

CHAPTER 66: LAND DIVISION ORDINANCE

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ARTICLE 0: DEFINITIONS

Section 66-001: General

For the purpose of this chapter, 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 discretionary.

- (1) **Access:** A means of providing vehicular or non-vehicular egress from or ingress to a property, highway, or private roadway.
- (2) **Alley:** A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other public street.
- (3) **Arterial street:** A street which is anticipated to carry in excess of three thousand five hundred (3,500) vehicles per day in traffic volume, at desirable speeds ranging from thirty (30) to forty-five (45) miles per hour, and which is used for travel between areas within and outside the City.
- (4) **Block:** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shore-lines of waterways, or boundary lines of the City of Stoughton.
- (5) **Building line:** A line on a lot, generally parallel to a lot line or public or private road right-of-way line, located a sufficient distance from either to provide the minimum yards required by this Chapter. The building line determines the area in which buildings are permitted subject to all applicable provisions of this Chapter. This is also referred to as a “setback”.
- (6) **Certified survey map (CSM):** A method of permitting and recording a minor subdivision.
- (7) **Cluster Development:** A residential subdivision or condominium plat in which the lots are allowed to be smaller (in area and width) than otherwise required, but in which the overall (gross) density cannot exceed the maximum density limits for the underlying zoning district.
- (8) **Collector street:** A street which is anticipated to carry from two thousand five hundred (2,500) to five thousand (5,000) vehicles per day in traffic volume, at desirable speeds ranging from twenty-five (25) to thirty-five (35) miles per hour, which serves a collecting function by distributing traffic between local streets and arterial streets.
- (9) **Community:** A town, municipality, or a group of adjacent towns and/or municipalities having common social, economic or physical interests.
- (10) **Comprehensive plan:** The Comprehensive Plan of the City of Stoughton, Wisconsin, and as subsequently amended.
- (11) **Condominium:** A development of privately owned housing on unsubdivided land held in common ownership.
- (12) **Condominium plat:** A legal instrument of recordation as defined in Section 703.11 of the Wisconsin Statutes.
- (13) **County planning agency:** Any agency created by a county board and authorized by statute to plan land use such as a rural planning committee, a park commission, or a zoning committee.
- (14) **Covenant:** A binding agreement that limits the property rights of the owner.
- (15) **Cul-de-sac Street:** A minor street closed at one end with turn-around bulb provided for the safe and convenient turning movements of traffic.
- (16) **Development agreement:** A contract for improvements negotiated between the subdivider or condominium developer and the City as a condition of final plat, condominium plat or CSM approval.

- (17) **Driveway:** An area defined by gravel, limestone, or paving located wholly within the boundaries of privately held property and intended as an access from the public right-of-way to an allowed parking space or area. The term “driveway” shall not include parking spaces or areas, or turnarounds.
- (18) **Dwelling unit:** A room or group of rooms, providing or intended to provide permanent living quarters for not more than one (1) family.
- (19) **Easement:** Written authorization, recorded in the Register of Deeds' office, from a landowner authorizing another party to use any designated part of the land owner’s property for a specified purpose.
- (20) **Extraterritorial plat approval jurisdiction:** The unincorporated areas within 1.5 miles of the City of Stoughton, in which Wisconsin Statutes instill certain powers with the City, including but not limited to subdivision review authority.
- (21) **Final plat:** A plan or record of a subdivision and any accompanying material. Approval of the final plat is granted only upon the completion or installation of all improvements or the posting of performance guarantees assuring their completion.
- (22) **Flag lot:** A lot with its widest point set back from the road, and having a thin, long strip (“flagpole”) of land connected to the road to provide legal access and frontage.
- (23) **Frontage:** The length of the front property line of the lot, lots, or tract of land abutting a public street, road, highway, or rural right-of-way.
- (24) **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.
- (25) **Limited Access Highway:** A highway with full or partial control of driveway and intersecting road access, and generally with grade separations at major intersections.
- (26) **Lot of record:** A platted lot or lot described in a certified survey map or in a metes and bounds description which has been approved by the City or by Dane County; and has been recorded in the office of the Register of Deeds.
- (27) **Lot, double frontage:** A lot having frontage on two parallel or approximately parallel streets.
- (28) **Lot, reverse frontage:** A double frontage lot which takes access from a local street which is typically to the rear side of the building.
- (29) **Lot, zoning:** A single tract of land located within a single block, which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a zoning lot or lots may or may not coincide with a lot of record.
- (30) **Lot, corner:** A lot situated at the junction of and abutting on two or more intersection streets, or a lot at the point of deflection in alignment of a continuous street, the interior angle of which does not exceed 135 degrees.
- (31) **Lot depth:** The average distance between the front lot line and the rear lot line of a lot.
- (32) **Lot width:** The horizontal distance between the side lot lines of a lot measured at the narrowest width within the first 30 feet of lot depth immediately in back of the front yard setback line.
- (33) **Lot line, front:** A lot line which abuts a public or private street right-of-way. In the case of a lot which has two of more street frontages, the lot line along the street from which the house is addressed shall be the front lot line.
- (34) **Lot line, rear:** In the case of rectangular or most trapezoidal shaped lots, that lot line which is parallel to and most distant from the front lot line of the lot. In the case of an irregular, triangular, or gore-shaped lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible

- distance from the front line shall be considered to be the rear lot line. In the case of lots which have frontage on more than one road or street, the rear lot line shall be selected by the property owner.
- (35) **Lot line, side:** Any boundary of a lot which is not a front lot line, a street side lot line, or a rear lot line.
- (36) **Major subdivision:** The division of a lot, parcel, or tract of land by the owners thereof, or their agents, for the purpose of transfer of ownership or building development where (1) a single act of division creates 5 or more parcels or building sites, each less than 40 acres in size; or (2) an act of division results in the creation of 5 or more parcels or building sites by successive divisions within a period of 5 years, where at least 5 of the parcels or sites are less than 40 acres in size. Major subdivisions are created through the recording of a final plat.
- (37) **Marginal Access Street:** A minor street providing access to land abutting arterial streets and highways.
- (38) **Mature Woodland:** Land that is covered with largely mature trees as defined by the Regional Planning Commission as part of its delineation of environmental corridors. .
- (39) **Meander Line:** A line run in surveying particular portions of the public lands which border on navigable rivers or lakes. In preparing an official plat from the field notes, the meander line is represented as the border line of the stream, and shows that the watercourse, and not the meander line as naturally run on the ground, is the boundary.
- (40) **Median:** The dividing area, either paved or landscaped, between opposing lanes of traffic on some streets.
- (41) **Minimum Setback:** The narrowest distance permitted from a street, side, or rear property line to a principal or accessory structure.
- (42) **Minor street:** A street used, or intended to be used, primarily for access to abutting properties and not primarily for through traffic.
- (43) **Minor subdivision:** A single division of land either platted or unplatted by the owner or subdivider resulting in the creation of not more than 4 parcels or building sites, each less than 40 acres in size. Where successive divisions result in the creation of 5 or more parcels over a period of 5 years, and where at least 5 of such lots are less than 40 acres, the latest act of division shall be defined as a major subdivision. Minor subdivisions are created through the recording of a certified survey map.
- (44) **Multi-Use Path:** A right-of-way for non-vehicular travel (pedestrians, bicyclist, etc.) separate from the vehicular portion of the roadway.
- (45) **Municipality:** The City of Stoughton.
- (46) **Neighborhood connector street:** A residential street, generally internal to a major subdivision and intended to carry traffic from minor streets in a subdivision to the arterial and collector street networks, between adjoining subdivisions, and to neighborhood facilities such as parks and schools.
- (47) **Parkrow:** See Terrace.
- (48) **Partial Subdivision:** Subdivision of a portion of an original parent parcel without a conceptual plan for the remainder of the parent parcel.
- (49) **Plat:** A map representing a tract of land or subdivision, showing the boundaries and locations of individual properties and streets, and shall include condominium plats.
- (50) **Preliminary plat:** A map showing the outstanding features of a proposed major subdivision, submitted to the Plan Commission for purposes of preliminary consideration and approval.
- (51) **Premature Subdivision:** Subdivision of land before utilities and urban services are available.

- (52) **Public lands:** Publicly owned and maintained properties that include, but are not limited to, rights-of-way, parks and open space.
- (53) **Public way:** Any public road, street, highway, walkway, drainage-way, or part thereof.
- (54) **Replat:** The changing of the boundaries of a recorded subdivision plat or part thereof.
- (55) **Right-of-Way:** Publicly-owned land used for transportation including roads, highways, railroads, and utilities.
- (56) **Sanitary sewer service area:** A legally defined area in and around the corporate limits of the City of Stoughton, within which the City of Stoughton may, under Wisconsin Statutes and administrative rules, legally extend municipal sanitary sewer service facilities.
- (57) **Setback:** The shortest distance between a building's or structure's exterior and the nearest point on the referenced lot line. See minimum setback.
- (58) **Street tree:** A deciduous or evergreen tree planted within the terraces or median of a public right-of-way.
- (59) **Street:** Unless specifically designated otherwise by the City, any public or private way that is dedicated or permanently open to pedestrian and vehicular use, which is twenty-four (24) feet or more in width if it exists at the time of enactment of this Chapter or any such public right-of-way sixty (60) feet or more in width when established after the effective date of this Chapter, or otherwise by approved plat.
- (60) **Subdivider:** Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a major subdivision, minor subdivision or replat.
- (61) **Subdivision:** The division of a lot, tract or parcel of land into 2 or more lots, tracts, parcels or other divisions of land for sale, development or lease. (See definitions of "Major Subdivision" or "Minor Subdivision" above.)
- (62) **Street, arterial:** A street which provides primary access to and through an area; in Stoughton, USH 51.
- (63) **Street, collector:** A street which disperses traffic throughout an area; in Stoughton, CTH A, B, and N, STH 138, Page Street, Kings Lynn Road, Roby Road, Jackson Street, Williams Drive, and Van Buren Street.
- (64) **Street, local:** A street which provides access to individual properties.
- (65) **Street, local residential:** A local street serving primarily to collect traffic originating directly from residential driveways and private residential courts and streets.
- (66) **Street, residential collector:** A collector street serving primarily residential land uses which primarily serves to connect local residential streets to collector or arterial streets.
- (67) **Terrace:** An area within the public right-of-way typically between the inner edge of the curb and the sidewalk; if no curb exists, the terrace is the area between the edge of the pavement and the sidewalk; if neither curb nor sidewalk exists, the terrace is the area between the edge of the pavement and the property line.
- (68) **Traditional Neighborhood Development (TND):** A development that exhibits several of the following characteristics: alleys, streets laid out in a grid system, buildings oriented to the street, front porches on houses, pedestrian-orientation, mixed land uses, and village squares or greens. The City of Stoughton regulates TNDs through the Planned Development process. See Section 78-105(7)(a) of the Zoning Ordinance.
- (69) **Urban service area (USA):** Those areas in and around existing communities which are most suitable for urban development and capable of being provided with a full range of urban services.

