, approve, approve conditionally or reject the Plat unless the time is extended by agreement with the subdivider. If the Plat is approved, the County Planning Committee shall not inscribe its approval on the face of the original Final Plat until the County Planning Administrator certifies on the face of the original Final Plat that copies were forwarded as required by Section 4.04 (1) of this Ordinance, the date thereof, and that no objections have been filed within 20 days or, if filed, have been satisfied. If the Plat was submitted under the alternate procedure outlined in Section 4.04 (2) of this Ordinance, certification of no objections on the face of the Final Plat shall

be signed by the Head of the Planning Function rather than the County Planning Administrator.

- (4) Failure of the County Planning committee to act within 60 days, the time having not been extended and no unsatisfied objections having been filed, the Plat shall be deemed approved as provided in Section 236.11 (1) (a) of the Wisconsin Statutes.

4.06 **Recordation**

After the final Plat has been approved by the County Planning Committee, the town Board and any other approving agencies, the subdivider shall record the Plat with the County Register of Deeds in accordance with Section 236.25 of the Wisconsin Statutes.

4.07 **Replat**

In accordance with Section 236.36, Wisconsin Statutes, a replat of all or any part of the recorded subdivision which does not alter areas previously dedicated to the public may be made by complying with Section 4.01 through 4.06 of this Ordinance. When a proposed replat involves alteration or vacation of areas previously dedicated to the public, the subdivider shall vacate or alter the recorded plat in accordance with Sections 236.40 through 236.44, Wisconsin Statutes.

4.08 **Minor Subdivision**

When it is proposed to divide land into 1 to 4 parcels or building sites of 1 ½ acres or less in area or any parcel or building site containing over 1 ½ acres in area but less than 5 acres in area, the subdivider shall subdivide by use of a Certified Survey Map prepared in accordance with the procedure and requirements outlined in 'Section 11 of the Ordinance.

Section 5.0 **Preliminary Plat**

5.01 **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 reproducible material at a scale of not more than 100 feet to the inch and shall show correctly on its face the following information;

- (1) Title under which the proposed subdivision is to be recorded.
- (2) Legal Description and General Location of proposed subdivision and relative location to a nearby municipality.
- (3) Date, Scale and North Arrow
- (4) Names 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 County Planning committee 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.

5.02 **Plat Data**

All Preliminary Plats shall show the following:

- (1) Approximate Length and Bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the U.S. Public Land Survey and the total acreage encompassed thereby.
- (2) Contours at vertical intervals of not more than 2 feet where the slope of the ground surface is less than 10 percent and of not more than 5 feet where the slope of the ground surface is 10 percent or more. Elevations shall be marked on such contours based on mean sea level datum or where in the judgment of the County Planning Committee undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used.
- (3) Water Elevations of adjoining lakes and streams at the date of the survey, approximate high and low water elevation, all referred to the same datum used for the contours.
- (4) Location, Right-of-way width and Names of all existing and proposed 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.
- (5) Locations and Names of any adjacent Subdivisions, parks, schools and cemeteries, and owners of record of abutting unplatted lands.
- (6) 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 the datum used for the contours.
- (7) Location, Size and Invert Elevation of any existing sanitary or storm sewers, culverts and drainpipes, the location of manholes, catchbasins, 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 thereto. 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.
- (8) Locations of All existing Property Boundary Lines, structures, drives, streams and watercourses, larches, rock outcrops, wooded areas, railroad tracks and other similar significant features within the tract being subdivided or immediately adjacent thereto.
- (9) Approximate Dimensions of All Lots together with proposed lot and block numbers.
- (10) Location and Approximate Dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainageways or other public use or which are to be used for group housing, shopping centers, church sites, or other nonpublic uses not requiring lotting.
- (11) Approximate Radii of All Curves.

- (12) Existing Zoning and Proposed Use on and adjacent to the proposed subdivision.
- (13) Corporate Limits 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 and Stream improvement or relocation, and proposed filling, grading, lagooning and dredging and the notice of application for division of environmental Protection, Department of natural Resources approval when applicable.
- (16) Seasonally Wet Areas.

5.03 **Street Plans and Profiles**

The subdivider shall provide street plans and profiles showing existing ground surface, proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested by the County Planning Administrator, and all elevations, plans and profiles shall meet the approval of same administrator.