ARTICLE 1: GENERAL PROVISIONS

Section 66-101: Title

This Ordinance represents Chapter 66 of the Code of General Ordinances of the City of Stoughton. The official title of Chapter 66 is the “Land Division Ordinance of the City of Stoughton, Wisconsin”, although it may be referred to herein as the “Land Division Ordinance” or simply as “this chapter”.

Section 66-102: Purpose and Intent

The purposes of this chapter are as follows:

- (1) To regulate and control the division of land within the corporate limits and extraterritorial jurisdiction of the City.
- (2) To protect and provide for the public health, safety, and general welfare of the City.
- (3) To guide the future growth and development of the City in accordance with its comprehensive plan, and in concert with its zoning ordinance
- (4) To provide for adequate light, air, and privacy; to secure safety from fire, flood, and other danger
- (5) To protect the character and the social and economic stability of the community, encourage the orderly and beneficial development of the community through appropriate growth management techniques, promote infill development in existing neighborhoods and nonresidential areas with adequate public facilities, assure proper urban form and open space separation of urban areas, and protect environmentally critical areas and areas premature for urban development.
- (6) To protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
- (7) To provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public facilities.
- (8) To provide for adequate circulation of traffic throughout the City, having particular regard to avoiding congestion, providing for bicycle and pedestrian traffic, and ensuring the proper location and width of streets.
- (9) To establish reasonable standards of design and procedures for subdivisions and condominiums in order to further the orderly layout and use of land and to ensure proper legal descriptions and monumenting of subdivided land.
- (10) To ensure that public facilities and services are available concurrent with subdivision development and will have a sufficient capacity to serve the proposed subdivision, and that the community will be required to bear no more than its fair share of the cost of providing the facilities and services through requiring the developer to pay fees, furnish land, or establish mitigation measures to ensure that the development provides its fair share of capital facilities needs generated by the development.
- (11) To prevent the undue pollution of air and water, assure the adequacy of drainage facilities, and encourage the wise use and management of natural resources in order to preserve the integrity, stability, and beauty of the community and the value of land.
- (12) To preserve the natural beauty and topography of the community and to ensure appropriate development with regard to these natural features.
- (13) To provide for open spaces through the most efficient design and layout of the land, including providing for minimum width and area of lots.

- (14) To remedy the problems associated with inappropriately subdivided lands, including premature subdivision, excessive subdivision, partial or incomplete subdivision, and scattered subdivision.
- (15) To insure enforcement of the development concepts, policies and standards delineated in the City of Stoughton Comprehensive Plan and related components, the Official Map, the Parks and Open Space Plan, the Zoning Code, and the Building Code of the City of Stoughton.

Section 66-103: Authority

These regulations are adopted under the authority granted by Chapters 236 and 703 of the Wisconsin Statutes.

Section 66-104: Jurisdiction

Jurisdiction of these regulations shall include all lands within the corporate limits of the City, as well as the unincorporated area within 1.5 miles of the corporate limits (extraterritorial jurisdiction). No person, firm, or corporation shall divide any land located within the corporate limits of the City or within its extraterritorial jurisdiction which shall result in a major or minor subdivision as defined in this chapter, a condominium plat, or a conversion to condominium ownership, without first filing and receiving City approval of a subdivision plat or certified survey map as provided in this chapter, and subsequently recording said map with the Dane County register of deeds.

Sale or exchange of parcels of and between owners of adjoining property which do not create additional lots and the lots resulting are not reduced below the minimum sizes required by these regulations, the zoning ordinance, or other applicable laws or ordinances shall be subject to the provisions of Section 66-502.

The provisions of this chapter as it applies to divisions of tracts of land into less than five parcels shall not apply to:

- (1) Transfers of interests in land by will or pursuant to court orders;
- (2) Leases for a term not to exceed 10 years, mortgages or easements.

Section 66-105: Abrogation and Greater Restrictions

- (1) The City Council may require placement of covenants or deed restrictions that are deemed necessary and appropriate to protect the purpose and intent of the City's comprehensive plan and ordinances. Where applicable, any such restrictions shall be placed on the face of the plat or certified survey map, or on surrounding lands from which the lot or lots were created to verify all applicable density standards.
- (2) It is not intended by this chapter to repeal, abrogate, annul, impair, or interfere with any existing easements covenants, agreements, rules, regulations or permits previously adopted or issued pursuant to laws. However, where this chapter imposes greater restrictions, the provisions of this chapter shall govern.

Section 66-106: Consistency with Comprehensive Plan and Zoning Ordinance

- (1) No subdivision plat, certified survey map or condominium plat shall be approved or recorded for any parcel of land whose proposed subdivision or use would not substantially comply with the applicable standards of the City's Comprehensive Plan, Zoning Ordinance, Official Map, and all other ordinances.
- (2) Subdividers shall refer to the Official Map for site-specific standards related to intersection and driveway placement and spacing; right-of-way dedications and general street and pedestrian facility routing; stormwater management facility locations; and planned community facility locations.

Section 66-107: Division of Zoning Lots

No zoning lot shall hereafter be divided into 2 or more zoning lots and no portion of any zoning lot shall be sold unless all zoning lots resulting from each such division or sale shall conform with all the applicable bulk regulations of the zoning district in which the property is located.

Section 66-108: Land Suitability

No land shall be subdivided for residential use which is held unsuitable for such use by the Plan Commission 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, condominium plat, or of the community. The Plan Commission, 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 or condominium developer an opportunity to present evidence regarding such unsuitability if he so desires. Thereafter, the Plan Commission may affirm, modify, or withdraw its determination of unsuitability.

Section 66-109: Conflicting Provisions

(1) Conflict with State or Federal Regulations.

If the provisions of this chapter are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent permitted by law.

(2) Conflict with Other City Regulations.

If the provisions of this chapter are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the City, the more restrictive provision will control.

(3) Conflict with Private Agreements and Covenants.

This chapter is not intended to abrogate, annul, or otherwise interfere with any easement, covenant, or other private agreement or legal relationship. The City is responsible for enforcing this chapter; it does not enforce private agreements.

Section 66-110: Appeals

At such time that all administrative remedies have been exhausted, any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Wisconsin Statutes, Sections 62.23(7)(e) 10 to 15 and 236.13(5) within 30 days of notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds that the action of the approving or objecting agency is arbitrary, unreasonable or discriminatory.

Section 66-111: Alteration, Vacation, or Replat of a Subdivision

Alteration, vacation or replat of a subdivision shall be done in accordance with sections 236.36 to 236.44 Wisconsin Statutes.

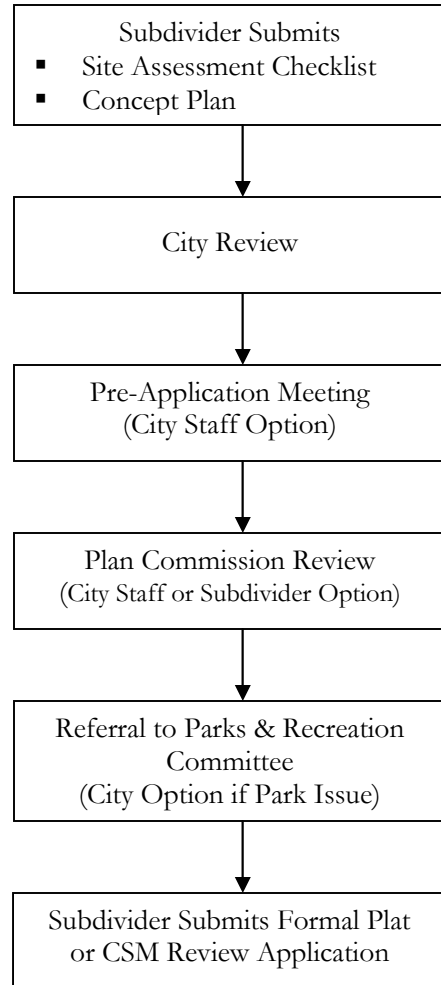
ARTICLE 2: PROCEDURE-SITE ASSESSMENT CHECKLIST and CONCEPT PLAN

Section 66-201: Preliminary Procedure

Before filing application for approval of a minor or major subdivision, or condominium plat, the subdivider or condominium developer shall prepare the following, unless exempted by other sections of this chapter:

- (1) Except as indicated in subsection (4) below, a site assessment checklist at Appendix 1 per the requirements of subsection 66-204. A site assessment report per the requirements of section 66-205 may also be required, following City staff review of the site assessment checklist.
- (2) For all land divisions including condominium plats, a concept plan per the requirements of section 66-206. Concept plans are not required for Planned Unit Developments (PUDs) or Traditional Neighborhood Developments (TNDs). For such projects, an approved TND, or PUD Master Land Use Plan shall substitute for a concept plan.
- (3) A signed statement listing development projects for which the applicant has received City approval in the last 5 years and indicating any outstanding performance or financial obligations on such projects. If this statement is found to contain information that is contrary to fact or to omit the listing of such projects or obligations on which performance or payment is delinquent, the application may be dismissed without prejudice until the application is corrected and/or the delinquency is resolved.
- (4) Minor subdivisions of less than 5 acres in total size, where no land dedications or new streets are proposed, are exempt from the provisions of section 66-201.

Figure 1: Conceptual Review Process



Section 66-202: Pre-Application Meeting

On the completion of the documents specified in section 66-201, a pre-application meeting may be required by the Director of Planning and Development and the Utility Director to assist the subdivider or condominium developer is apprised of the objectives of these regulations, the City's comprehensive plan and elements thereof, the City's Official Map and any pertinent ordinances and plans, and to reach conclusions regarding the objectives and general program for the proposed development.

Section 66-203: Additional Review

- (1) **Plan Commission Review.** The Director of Planning and Development may require, or the subdivider or condominium developer may request, Plan Commission review and comment on the submitted site assessment checklist and/or concept plan. Twenty (20) copies of all documents shall be submitted by the subdivider or condominium developer to the City Director of Planning and Development who shall distribute the copies to the Plan Commission for review and comment. Said copies must be submitted at least 60 business days prior to the date of the Plan Commission meeting at which the matter is to be reviewed.

- (2) **Referral to Parks and Recreation Committee.** The concept plan may be referred to the Parks and Recreation Committee or its staff, for their review and recommendation relative to park and open space needs.

Section 66-204: Site Assessment Checklist Requirements

- (1) **Purpose.** The purpose of the site assessment checklist is to provide the basis for an orderly, systematic review of the effects of new land divisions, including condominium plats, upon the community in accordance with the principles and procedures of Section 236.45(1), Wisconsin Statutes.
- (2) **Coverage.** The site assessment checklist requirement shall apply to all major subdivisions and condominium plats as described in section 66-201. Condominium conversions are exempt from this requirement.
- (3) **Site Assessment Checklist Form.** The subdivider or condominium developer shall complete the site assessment checklist form at Appendix 1 and deliver to the Department of Planning and Development office.

Section 66-205: Site Assessment Report Requirements

- (1) **Determination of Need for Site Assessment Report.** Prior to accepting a preliminary plat or certified survey map for review, the Plan Commission or City staff may, for reasons stated in a written correspondence setting forth specific questions on which it requires research, data and input from the subdivider or condominium developer and other affected persons, decide that the site assessment checklist raises unusually significant questions on the effects on the environment and/or that review by other City committees and commissions is required. The written request shall set a reasonable date for the return of the requested data and information from the subdivider, or condominium developer and it may specify the format in which the data is to be presented.
- (2) **Hearing on Site Assessment Report.** Following response to the written request to the City Director of Planning and Development, the City shall distribute the report to all interested persons or agencies. The Plan Commission may schedule and hold a public hearing on the findings of the report. If scheduled, the hearing shall be preceded by a Class I notice under Chapter 985, Wisconsin Statutes. Persons attending such hearing shall be afforded an opportunity to comment on the report.
- (3) **Review of Site Assessment Report.** The Plan Commission shall review the site assessment report, with supporting data, department and committee reviews and any other data required for determining the suitability of the land for the proposed development. Within 30 days after submission of the site assessment report by the subdivider or condominium developer, the Plan Commission shall decide whether the affected land is suitable for development per section 66-108 Land Suitability. If determined unsuitable, the Plan Commission shall provide its reasons in writing, and subdivider or condominium developer shall have the opportunity to remedy the reasons before a certified survey map, preliminary plat, or condominium plat may be filed.

Section 66-206: Concept Plan Requirements

If required under section 66-201, the subdivider or condominium developer shall prepare a concept plan for review by City staff. At its option, City staff may choose to present the concept plan to the Plan Commission and/or Parks and Recreation Committee for their review and comment prior to the filing of a preliminary plat or condominium plat.

- (1) **Purpose.** The purpose of the concept plan is to depict the general intent of the subdivider or condominium developer in terms of general layout of the subdivision or condominium and its relationship to nearby properties, roads, utilities and other public facilities. In conjunction with the site assessment checklist, the concept plan provides an opportunity to review the general intent and impact of the proposed subdivision, or condominium plat, without the need for detailed engineering,

surveying, and other time consuming and costly processes associated with the preparation of a preliminary plat.

- (2) **Coverage.** The concept plan shall indicate a proposed subdivision or building placement pattern for all lots owned or controlled by the subdivider or condominium developer. The Plan Commission may waive this requirement in the case where the remainder of the area owned or controlled by the subdivider or condominium developer is included in a detailed neighborhood development plan adopted as a component of the City's comprehensive plan, and the subdivider or condominium developer demonstrates an intent to subdivide or develop according to that plan or to a concept plan, general development plan, or preliminary plat previously submitted and reviewed by the City.

ARTICLE 3: PROCEDURE-PRELIMINARY PLAT

Section 66-301: Applicability

The provisions of this section apply only to major subdivisions and condominium plats as defined in section 66-401. For the purposes of this section, the requirements applying to subdividers shall apply equally to the developers of condominiums.

Section 66-302: Preliminary Plat/Condominium Plat Review Procedure

- (1) **Application.** Prior to submitting a final plat or condominium plat for approval, the subdivider or condominium developer shall prepare a preliminary plat and file a written application for its approval with the Director of Planning and Development, along with 20 copies of the preliminary plat. The submittal shall include all data required by this section. A preliminary plat shall not be submitted prior to City review of the site assessment checklist, the site assessment report when required, or the concept plan. The preliminary plat shall be filed at least 60 days prior to the date of the Plan Commission meeting at which action is expected to allow adequate time for review and recommendation by appropriate agencies, staff, commissions, consultants, and nearby property owners.
- (2) **Coverage of Preliminary Plat.** The subdivider or condominium developer shall in all cases submit a preliminary plat for the lands to be included in the first phase of the final plat. If the concept plan did not include all adjacent lands owned or controlled by the subdivider or condominium developer, then the preliminary plat shall include the entire adjacent area owned and controlled by the subdivider or condominium developer. The Plan Commission may waive this second requirement in the case where the remainder of the area owned or controlled by the subdivider or condominium developer is included in a detailed neighborhood development plan adopted as a component of the City's comprehensive plan, and the subdivider or condominium developer demonstrates intent to subdivide or develop according to that plan.
- (3) **Public Notice**
 - (a) Following submittal of the preliminary plat, the Director of Planning and Development shall direct the preparation of a written notice containing the following information:
 - i. The date that the subdivider or condominium developer filed a preliminary plat with the Plan Commission.
 - ii. A copy of the preliminary plat.
 - iii. A map of the area adjacent to the platted land.
 - iv. The date, time and location of the Plan Commission's hearing on the preliminary plat.
 - v. The proposed use of the land to be subdivided.
 - vi. Contact information for the Director of Planning and Development, for further inquiry.
 - (b) The Director of Planning and Development shall direct the mailing of the notices to the owners of all City property within 300 feet of the proposed major subdivision as derived by City assessor records. Such notice shall be sent by first class mail, not less than 10 days, nor more than 30 days prior to the Plan Commission hearing on the preliminary plat. The notice is intended as a courtesy to neighboring property owners. Failure of a neighboring property owner to receive or accept the notice shall not invalidate any subsequent action taken by the Plan Commission with reference to the preliminary plat. The cost of mailing the notice shall be paid by the subdivider or developer prior to the hearing on the preliminary plat.

- (4) **Review by Agencies.** The subdivider shall transmit an adequate number of copies of the preliminary plat to all reviewing agencies as required under Chapter 236, Wisconsin Statutes. Agency review is not required for condominium plats.
- (5) **Plan Commission Action.** The Plan Commission shall have a public hearing on the preliminary plat. The Plan Commission, at its earliest available scheduling, but no longer than 90 days from the date of filing of a complete preliminary plat with the Director of Planning and Development, shall take action to approve, conditionally approve, or reject the preliminary plat. In the case of a rejection, the Plan Commission shall list reasons for said recommendation. The time period within which Plan Commission action is required shall not commence until the City has received all maps, plans, drawings, and related data necessary for review of the latest version of the preliminary plat. Failure of the Plan Commission to act within 90 days shall be interpreted as a recommended approval of the preliminary plat except where the 90-day period has been extended by written agreement of the subdivider or condominium developer.
- (6) **Notification.** The Director of Planning and Development shall notify the subdivider or condominium developer, in writing, of the Plan Commission action within 10 business days.
- (7) **Effect of Preliminary Plat Approval.** Approval or conditional approval of a preliminary plat shall not constitute automatic approval of the final plat. If the final plat is submitted within 24 months of preliminary plat approval and conforms substantially to the preliminary plat layout as indicated in Wisconsin Statutes, Section 236.11(1)(b), the final plat shall be entitled to approval with respect to such layout. 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 the Plan Commission and City Council at the time of its submission.
- (8) **Copies to Utility Providers.** The subdivider or condominium developer shall provide, via certified mail, 2 copies of the approved preliminary plat to all local utility providers (i.e. natural gas, telephone, cable television, telecommunications, water, sanitary sewer, and electric company) so that they may identify appropriate locations for facilities and easements.

Section 66-303: Preliminary Plat Requirements

The preliminary plat shall be submitted at a scale of not more than 100 feet to one inch, and shall show correctly on its face the information listed below. The City may waive one or more of these requirements based on a formal written request from the subdivider or condominium developer. A request for an exception or waiver of conditions of the requirements of section 66-303 shall be submitted in writing by the subdivider or condominium developer when the preliminary plat is filed. The request shall state fully the reasons for the exception or waiver. A 3/4 vote of the entire membership of the Plan Commission shall be required to grant any exceptions or waivers to this section except for Planned Unit Developments, Cluster Developments or Traditional Neighborhood Developments for which consent of the regular majority of the membership is required.

- (1) **Description.**
 - (a) Name of the proposed subdivision or condominium plat.
 - (b) Name, address and telephone number of the owner, subdivider or condominium developer, engineer, land surveyor and land planner.
 - (c) Date, graphic scale, and north arrow.
 - (d) Location of the proposed subdivision or condominium plat by government lot, quarter section, township, range and county.
 - (e) Location map showing the relationship between the preliminary plat and surrounding area.
 - (f) Proposed number of lots, number of dwelling units if different, and land use types.

- (g) A vicinity sketch or small scale drawing of the section or government subdivision or condominium plat of the section in which the subdivision or condominium plat lies, with its approximate location indicated.