5.04 **Testing**

The County Planning administrator may require borings and soundings be made in designated areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to ground water table. Where the subdivision will not be served by public sanitary sewer service, the provisions of chapter H65, Wisconsin Administrative Code, shall be complied with; and the appropriate data shall be submitted with the Preliminary Plat.

5.05 **Deed Restrictions**

The County Planning committee 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.

5.06 **Affidavit**

The 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.

Section

6.0 **Final Plat**

6.01 **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 Section 236.20, Wisconsin Statutes.

6.02 **Additional Information**

The Final Plat shall show correctly on its face, in addition to the information required by Section 236.20, Wisconsin Statutes, the following:

- (1) Exact Street Width along the line of any obliquely intersecting street.
- (2) Setbacks or Building Lines when deemed necessary by the county Planning Committee.
- (3) All Lands Reserved for future public acquisition or reserved for the common use of property owners within the Plat. If common property is located within the Plat, then provisions for its use and maintenance must also be provided with the Plat.
- (4) Special Restrictions required by any approving or objecting agency relating to access control along public ways or to the provision of planting strips.

6.03 **Deed Restrictions**

Any deed restrictions attached to the subdivision shall be filed with, or placed on the face of the final Plat.

6.04 **Survey and Monumenting**

All final Plats shall meet all the surveying and monumenting requirements of Section 236.15, Wisconsin statutes.

6.05 **Certificates**

All final Plats shall provide all the certificates required by Section 236.21, Wisconsin Statutes; and, in addition, the surveyor shall certify that he has fully complied with all the provisions of this Ordinance and provide a certificate for County Planning committee Approval.

Section 7.0 **Design Standards**

7.01 **Street Arrangement**

The subdivider shall dedicate land for and improve streets as provided herein. Streets shall conform to any applicable official map ordinance in effect. In areas for which an official map has not been completed, the street layout shall recognize the functional classification of various street types and shall be developed and located in proper relation to existing and proposed streets, with due regard to topographical conditions, natural features, utilities, land uses, and public convenience and safety. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street as provided herein. The following conditions shall apply for street arrangement in all proposed subdivisions;

- (1) Arterial Streets, shall be arranged so as to provide ready access to centers of employment; high density residential areas; centers of government activity, community shopping areas; community recreation; and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as is practicable, continuous and in alignment with existing or planned streets with which they are to connect.
- (2) Collector Streets, shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the major street and highway system and shall be properly related to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the major streets into which they feed.
- (3) Minor Streets, shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.
- (4) 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 town Board or County Planning committee, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of adjacent land tracts. Such streets shall terminate with a temporary turnaround of 120 feet right of way diameter and a roadway of not less than 90 feet in diameter.
- (5) 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.
- (6) Reserve Strips controlling access to streets or alleys shall be prohibited except where their control is definitely paced with the Town or County.
- (7) Alleys may be required in commercial and industrial districts to provide for off-street loading and service access. But shall not be approved in residential districts unless required by unusual topography or other exceptional conditions. Dead[end] alleys shall not be approved, and alleys shall not connect to a Federal, State, or County Trunk highway.
- (8) Street Names shall not duplicate or be similar to existing street names, and existing street names shall be projected or continued wherever possible.

7.02 **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 residential Lots Within the Proposed Subdivision back upon the right-of-way of an existing or proposed limited access highway or railroad, the following restriction shall be lettered on the face of the plat: "Direct vehicular access to (name of road) from lots abutting said road is prohibited."
- (2) Commercial and Industrial districts should provide on each side of the limited access highway 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 150 feet.
- (3) Streets Parallel to a Limited Access Highway or railroad right-of-way, when intersecting a major street and highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of 250 feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
- (4) Minor Streets immediately adjacent and parallel to railroad rights-of-way should be avoided.

7.03 **Street Design Standards**

- (1) The Minimum right-of-way of all proposed streets shall be as specified on any applicable street plan officially adopted by the County; or, if no width is specified, the minimum right-of-way width shall be as follows:

<u>Type of Street</u>	<u>Minimum Right-of-Way</u>
Arterial streets	120 feet
Collector streets	80 feet
Minor streets	66 feet
Frontage streets	49.5 feet