(2) **Existing Conditions.**

- (a) Contours at verticals of not more than two foot.
- (b) A scaled drawing of the exterior boundaries of the proposed subdivision or condominium plat referenced to a corner established by the U.S. Public Land Survey, and the total acreage encompassed thereby.
- (c) Location of existing property lines, buildings, drives, streams and watercourses, dry runs, lakes, marshes, wetlands, floodplains, shoreland zoning areas, rock outcrops, wooded areas (including individual trees with a diameter at breast height of 6 inches or more), environmental corridors, and other similar significant features within the parcel being subdivided.
- (d) Location, right-of-way width and names of any easements or rights-of-way for existing streets, alleys or other public ways, railroads and utilities within or adjacent to the proposed subdivision or condominium plat.
- (e) Type and width of any adjacent existing street pavements, together with any legally established centerline elevations for streets located outside the City limits.
- (f) Water elevations of adjoining lakes, streams or drainage-ways at the date of the survey, and known or determined high and low water elevations and boundaries of the 100-year flood-fringe, flood-way, and/or general flood-plain.
- (g) Subsurface soil, rock and water conditions including depth to bedrock and average depth to ground water table. Where a subdivider or condominium developer's subsoil investigation indicates potential for groundwater less than 10-feet from the proposed street centerline elevation, the subdivider or condominium developer shall so note on the face of the plat and indicate the lots affected.
- (h) Location, size and invert elevation of any existing sanitary and storm sewers, culverts or drain pipes and the location and size of any existing water and gas mains on or adjacent to the plat and proposed for use in the development. If sewers and water mains are not present on or adjacent to the preliminary plat, the distance to, and the size of those nearest and the invert elevations of sewers shall be indicated.
- (i) Location of private wells and electric infrastructure.
- (j) Locations of filling and grading.
- (k) Location and names of adjacent subdivision or condominium plat, parks and cemeteries.
- (l) Names and addresses of adjacent property owners.
- (m) Existing land use and zoning within 300 feet of the proposed subdivision or condominium plat.

(3) **Proposed Conditions.**

- (a) Location, width, and names of all proposed streets and walkways.
- (b) Layout and scale dimensions of all lots and proposed lot and block numbers.
- (c) Draft of proposed covenants (if any) to be imposed.
- (d) Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, greenways or other public uses.

- (e) Location and approximate dimensions of any sites reserved for the private use of subdivision or condominium plat residents and the conditions and terms of all applicable deed restrictions applying to these sites.
- (f) Location and approximate dimensions of any sites that are to be used for Group Developments or Planned Unit Developments as defined in sections 78-205 (11) and 78-105 (7) of the City zoning ordinance, respectively.
- (g) Plans showing the proposed locations for streets, walkways, drainage-ways, and public easements, including extensions for reasonable distance beyond the limits of the proposed subdivision or condominium plat when requested.
- (h) After consultation with City staff, proposed street tree type, location, and size.
- (i) After consultation with City staff, proposed sanitary sewer, water, and stormwater facilities type, location, and size. The submittal shall specifically address in a supplemental memo how the proposed sanitary sewer system maximizes the area served by gravity flow or otherwise optimizes gravity service.
- (j) Locations of filling and grading.
- (k) Proposed building setback lines.
- (l) Any other information deemed necessary by City staff to assist in the review and evaluation of the preliminary plat.

ARTICLE 4: PROCEDURE-MAJOR SUBDIVISION

Section 66-401: Final Plat Review and Approval Procedure

For all major subdivisions and condominium plats, the subdivider or condominium developer shall prepare and file a final plat and written application for its approval with the Director of Planning and Development, along with 20 copies of the final plat. The submittal shall include all data required by this section, along with verification, such as a certified mail receipt, that the subdivider or condominium developer submitted the approved preliminary plat to utility providers as required under subsection 66-302 (8). A final plat shall not be submitted prior to City Council approval of the preliminary plat. The final plat shall be filed at least 30 days prior to the date of the Plan Commission meeting at which a recommendation is expected. In the case of condominium plats that contain over 5 individual building sites, a condominium plat that conforms to section 703.11 of the Wisconsin Statutes shall substitute for a final plat.

- (1) **Coverage of Final Plat.** The final plat shall include the entire area owned or controlled by the subdivider, condominium developer or association, within the phase of development for which final approval is sought.
- (2) **Submittal of Covenants and Deed Restrictions.** The subdivider or condominium developer shall submit any protective or restrictive covenants or deed restrictions pertaining to lot and street dimensions or other physical design specifications that may attach to the property being subdivided.
- (3) **Review by Agencies.** The Plan Commission secretary shall transmit an adequate number of copies to the Plan Commission; and copies to all affected City boards, commissions or departments, for their review and recommendations concerning matters within their jurisdiction. For the final plat, the subdivider shall be responsible for making all written requests for approval and findings of no objections of the final plat to the state of Wisconsin, in accordance with Section 236.12, Wisconsin Statutes.
- (4) **Plan Commission Recommendation.** Within 60 days of receiving a complete final plat application and all associated documents, the Plan Commission shall recommend approval, denial or approval with conditions of the final plat and transmit that recommendation to the City Council. Such time may be extended by written agreement of the subdivider or condominium developer.
- (5) **City Council Action.** The City Council shall, at its earliest available scheduling, but no longer than 90 days from the date submitted, approve, approve conditionally or reject the final plat based on its determination of conformance with the intent and provisions of this chapter, and all related plans and ordinances, and recommendations of appropriate City committees and commissions. If the final plat meets the requirements of this section, has been submitted within 24 months from the approval date of the preliminary plat, substantially conforms to the approved preliminary plat, and meets all conditions of preliminary plat approval, the council shall approve the final plat. The final plat is considered filed when the City has received all maps, plans, drawings and related data necessary for plat review of the latest version of the final plat as outlined herein. Such time may be extended by written agreement of the subdivider or condominium developer. If the City Council fails to act within 90 days, the period of time has not been extended by agreement, and no unsatisfied objections have been filed within that period, the plat shall be deemed approved, and upon demand, a certificate to that effect shall be made on the face of the plat by the City Clerk.
- (6) **Development Agreement Required.** Upon the filing of a final plat with the City, the subdivider or condominium developer and City shall begin negotiations on a development agreement specifying responsibilities of both parties, as described in greater detail in Section 66-903. Prior to approval of the final plat by the City Council, the subdivider or condominium developer and City shall be in substantial agreement as to the terms of the development agreement. City Council approval shall be conditioned upon the execution of the development agreement. Prior to City signing and recording of

the final plat, the development agreement shall be signed by both parties and all conditions of final plat approval shall be satisfied to the extent possible. Prior to the signing of said agreement by the City Mayor and the City Clerk, the subdivider or condominium developer shall pay the City all required fees, charges and deposits, and provide any required performance guarantees, except as otherwise provided for in the development agreement.

- (7) **Recording of Final Plat.** The surveyor shall record a copy of the approved final plat with the register of deeds, but only after certificates of the state of Wisconsin, City Council, surveyors, and others required by Section 236.21, Wisconsin Statutes are placed on the face of the plat.

Section 66-402: Final Plat Requirements

The final plat shall meet all technical requirements of Chapter 236, Wisconsin Statutes. In addition, the subdivider or condominium developer shall furnish the following information with respect to the approved, recorded version of the final plat:

- (1) If the final plat or condominium plat contains private road(s), the following note shall be added to the plat:

NOTICE OF POSSIBLE LIMITATION OF PUBLIC SERVICES

THIS PLAT, CONTAINS PRIVATE ROAD(S), AND AS A RESULT, CERTAIN PUBLIC SERVICES MAY BE LIMITED. THE EXTENT OF THESE LIMITATIONS MAY BE SPELLED OUT IN A DOCUMENT CALLED A DEVELOPMENT AGREEMENT WHICH DIRECTLY RELATES TO THIS PLAT AND IS FILED AS A PUBLIC DOCUMENT IN THE OFFICE OF THE CITY CLERK FOR THE CITY OF STOUGHTON.

- (2) Final plats shall contain the following note regarding utility easements:

THE FINAL GRADE ESTABLISHED BY THE SUBDIVIDER ON THE UTILITY EASEMENT SHOWN SHALL NOT BE ALTERED BY MORE THAN SIX (6) INCHES BY THE SUBDIVIDER, HIS AGENT, OR BY SUBSEQUENT OWNERS OF THE LOTS ON WHICH SUCH UTILITY EASEMENTS ARE LOCATED, EXCEPT WITH WRITTEN CONSENT OF THE UTILITIES INVOLVED.

- (3) A duplicate reproducible copy of the approved and recorded plat and in a digital format to be determined by the City.
- (4) Proof that all local utility providers have been notified of, and afforded the opportunity to comment on, the preliminary plat as required under subsection 66-302 (8).
- (5) With the submittal of the final plat, the subdivider or condominium developer shall submit preliminary engineering design plans to be approved by the City prior to the installation of public improvements within the plat area. The plan shall indicate but not be limited to the following: elevation of streets, existing and proposed topography, proposed yard swales, proposed finished first floor elevation ranges for each lot, areas reserved for stormwater detention/retention, and indications of the direction of all drainage including intra-block drainage. Said plans shall also show:
- (a) The approximate radii of all curves, length of tangents, and central angles on all streets.
 - (b) Preliminary engineering plans for water, stormwater facilities, sanitary sewer, natural gas, and other public improvements as required by the City.
 - (c) A surface water drainage plan for the plat.
- (6) Final engineering design plans shall be submitted and approved by the City prior to signing of the certificates on the final plat by the City for recording of the final plat.