- (2) Minimum Roadway Width and Surface Width of all new subdivision roads shall comply with the town road Standards contained in Section 86.26 of the Wisconsin Statutes unless locally adopted town Road Standards require a greater width.
- (3) Cul-de-Sac Streets designed to have one end permanently closed shall not normally exceed 600 feet in length. Such streets shall terminate in a circular turn-around having a minimum right-of-way radius of 60 feet and a minimum roadway radius of 45 feet.
- (4) Street Grades. Unless necessitated by exceptional topography subject to the approval of the County Planning Committee, the maximum center line grade of any street or public way shall not exceed the following.
 - (a) Arterial streets: 6 percent
 - (b) Collector streets: 8 percent
 - (c) Minor streets, alleys and frontage streets: 10 Percent
 - (d) Pedestrian ways: 12 percent unless steps of acceptable design are approved.
 - (e) The grade of any street shall in no case exceed 12 percent or be less than one-half of one (0.5) percent

- (a) 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.
- (5) Radii of Curvature. When a continuous street centerline deflects at any one point by more than 10 degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:
 - (a) Arterial streets and highways: 500 feet
 - (b) Collector streets: 300 feet
 - (c) Minor streets: 100 feet.
- (6) A tangent at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.
- (7) Half Streets shall be prohibited except where:
 - (a) The other half has already been dedicated.
 - (b) Its alignment is shown on an officially adopted street plan.

7.04 **Street Intersections**

Streets shall intersect each other as nearly as possible at right angles and not more than two streets shall intersect at one point unless approved by the County Planning Committee.

- (1) Number of Intersections along major streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections should not be less than 1200 feet.
- (2) Street Jogs with centerline offsets of less than 125 feet shall not be approved.

7.05 **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 should not as a general rule be less than 750 feet nor more than 1500 feet in length unless otherwise dictated.
- (2) Pedestrian Ways of not less than 10 feet in width may be required near the center and entirely across any block over 900 feet in length where deemed essential by the County Planning committee or town board 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 of lots of appropriate depth except where otherwise required to separate residential development from through traffic or where lots abut a lake or stream. 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 area zoning provisions 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 whenever carried on overhead poles except where lots abut a lake or stream or where such a location is deemed engineeringly unfeasible by the Utility Companies involved.

7.06 **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 building contemplated.

- (1) Side Lot Lines should be at right angles to straight street lines or radial to curved street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.
- (2) Double Frontage and Reversed 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 on a public street for a distance of at least 30 feet. In unique cases where it is impossible for a lot to abut a public street, a private way may be used for access purposes provided a statement is included on the face of the plat indicating that the lot is served by a private way and that the Town or County has no responsibility for the maintenance of the private way.
- (4) Area and dimensions of lots shall conform to the requirements of the county Zoning Ordinance, and in areas not served by public sewer shall, in addition, conform to the requirements of the State Division of Health. Whenever a tract is subdivided into parcels with area in excess of the zoning requirements, such parcels should be arranged and dimensioned so as to allow re-subdivision of any such parcels into normal lots in accordance with the provisions of this ordinance.
- (5) Depth. Lots should be designed with a suitable proportion between width and depth. Neither long, narrow or wide, shallow lots are normally desirable. Normal depth should not exceed 2 1/2 times the width, nor be less than 150 feet.
- (6) Width of Lots shall conform to the requirements of the zoning ordinance.
- (7) Corner Lots shall be designed with extra width to permit adequate building setback from both streets.

7.07 **Building Setback Lines**

Building setback lines shall conform to the requirements established in the County Zoning Ordinance. In those Towns which have not adopted the county zoning Ordinance the required setback lines shall be shown on the face of the Plat.

7.08 **Easements**

Where a subdivision is traversed by a watercourse, drainageway or stream, an adequate drainageway or easement may be required to handle storm water runoff. The location, width, alignment and improvement of such drainageway or easements shall be approved by the county Planning Committee.

Section 8.0 **Required Improvements**

8.01 **Required Improvements**

As required by Section 3.05 of this Ordinance, the subdivider shall enter into a contract with the town Board agreeing to install all public improvements required by the town board and shall file with said contract a surety bond or other satisfactory security meeting the approval of the town Board and reviewed by the Town Attorney as a guarantee that such improvements will be completed by the subdivider or his subcontractors within the time limit established by the town Board. Such improvements usually include some or all of the following:

(1) Grading and Surfacing

Grading and surfacing of all streets proposed to be dedicated in accordance with the construction standards of the town.

(2) Storm Water Drainage Facilities

(a) Construction of storm water drainage facilities, which may include curb and gutters, catch basins and inlets, storm sewers, road ditches and open channels as may be required to provide adequate surface drainage for the subdivision.