ARTICLE 5: PROCEDURE-MINOR SUBDIVISION

Section 66-501: Minor Subdivision (Certified Survey Map) Procedure

- (1) **Application.** For all subdivisions classified as minor subdivisions under this chapter, the subdivider shall file an application for certified survey map approval with the Director of Planning and Development, along with 20 copies of the certified survey map. The submittal shall include all data required by this section. A certified survey map shall not be approved prior to Plan Commission review of the site assessment checklist, except as exempted under sections 66-201(4) and 66-204(2). The certified survey map shall be filed at least 14 days prior to the date of the Plan Commission meeting at which a recommendation is expected.
- (2) **Plan Commission Action (No Land Dedication).** The Plan Commission at its earliest available scheduling, but no longer than 60 days from the date submitted, shall approve, conditionally approve or reject those certified survey maps not involving the dedication of public lands. Said determination shall be based on the conformance with the intent and provisions of this ordinance, all related plans and ordinances, and recommendations of appropriate City committees and commissions. In all cases, the time period within which Plan Commission action is required shall not commence until the City has received all maps, plans, drawings and related data necessary for review of the latest version of the certified survey map as outlined herein. Such time may be extended by written agreement of the subdivider. If the Plan Commission fails to act within 60 days, the period of time has not been extended by agreement, the certified survey map shall be deemed approved.
- (3) **Plan Commission Recommendation (Land Dedication).** The Plan Commission at its earliest available scheduling, but no longer than 60 days from the date submitted, shall recommend to the City Council approval, conditional approval or rejection of certified survey maps that involve the dedication of public lands. Such recommendation shall be based on the conformance with the intent and provisions of this ordinance, all related plans and ordinances, and recommendations of appropriate City committees and commissions. All dedicated lands shall be accompanied by an environmental assessment indicating that such lands present no environmental hazard, and that they will not require environmental mitigation or remediation measures. Said environmental assessment shall be produced at the subdivider's expense. In all cases, the time period within which Plan Commission recommendation is required shall not commence until the City has received all maps, plans, drawings and related data necessary for review of the latest version of the certified survey map as outlined herein. Such time may be extended by written agreement of the subdivider. If the Plan Commission fails to act within 60 days, the period of time has not been extended by agreement, it shall be interpreted that the Plan Commission recommends approval of the certified survey map to the City Council.
- (4) **City Council Action.** Where a certified survey map involves the dedication of public lands, the City Council shall within 30 days from the date of the Plan Commission recommendation, approve, conditionally approve or reject the certified survey map. If the City Council fails to act within the 30-day period, the period of time has not been extended by agreement, and no unsatisfied objections have been filed within that period, the certified survey map shall be deemed approved.
- (5) **Development Agreement.** Upon a recommendation by the City Director of Planning and Development, the City Council may require the execution of a development agreement for a certified survey map involving significant public improvements.
- (6) **Recording of Certified Survey Map.** The surveyor shall record a copy of the approved certified survey map with the register of deeds, but only after:

- (a) Certificates of the City Council and/or Plan Commission, of the surveyors and those certificates required by Section 236.21 of the Wisconsin Statutes are placed on the face of the plat.
 - (b) All conditions of approval have been satisfied.
 - (c) Upon recordation by the subdivider, 2 copies of the recorded document shall be furnished to the Department of Planning and Development along with a digital copy in the format determined by the City.
- (7) **Zero Lot Line Land Divisions.** Zero lot line land divisions designed to put each dwelling unit of a side by side duplex, where the lot line will be placed along the common wall or walls, may be approved by the Department of Planning and Zoning without Plan Commission or City Council approval. This process will create a “Twin House” as defined in Section 78- 206(1)(a)(3) of the Zoning Ordinance. This Section of the Zoning Ordinance should be reviewed to determine if additional requirements will be imposed as conditions of CSM approval.

Section 66-502: Certified Survey Map Requirements

- (1) The certified survey map (CSM) shall be prepared by a registered land surveyor and shall comply with the provisions of Section 236.34, Wisconsin Statutes, and of this section.
- (2) The certified survey map shall comply with all design standards, required improvements, and general provisions of this section.
- (3) The certificate of approval shall be placed on the face of the map.
- (4) If the certified survey map contains private roads, the following note shall be added to the certified survey map:

NOTICE OF POSSIBLE LIMITATION OF PUBLIC SERVICES:

THIS CERTIFIED SURVEY MAP CONTAINS PRIVATE ROAD(S), AND, AS A RESULT, CERTAIN PUBLIC SERVICES MAY BE LIMITED. THE EXTENT OF THESE LIMITATIONS MAY BE SPELLED OUT IN A DOCUMENT CALLED A DEVELOPMENT AGREEMENT WHICH DIRECTLY RELATES TO THIS CSM AND IS FILED AS A PUBLIC DOCUMENT IN THE OFFICE OF THE CITY CLERK FOR THE CITY OF STOUGHTON.

- (5) Parkland dedication monies in lieu of parkland dedication and park improvement fees shall not be required where the CSM does not result in the addition of any residential unit.
- (6) Failure to record the CSM within one year of its approval by the City Council or Plan Commission will result in the voiding of the CSM approval.

ARTICLE 6: EXTRATERRITORIAL LAND DIVISIONS and CONDOMINIUM PLATS

Section 66-601: Authority

The City's authority to approve land division and condominium plats within its extraterritorial jurisdiction is granted by sections 236.45(3), and 703 Wisconsin Statutes.

Section 66-602: Extraterritorial Land Division and Condominium Plat Policies

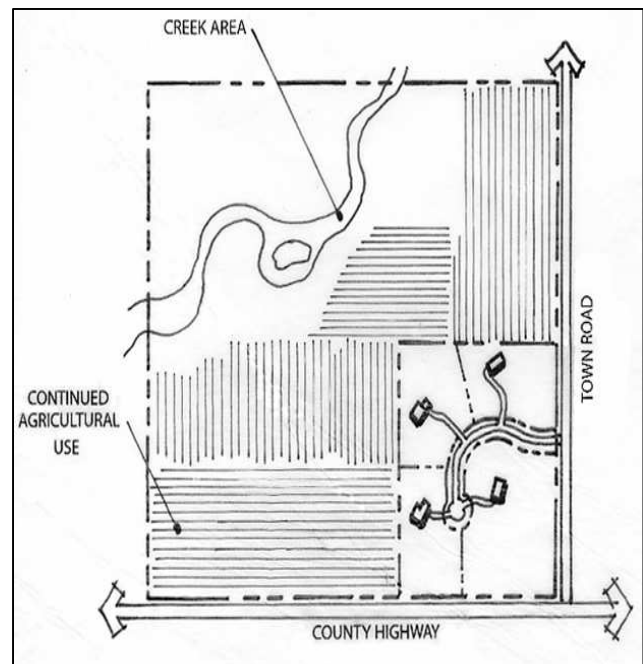
The following policy shall govern the City's approval and regulation of divisions of land within its extraterritorial jurisdiction area in order to promote the intent and those purposes set forth in this chapter:

- (1) No such land divisions will be permitted; without approval of the City, in accordance with the procedures in this Chapter as applicable to land divisions within the City.
- (2) Such land divisions will be permitted if not exceeding an overall density of one (1) dwelling unit for 35 acres, exclusive of the farmstead demonstrated by the land divider to the satisfaction of the City to be existing as of the effective date of this Chapter. Lots for non-residential use will be handled on a case-by-case basis. The standards used to review these land divisions will be the same as the standards contained in the Dane County Exclusive Agricultural Zoning District Ordinances that are used for considering rezonings. The only exception to this policy is that areas shown for development, and not shown in the "Agriculture/Rural" category,

on the Planned Land Use Map in the City of Stoughton Comprehensive Plan may be permitted.

- (3) The minimum lot size within the extraterritorial jurisdiction of the City of Stoughton shall be one (1) acre. A smaller lot size may be allowed if also approved by the respective Town Board. The maximum lot size within the extraterritorial jurisdiction of the City of Stoughton shall be two and one-half (2.5) acres. In all instances, the density provisions of paragraph (2), immediately above, shall also apply.
- (4) The City will attempt to seek consistency between its Plans and locally adopted Town Plans. To the extent that the policies of the City are more restrictive in regard to the protection of the public health, safety, welfare, environmental quality, or in terms of implementing the City's Comprehensive Plan or Official Map, the City's policies shall prevail. All land divisions within the extraterritorial limits will be subject to the land reservation or dedication requirements of this Chapter. This specifically means the following:
 - (a) Any public right-of-way area identified in the City's Comprehensive Plan or Official Map shall be dedicated in conformance with requirements of this Chapter.

Figure 2: Conceptual ETJ Land Division



This figure depicts the conceptual build out of a 155-acre property in the extraterritorial jurisdiction area. With a 4-lot cluster, it would still have an overall density of 1 home per 35 acres ($155/35=4.4$, rounded down to 4) with a maximum lot size of 2.5 acres.

- (b) Any waterway or storm water management area identified on the City's Comprehensive Plan or Official Map shall be dedicated in conformance with requirements of this Chapter.
 - (c) If any lands within the land division are within the limits of an environmental corridor, as mapped by the City, Dane County or Regional Plan Commission, the land divider shall record a public open space easement specifying that the development within said environmental corridor shall be consistent with overlay zoning in the City's Zoning Code, or shall label and designate said area as an undevelopable Outlot; at the City's direction.
- (5) All parklands proposed in adopted elements of the City's comprehensive plan shall be reserved or dedicated to the extent allowed under this chapter.
 - (6) Such land divisions shall meet all of the development layout design standards contained in this Chapter.
 - (7) Such land divisions shall follow the erosion control requirements established by the City.
 - (8) Such land divisions shall pay the required review fees contained in this Chapter prior to initial placement on the Plan Commission agenda.
 - (9) The plat, condominium plat, or certified survey map shall include the entire original parcel of land from which any new lots or parcels are created, and a note shall be placed on the face of the plat or certified survey map indicating areas necessary for compliance with the density standard established herein.

Section 66-603: Extraterritorial Land Division Procedures

In addition to the procedures for land divisions within the City Limits, land divisions in the City's Extraterritorial Land Division Jurisdiction shall also following the following requirements:

- (1) In all cases, the time period within which action is required shall not begin until the Town Board, the staff serving the Dane County Zoning Committee, and the City of Stoughton have received all maps, drawings and data required for plat, condominium plat, or certified survey map approval.
- (2) No person shall divide any land located within the City's extraterritorial jurisdiction without first filing an application and paying the City's standard land division review fees. The timing for filing the application and paying the City's review fees shall be the same as otherwise required per land division within the City.
- (3) Submittal requirements for land divisions within the City's Extraterritorial Land Division Jurisdiction shall be identical to those required for land divisions within the City Limits.

Section 66-604: Disclosure

No person shall sell any parcel of land of one acre or less in size within the City's extraterritorial jurisdiction, if it abuts a road that has not been accepted as a public road unless the seller informs the purchaser of that fact in writing, and it is understood that the town or county are not obligated to maintain it.