(b) Storm Drainage Facilities, where needed shall be designed to permit the unimpeded flow of natural watercourses; insure the drainage of all points along the line of streets; and provide positive drainage away from on-site sewage disposal facilities. In designing storm drainage facilities, special consideration shall be given to protection against shoreland erosion and siltation of surface waters and preventing excess water run-off on adjacent property. The county Planning Committee or town Board may require that easements or drainage ways of widths sufficient to accommodate anticipated storm water-runoff be provided. All storm water drainage facilities shall be constructed in accordance with plans and standard specifications approved by the Town Board.

(3) Installation of Street Signs meeting the approval of the Town Board at all intersections.

8.02 **Lots Not Abutting Public Roads**

No Subdivider shall sell any parcel of land of five (5) acres or less in size if it abuts on a road which has not been accepted as a public road unless the seller informs the purchaser by letter of the fact that the road is not a public road and is not required to be maintained by the Town or County.

8.03 **Public Sanitary Sewerage and Private Sewerage Disposal Systems**

- (1) In areas that have a sanitary sewer system on or near the proposed subdivision, the local municipality furnishing such service and the county Planning committee shall determine the feasibility of service and the procedures to be followed by the subdivider in joining the system.
 - (a) If Public Sanitary Sewer Facilities are not available to the plat at the time of final platting, but will become available within a period of 3 years from the date of the plat recording, the subdivider shall install or cause to be installed sanitary sewers and sewer laterals to the street lot line and shall cap all laterals. The size, type and installation of all proposed sanitary sewers to be constructed shall be in accordance with plans and standard specifications approved by the local municipality which will furnish such facilities.
- (2) In Areas that are not to be served by sewer systems, on-site sewage disposal systems utilizing soil absorption fields will be permitted only when soil tests conducted in accordance with H 65, Wisconsin administrative Code, indicates the systems will function adequately. Such systems shall be installed in accordance with the County Sanitary Code.

Section 9.0 **Planned Residential Unit Development**

9.01 **Purpose**

Grouping of residences in cluster subdivisions will permit individual minimum lot sizes to be reduced provided overall density within the subdivision is maintained. The remaining undeveloped area within the subdivision is to be used to provide common open space and preserve the scenic qualities of an applicable shoreland area. Grouping of residences facilitates common water supply and sewage disposal systems and encourages the improved use of land in proper respect to the preservation of natural resources.

9.02 **Review**

Planned Residential Unit Development Subdivisions shall be submitted for review in the same manner as any other subdivision as outlined in Section 4.0 of this Ordinance.

9.03 **Requirements**

- (1) Proposed cluster Developments shall include a minimum of 5 acres and shall be platted according to the requirements of this Ordinance.
- (2) The Maximum permitted number of lots in such development shall be determined by dividing the total area of the subdivision, excluding streets, by the minimum lot sizes required by the county Zoning Ordinance.
- (3) The Minimum yard and setback requirements of the county Zoning Ordinance shall apply.

- (4) Excess Land not used for lots and streets shall be dedicated for open space purposes. This may be accomplished by conveyance in common to each of the owners of lots in development or by dedication to the county or Town. Lands dedicated to the public must be accepted by appropriate action of the governing body of the accepting unit of government. If the land is to be conveyed to owners of lots in the development, a homeowners association or similar legally constituted body shall be created to maintain the open space land.
- (5) Any restriction placed on platted land by covenant, grant of easement or any other manner which was required by a public body or which names a public body as grantee, promise or beneficiary, shall vest in the public body the right to enforce the restriction at law or in equity against anyone who has or acquires an interest in the land subject to the restriction.
- (6) Water Supply and Sewage Disposal shall meet the minimum standards of the Division of Health, the Division of Resource Development, the County Sanitary Ordinance and other applicable regulations.
- (7) Tree Cutting Provisions of the County Zoning Ordinance shall apply except that maximum width of a lake frontage opening shall be 100 feet.

Section 10.0 **Construction**

10.01 **Commencement**

No construction or installation of improvements shall commence in a proposed subdivision until the Preliminary Plat has been approved by the County Planning Committee.

10.02 **Building Permits**

No Land-use permit and/or building permit shall be issued for erection of a structure on any lot not of record until all the requirements of this Ordinance have been met.