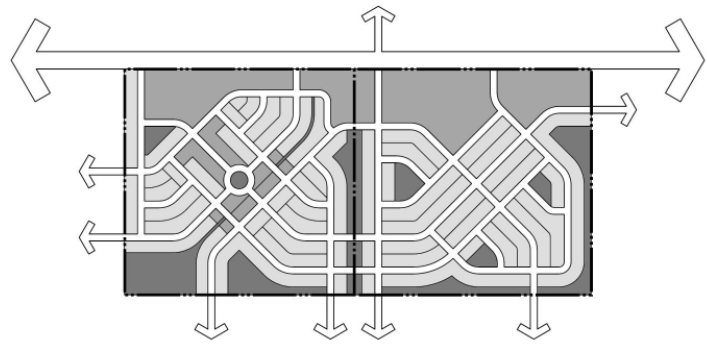
ARTICLE 7: DESIGN STANDARDS

Section 66-701: Street Arrangement

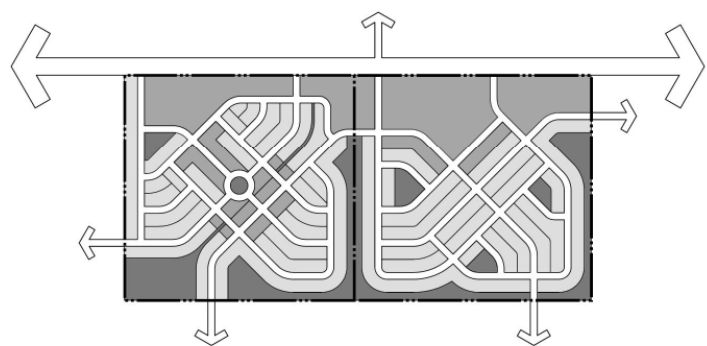
In any new subdivision or condominium plat, the layout of public streets, bikeways, and pedestrian paths shall substantially conform to the arrangement and location indicated on the Official Map, comprehensive plan, or component neighborhood development plan. In areas for which such plans have not been 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, the topography, such natural features as streams and trees, the future land to be served by such streets, and the most advantageous development of adjoining areas. The functional classification of various types of streets within and adjacent to subdivision or condominium plat shall be determined by the City based on the following criteria:

- (1) Arterial streets shall be arranged to provide for through traffic and ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation areas, and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of arterial streets and highways, and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.
- (2) Collector streets shall be arranged to provide ready collection of traffic from residential areas and conveyance of this traffic to arterial streets, major collector streets and highways. Collector streets should also connect to special traffic generators such as schools, churches, and shopping centers and other concentrations of population.
- (3) Neighborhood connector streets shall be arranged to direct traffic from minor streets within a subdivision or condominium plat to the arterial and collector street network. Neighborhood connector streets shall also be designed to provide connectivity between adjoining subdivision or condominium plats and to neighborhood facilities such as parks and schools. (See Figure 3.)
- (4) Minor streets shall be arranged to conform to the topography, discourage use by through traffic, permit the design of efficient storm and sanitary sewerage systems, and require the minimum street area necessary to provide safe and convenient access to abutting

Figure 3: Conceptual Neighborhood Connector Streets



This: Multiple roadway connections



Not this: Limited roadway connections

property. Not every street within a subdivision or condominium plat is necessarily a minor street.

- (5) Subdividers shall refer to the Official Map for site-specific standards related to the requirements of this section.

Section 66-702: Alleys

Alleys may be provided in commercial and industrial districts for off-street loading and service access. Dead-end alleys without a proper turn-around shall not be approved, and alleys shall not connect to an arterial street. Alleys may be provided in traditional neighborhood development districts to service garages and for refuse collection. All alleys must be paved with hard surfacing to the specifications of the City.

Section 66-703: Street Extensions

Proposed street rights-of-way shall extend to the boundary lines of the tract being subdivided or developed unless prevented by topography or other physical conditions or unless, in the opinion of the Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or condominium plat or for the advantageous development of the adjacent tracts.

Section 66-704: Street Names

Street names shall not duplicate or be similar to existing street names in the City of Stoughton or within its emergency response areas, except that streets that are continuations of others already in existence and named shall bear the name of the existing street. The City Council of the City of Stoughton hereby reserves to itself the exclusive right to name all streets within the city limits of the City of Stoughton. This authority may not be delegated and shall apply to the naming of new streets, or the renaming of existing streets whether in plats, plat amendments or otherwise.

- (1) **Definitions.** "Street" shall mean every highway within the corporate limits of the City of Stoughton, including alleys, and shall include without limitation, all public ways and thoroughfares and bridges upon said highways, all roads or driveways in municipal parks which have been opened for the use of the public for the purpose of vehicular travel, but shall not include private roads or driveways as defined in section 340.01(46), Wisconsin Statutes, as amended from time to time.
- (2) **Prohibitions.** No street shall be named except by CSM, plat, or by resolution of the City Council of the City of Stoughton. No advertisement, representation nor solicitation shall state or imply the granting of the right to name or rename a street.
- (3) **Procedures.** Any person preparing or amending a plat or otherwise desirous of renaming an existing street or naming a new street or a street not previously named shall make application therefore to the City of Stoughton. If a preliminary plat is required by this chapter, the application for street name approval shall be submitted at the same time as the preliminary plat. The City may initiate said application on its own, should the City determine the need to name a street. Said applications shall be in written form and be submitted to the Director of Planning and Development and shall contain the following:
 - (a) The proposed street name.
 - (b) A clear and concise map of the street to be named, provided further that the City may require an engineering drawing or survey locating the proposed street to be named.
 - (c) A narrative statement addressing each of the standards contained in subsection (5) below.
 - (d) Any application for the renaming of an existing street shall include proof satisfactory to the City that the applicant has made diligent efforts to notify all persons or entities owning or having any tenancy interest in the property whose address would change. The applicant may provide said proof in the way of affidavit, US postal return receipts or proof of publication or combination thereof and may attempt to provide notice by door to door canvassing and posting, registered mailings, newspaper publications or any combination thereof or any other means likely to

provide actual notice. No such application shall be processed until the applicant has satisfied the City that at least 90 percent of all the persons or entities affected have received actual notice.

- (4) **Determination.** The Director of Planning and Development shall review said proposal consistent with the standards contained below and shall also make a determination as to whether the proposed name or a similar name is already in use, and shall forward its recommendations and determinations to the City Plan Commission. The City Plan Commission shall set the matter on its agenda for public hearing and shall make its recommendations in the form of a report to the City Council taking into consideration the standards contained in subsection (5) below.
- (5) **Standards.** The following matters shall be considered and addressed in regard to the proposed naming of any street:
 - (a) Any notable geologic, geographic, cultural, biographical, historical, botanical, horticultural, scientific or other factors or events associated with the area served by the street.
 - (b) The appropriateness of honoring or showing gratitude to a person, group or event deserving of recognition within the local community served by the street or the greater Stoughton region.
 - (c) The desirability of maintaining a single name for the entire length of any particular street.
 - (d) The potential impact and inconvenience upon residents of an existing street whose name is proposed to be changed.
 - (e) Existing street names shall be projected wherever possible.

Section 66-705: Railroads, Highways, and Arterial Street Protection

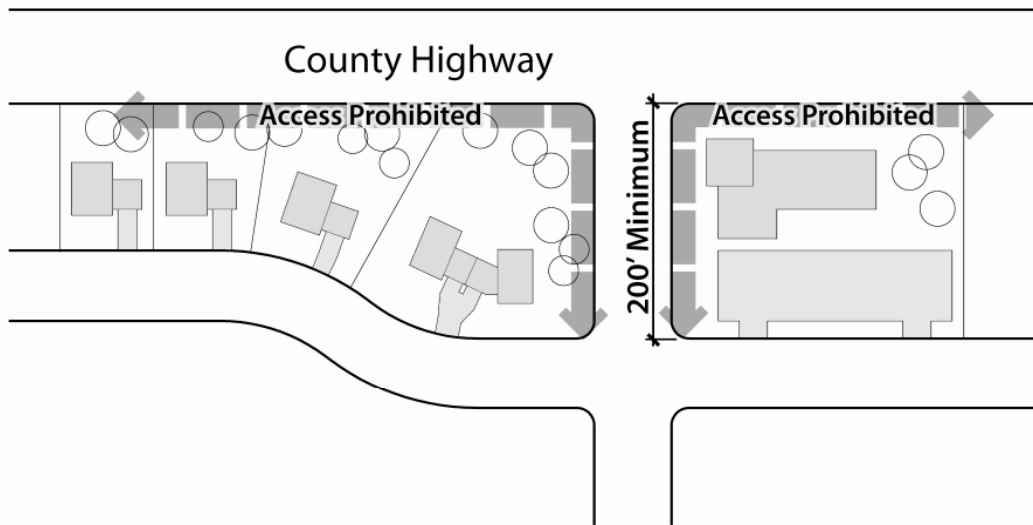
Whenever a proposed subdivision or condominium plat contains or is adjacent to an arterial street, limited access highway, or railroad right-of-way, the following standards may be applicable at the discretion of the Plan Commission:

- (1) Where lots within the proposed subdivision or condominium plat back upon the right-of-way of an existing or proposed arterial street, limited access highway, or railroad right-of-way, a landscape buffer strip of at least 25 feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the arterial street, railroad right-of-way, or limited access highway. The treatment within this landscape strip shall be unified along the entire frontage in accordance with a landscape plan prepared by the subdivider or condominium developer and approved by the City. This strip shall be a permanently reserved part of the platted lots and shall be designated on the plat as follows:

“THIS LANDSCAPE BUFFER STRIP IS RESERVED FOR THE PLANTING OF TREES AND SHRUBS BY THE SUBDIVIDER OR CONDOMINIUM DEVELOPER. THE PLACEMENT OF STRUCTURES HEREON IS PROHIBITED. MAINTENANCE AND ALL LANDSCAPING WITHIN THIS BUFFER STRIP SHALL BE THE ONGOING RESPONSIBILITY OF THE RESPECTIVE LOT OWNER.”
- (2) To prevent multiple driveway openings onto an arterial street or limited access highway, the Plan Commission, at its discretion may require subdividers within commercial and industrial districts to provide marginal access or service streets including those that are approximately parallel to, and at a suitable distance from, such arterial streets and highways. Marginal access streets and service drives may be required to facilitate the free flow of traffic along arterial streets and highways, and to encourage the appropriate use of the land between same. Such streets may be required on each side of a limited access arterial street or highway or railroad.
- (3) Streets parallel to a limited access arterial street or highway, when intersecting another arterial street or highway or a collector street which crosses the highway, shall be located at a minimum distance of 350 feet from the limited access arterial highway 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. The subdivision plat, condominium plat, or CSM shall include a restriction against private driveways within this 350-foot area. (See Figure 4.)

Figure 4: Conceptual Arterial Street Spacing



- (4) Minor streets immediately adjacent to arterial streets and highways shall be avoided in residential areas.
- (5) Subdividers shall refer to the Official Map for site-specific standards related to the requirements of this section.

Section 66-706: Street Designs Standards

The minimum right-of-way width, roadway width, sidewalk requirements, and parking requirements for all proposed public streets shall be as specified in the following Figure 5. If the City's Official Map or components of the City's or metropolitan planning organization's comprehensive plan, transportation plan, or bikeways plan, provide for alternative requirements (such as an on-street bicycle lane) the City may substitute the alternative requirements for those listed in Figure 5 below. The City may also consider other appropriate street design requirements from those shown in Figure 5.

Figure 5: Minimum Public Street Design Requirements

Type of Street	Right-of-way width (feet)	Street width, curb-face to curb-face (feet)	Sidewalks Required ¹	On-Street Parking Allowed?
Arterial Street	100	48	Yes, both sides	No
Collector Street	80	44	Yes, both sides	Determined on a case-by-case basis
Neighborhood Connector Street	66	38	Yes, both sides	Yes, both sides
Minor Street— 2 side parking	60	38	Yes, both sides	Yes, both sides
Minor Street— 1 side parking	60	34	Yes, both sides	Yes, one side ²
Minor Street— No parking	60	28	Yes, both sides	No
Cul-de-sac	60	28 if no parking, 34 if one side parking	Yes, both sides	Yes, one side
Alley	16	12	No	No

NOTES: ¹ All sidewalks shall be concrete and five feet in width. ² One sided parking shall be located on the south and east sides of the street unless otherwise determined by the City.

- (1) Extension of existing streets (that exceed the above standards) shall be developed to conform to the existing street dimension or taper to the dimensions noted in Figure 5, as determined by the City.
- (2) Cross-sections for freeways, expressways, parkways, and boulevard streets shall be based upon detailed engineering studies.
- (3) Cul-de-sac streets designated to have one end permanently closed shall not exceed 600 feet in length measured from the centerline of the intersecting street to, but not including, the cul-de-sac turn-around. All cul-de-sac streets designated to have one end permanently closed shall terminate in a circular turn-around having a minimum right-of-way radius of 50 feet and a minimum outside curb radius of 40 feet. All cul-de-sacs shall be designed to accommodate snow storage and removal per the direction of the City.
- (4) Where on-street bike lanes are required, the width of each bike lane shall not be less than 5 feet, not including the gutter section. Such width shall be in addition to the width required by Figure 5. Placement of bike lanes shall be in accordance with the AASHTO Guide for the Development of Bicycle Facilities.
- (5) Subdividers shall refer to the Official Map for site-specific standards related to the requirements of this section.

Section 66-707: Street Grades

Street grades shall be established to avoid excessive grading, the indiscriminate removal of ground cover and trees, and general leveling of the topography. All changes in street grades shall be connected by vertical curves of minimum length equivalent in feet to 15 times the algebraic difference in the rates of grade for an arterial street, and ½ this minimum for all other streets. The minimum centerline grade of all streets shall in no case be less than 0.5%. Unless necessitated by exceptional topography subject to the approval of the City, the maximum centerline grade of any street or public way shall not exceed the following:

- (1) Arterial streets, 6%;
- (2) Collector and Neighborhood Connector streets, 8%;
- (3) Minor streets, alley and frontage streets, 10%;
- (4) Pedestrian ways, 12% unless steps of acceptable design are provided.
- (5) Off-street bicycle lanes, 6% except steeper grades may be allowed for shorter distances.

Section 66-708: Street 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 300 feet for arterial and collector streets, and 100 feet for minor streets. A tangent of at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.

Section 66-709: Half Streets

Where 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 or condominium developer. The platting of half-streets shall be avoided unless absolutely necessary.

Section 66-710: 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 2.
- (3) Number of intersections along arterial streets and highways shall be held to a minimum. The distance between such intersections shall not be less than 400 feet, as measured from centerline to centerline.
- (4) Property lines at street intersections shall approximate a 90 degree angle to the maximum extent practicable unless an alternative treatment is considered acceptable by the City.
- (5) Minor and neighborhood connector streets shall not necessarily continue across arterial or collector streets; but if the centerlines of such minor streets approach the major street from opposite sides within 300 feet of each other as measured along the centerline of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the arterial or collector street is continuous and a jog is avoided.

Section 66-711: Multi-Use Paths and Walkways

- (1) The minimum width of a right-of-way or easement for a multi-use path shall be 20 feet, with a minimum pavement width of 10 feet. The minimum width of a right-of-way or easement for a pedestrian-only walkway shall be 10 feet, with a minimum surface width of 5 feet. The substitution of a multi-use path or walkway for a sidewalk, as required in Figure 5, may be approved upon a recommendation by the Director of Planning and Development and approved by the City where it can be demonstrated that such provision will both better meet the needs of subdivision or condominium plat residents and is consistent with the City's park and open space and/or bikeways plans.

- (2) Subdividers shall refer to the Official Map for site-specific standards related to the requirements of this section.

Section 66-712: Sidewalks

All sidewalks shall be at least 5 feet in width and constructed of concrete. All sidewalks, except for those within an approved traditional neighborhood, shall be separated from the paved street surface by a minimum 6-foot wide grassed terrace. Sidewalks shall be located 6 to 12 inches inside the right-of-way line unless an alternative location is considered appropriate by the City.

Section 66-713: Blocks

- (1) 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.
- (2) Blocks in residential areas other than traditional neighborhood development districts, shall not be less than 400 feet nor more than 1,200 feet in length, unless otherwise dictated by exceptional topography or other limiting factors of good design.
- (3) Mid-block multi-use paths or walkways may be required near the center and entirely across any block over 900 feet in length where deemed appropriate by the Plan Commission to provide adequate pedestrian circulation or access to parks, schools, shopping centers, churches or transportation facilities.
- (4) Blocks shall have sufficient width to provide for 2 tiers of lots of 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.

Section 66-714: Lots

- (1) The size, shape, and orientation of lots or condominium building sites shall be appropriate for the location of the subdivision or condominium plat and for the type and intensity of development and use contemplated in the City's comprehensive plan and zoning ordinance. The lots or condominium sites should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.
- (2) Side lot lines shall 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 and zoning district boundaries rather than cross them.
- (3) 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.
- (4) Every lot of record shall front or abut for a distance of at least 40 feet on a public street.
- (5) Area and width of lots shall conform to the requirements of the zoning ordinance. Whenever a tract is subdivided into large parcels, such parcels shall be arranged and dimensioned as to allow re-subdivisions of any such parcels into smaller lots.
- (6) Lots shall have a minimum average depth of 100 feet. Excessive depth in relation to width shall be avoided and a proportion of 2 to 1 shall be considered a desirable ratio under normal conditions. Depth of lots 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 zoning.

- (7) Lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision or condominium plat and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake, river or stream.
- (8) Flag lots shall be prohibited within the City limits and discouraged within the extraterritorial jurisdiction.

Section 66-715: Utility Easements

The Plan Commission may require utility easements of a minimum of 12 feet in width where necessary or advisable for electric power and communication wires and conduits; storm and sanitary sewers; and gas, water and other utility lines. Where side or rear lot lines within a subdivision or condominium plat abut one another, the subdivision or condominium plat may provide easements of 6 feet in width on abutting lot lines to form the 12 foot minimum. The City may require additional easement widths depending on location and required underground infrastructure (e.g. a water main between houses may require a 20-foot easement).

Section 66-716: Drainage Easements

- (1) Where a subdivision or condominium plat is traversed by a watercourse, drainage-way channel or stream, an adequate drainage-way easement or dedication shall be provided. The location, width, alignment and improvement of such drainage-way easement or dedication shall be subject to the approval of the City. Access to drainage easements shall be 20 feet wide and spaced every ½ mile. (See also subsection 66-1108: Access to Waterways).
- (2) Subdividers shall refer to the Official Map for site-specific standards related to the requirements of this section.

Section 66-717: Public Sites and Open Space

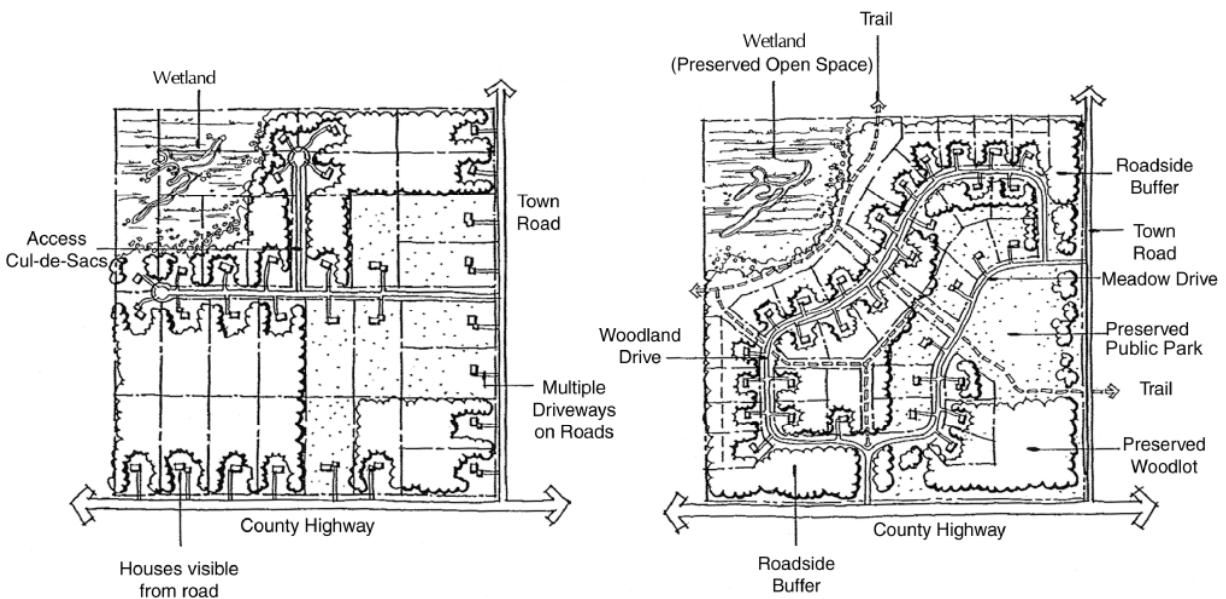
- (1) Subdivisions and condominium plats shall include public sites and open spaces as provided for in section 66-1101.
- (2) Subdividers shall refer to the Official Map for site-specific standards related to the requirements of this section.