10.03 **Plans**

The following plans and accompanying construction specifications may be required by the Town Board before authorization of construction or installation of improvements:

- (1) Street Plans and Profiles showing existing and proposed grades, elevations and across sections of required improvements.
- (2) Sanitary Sewer plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities.
- (3) Storm Sewer Plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials of required facilities.
- (4) Water Main plans and profiles showing the locations, sizes, elevations and materials of required facilities.
- (5) Planting Plans showing the locations, age and species of any required street trees.

(6) Additional special plans or information as required.

10.04 **Inspection**

The subdivider, prior to commencement of any work within the subdivision, shall make arrangements with the Town Board to provide for adequate inspection. The Town Board shall inspect and approve all completed work prior to approval of the Final Plat or release of the sureties.

Section 11.0 **Certified Survey Map**

11.01 **General**

All minor subdivisions as defined in Section 2.02 (31) of this Ordinance, shall be divided by use of a Certified Survey Map. The Certified Survey Map shall comply in all respects with the requirements of Section 236.34, Wisconsin Statutes.

11.02 **Additional Information**

The Map shall show correctly on its face, in addition to the information required by section 236.34, Wisconsin Statutes, the following:

- (1) All Existing Buildings, water courses, drainage ditches, and other similar significant features pertinent to proper land division.
- (2) Setbacks or Building Lines from public rights-of-way or shorelines as provided in the County zoning Ordinance.
- (3) Date of the Map.
- (4) Graphic Scale.
- (5) Name and address of the owner, subdivider and the surveyor, including his registration number.

11.03 **Review of Certified Survey Maps by the County Planning Committee**

- (1) All Lots created by means of a Certified Survey Map shall be reviewed by the county Planning committee for land suitability as outlined in Section 3.03 of this Ordinance.
- (2) In Addition, all newly created lots which will not be served by an approved sanitary sewer system shall be reviewed by the county Planning committee for compliance with the requirements of Chapter H65, Wisconsin administration code. It shall be the responsibility of the subdivider to provide the county Planning committee with all information the committee deems necessary to insure that the requirements of Chapter H65 have been complied with.
- (3) The Certified Survey Map shall also be reviewed for conformance with this Ordinance and all ordinances, regulations and adopted County and Regional comprehensive Plans or adopted plan components which affect the Map.

11.04 **Approval of Certified Survey Maps by the County Planning Committee**

The subdivider shall file with the county Planning Administrator 3 copies of the certified Survey Map. The county Planning committee shall, within 30 days of the date of filing of the Map, approve, approve conditionally or reject the Map unless the time limit is extended by agreement with the subdivider. The action taken shall be made a part of the minutes of the Planning Committee meeting and the subdivider shall be so informed. If the Map is approved, the county Planning Committee shall direct the County Planning administrator to so certify on the face of the original Map and return this Map to the subdivider.

11.05 **Certificates**

The surveyor shall certify on the face of the Map that he has fully complied with all the provisions of this Ordinance.

11.06 **Dedication**

Dedication of streets and other public areas shall require the owner's certificate and the mortgage's certificate in substantially the same form as required by Section 236.21(2) (a), Wisconsin statutes and also the approval of the Town Board.

11.07 **Recordation**

The subdivider shall record the Map with the County Register of Deeds within 30 days of its approval by the County Planning Committee.

Section

12.0 **Fees**

12.01 **General**

The subdivider shall pay the county all fees as hereinafter required and at the specified time.

12.02 **Preliminary Plat Review Fee**

- (1) the Subdivider shall pay a fee of \$15.00 plus \$0.25 for each lot or parcel within the Preliminary Plat to the county Planning administrator at the time of first application for approval of any Preliminary Plat to assist in defraying the cost of review.
- (2) A Peapplication fee amounting to \$10.00 shall be paid to the county Planning Administrator at the time of reapplication for approval of any Preliminary Plat that has been previously reviewed.

12.03 **Final Plat review Fee**

- (1) the Subdivider shall pay a fee of \$10.00 to the county Planning administrator at the time of first application for approval of any final Plat to assist in defraying the cost of review.

- (2) A reapplication Fee amounting to \$5.00 shall be paid to the County Planning Administrator at the time of reapplication for approval of any Final Plat that has been previously reviewed.

12.04 **Minor Subdivision Review Fee**

- (1) The Subdivider shall pay a fee of \$5.00 to the County Planning Administrator at the time of application for approval of the minor subdivision to assist in defraying the cost of review.

Note: This fee has been moved to the Forest County Master List of Fees. The Subdivider shall now pay 25.00 per lot on each map and this includes a preliminary review.