ARTICLE 8: DESIGN STANDARDS for CLUSTER DEVELOPMENT

Section 66-801: Description

A cluster development is a residential subdivision or condominium plat in which the lots are allowed to be smaller (in area and width) than otherwise required, but in which the overall (gross) density cannot exceed the maximum density limits for the underlying zoning district. Under the cluster development option, a subdivision or condominium plat can contain no more lots than would otherwise be allowed in a conventional subdivision or condominium plat in the same zoning district. Smaller lot sizes within a cluster subdivision or condominium plat allow for a corresponding increase in common open space. (See Figure 6.)

Figure 6: Conventional Subdivision (left) as Compared to Cluster Subdivision (right).



Section 66-802: Purpose

The intent of a cluster development is to provide for, and in some instances require, a more compact residential development pattern that encourages sensitivity toward natural landscape features, preserves open space, and offers economies in the provision of utilities and public services.

Section 66-803: Where Allowed

Cluster developments are allowed in all zoning districts in which residential development is allowed.

Section 66-804: Lot Size

The minimum and maximum lot sizes within a cluster subdivision shall be 6000 square feet and 2.5 acres respectively. The aggregate number and sizes of lots must be adequate to meet all required density limits as established in the respective zoning district in which the cluster development is located.

Section 66-805: Approval Procedure

Approval of cluster subdivision or condominium plat shall follow the general procedures for subdivisions described in articles 2, 3, 4, and 5 of this chapter except that the Plan Commission may approve waivers and exceptions to such requirements as provided in article 13 of this chapter.

Section 66-806: Open Space Requirement

- (1) **Minimum Requirement.** Common open space is required within a cluster development to ensure that the overall density within the development does not exceed the maximum density allowed by the underlying zoning district. Common open space must be provided in an amount at least equal to the difference between the actual average lot area per dwelling unit within the cluster development and the required lot area per dwelling unit for conventional development within the underlying zoning district. Such common open space shall be in addition to the park and open space dedication requirements in article 11 of this chapter.
- (2) **Use of Common Open Space.** Common open space must be set aside and designated as an area where no development will occur other than project-related recreational amenities or passive open space areas. The City may require that up to 50% of required open space must be usable open space to ensure adequate recreational amenities for residents of the development.

ARTICLE 9: REQUIRED IMPROVEMENTS

Section 66-901: Determination of Adequacy of Public Facilities and Services

- (1) A certified survey map, preliminary plat, condominium plat or final plat shall not be approved within the City or its extraterritorial jurisdiction unless the appropriate approving body determines that adequate public facilities and public services are available to meet the needs of the proposed subdivision or condominium plat.
- (2) With or following the submittal of any preliminary plat, condominium plat, final plat or certified survey map, the applicant shall furnish any data requested by the City who shall transmit this information to appropriate City commissions, committees, and boards for review and shall act as coordinator for their reports to the Plan Commission and the City Council on the adequacy of water, sanitary and storm sewers, fire service, police, parks and open space, recreation facilities, and transportation facilities. Failure to submit such data as requested may be grounds for denial of the preliminary plat, condominium plat, final plat or certified survey map.
- (3) Public facilities and public services for a proposed subdivision or condominium plat shall be found to be adequate by the City when the following conditions exist:
 - (a) That the capacity of the sanitary sewage collection system and treatment system necessary to serve the proposed development is available, presently under construction or budgeted for by the City and/or developer, as determined by the Utilities Director.
 - (b) That the capacity of the public water distribution system and treatment system necessary to serve the proposed development is available, presently under construction or budgeted for by the City and/or developer, as determined by the Utilities Director.
 - (c) That the capacity of the stormwater management system necessary to serve the proposed development is available, presently under construction or budgeted for by the City and/or developer, as determined by the Director of Planning and Development and the appropriate committee.
 - (d) That the capacity of the public parks, open space, and recreation facilities and services necessary to serve the proposed development is available, presently under construction or budgeted for by the City and/or developer, as determined by the Parks and Recreation Committee.
 - (e) That timely and adequate public protection service can be provided to the development as determined by the Police Chief.
 - (f) That timely and adequate fire protection and rescue service can be provided to the development as determined by the Fire Chief.
 - (g) That the proposed land division is accessible by existing publicly maintained, all weather roads adequate to accommodate both existing traffic and that traffic to be generated by the proposed land division, or necessary additional roads and road improvements are budgeted for construction with public or private financing, or public transportation service sufficient to serve the land division in combination with the foregoing is available or programmed for the area, as determined by the Plan Commission. The Plan Commission shall consider the recommendations of other commenting agencies and jurisdictions, and such factors as level of service, average and peak use, and any other information presented.
 - (h) If the Plan Commission or the Common Council determines that one or more public facilities or services are not adequate for the proposed development, but that a portion of the area could be served adequately, or that careful phasing of the development could result in all public facilities

and public services being adequate, conditional approval may include only such portions or may specify phasing of the development.

Section 66-902: Policies within Sewer Service Area

No preliminary plat, condominium plat, final plat or certified survey map shall be approved by the City unless the subdivider or condominium developer provides evidence that all proposed parcels within the City sanitary sewer service area will be served with City sanitary sewer. The City may allow the phased provision of City sanitary sewer to newly created parcels within both the extraterritorial jurisdiction and the Stoughton sanitary sewer service area, provided that a binding agreement for phased sewer service is executed among the subdivider or condominium developer, property owner, and City at the time of subdivision or condominium plat approval and made a condition of approval by the City. The agreement and associated utility plans shall demonstrate how and when City sanitary sewer and water service will be provided to the newly created parcels. The City shall not extend sanitary sewer service to properties located outside of the City's corporate limits.

Section 66-903: Development Agreement

Before the recording of any final plat located within the corporate limits of the City (and CSMs for certain minor subdivisions at the discretion of the City) the subdivider or condominium developer shall be required to enter into a contract with the City agreeing to install all required improvements. The following shall also be required within or simultaneous to the execution of a development agreement:

- (1) The subdivider or condominium developer shall file with said agreement, subject to the approval of the City Attorney, a bond, certificate of deposit, irrevocable letter of credit, certified check or other security in an amount equal to 125% of the cost of improvements required to serve the subdivision or condominium plat, as estimated by the City.
- (2) All required improvements shall be completed by the subdivider or condominium developer or his contractors not later than 24 months from the date of signing the development agreement. When a development is separated into phases, all required improvements shall be completed by the subdivider or condominium developer or his contractors not later than 24 months from the date of signing the development agreement for that phase.
- (3) As a further guarantee that all obligations for work on improvements are satisfied, the contractor and sub-contractors who are selected to construct utilities and street improvements on dedicated street rights-of-way shall be identified as qualified for such work by the City.
- (4) The agreement shall also require the subdivider or condominium developer to pay all outstanding assessments for public improvements previously installed and all area charges for sanitary sewer and water mains, force mains, pumping stations, and regional stormwater facilities previously installed by the City.
- (5) The agreement shall also establish minimum insurance requirements for the subdivider or condominium developer and its subcontractors.
- (6) All required public improvements shall be constructed to City standards.

Section 66-904: Range of Required Improvements

The following set of improvements shall be constructed within subdivisions or condominium plats within the corporate limits of the City, to the specifications provided:

- (1) **Survey Monuments.** The subdivider or condominium developer shall install survey monuments placed in accordance with the requirements of Section 236.15, Wisconsin Statutes, and as the Director of Planning & Development may require.
- (2) **Street Grading.** After the installation of temporary block corner monuments the subdivider or condominium developer shall grade all streets proposed to be dedicated in accordance with standard

specifications approved by the City. The subdivider or condominium developer shall grade the roadbeds in the street rights-of-way to subgrade.

- (3) **Street Surfacing.** After the installation of all utility and stormwater drainage improvements, including necessary lateral connections, the subdivider or condominium developer shall surface all roadways in streets proposed to be dedicated to the widths prescribed by subsection 66-706. The surfacing shall be done in accordance with standard specifications approved by the City.
- (4) **Curb and Gutter.** Within one year after the installation of all utility and stormwater drainage improvements including necessary lateral connections, the subdivider or condominium developer shall construct a 30-inch barrier concrete curb and gutter at pavement edges in accordance with standard specifications approved by the City. This requirement may be waived at the discretion of the City in areas designated for permanent rural use as reflected in the City's comprehensive plan. Wherever possible, provisions shall be made at the time of construction for driveway access curb cuts. The breaking or cutting of curbs will only be allowed for driveway aprons.
- (5) **Sidewalks and Multiuse Paths.** Concrete sidewalks shall be a minimum of 5 feet in width, and shall be required in accordance with the requirements of section 66-712. The construction of all required sidewalks, walkways, and multiuse paths shall be in accordance with standard specifications approved by the City.

Subdividers shall refer to the Official Map for site-specific standards related to the requirements of this section.

- (6) **Public Sanitary Sewerage Systems.** The subdivider or condominium developer shall construct sanitary sewers in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision or condominium plat. The size, type, depth, minimum grade, and installation of all sanitary sewers proposed to be constructed shall be in accordance with standard specifications approved by the Utilities Director. The subdivider shall assume the cost of installing all wastewater or sanitary sewers 12 inches in diameter or less in size. Proposed sanitary sewer lines shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, upon consultation with the city contract engineer, such extension is not necessary or desirable for the coordination of the layout of the subdivision or condominium plat or for the advantageous development of the adjacent tracts. The minimum depth at the boundary lines shall be as proscribed by the Utilities Director. The subdivider or condominium developer shall install and complete the installation of sewer laterals to the street lot line prior to any paving, curbing or sidewalk construction. The subdivider or condominium developer shall assume the cost of installing all sanitary sewers
- (7) **Private Sewage Disposal Systems.** If public sewer facilities are not available, the subdivider or condominium developer shall make provision for adequate private sewage disposal systems. If at the time of final platting, sanitary sewer facilities are not available to the subdivision or condominium plat, but will become available within a period of 5 years from the date of recording, the subdivider or condominium developer shall install or cause to be installed sanitary sewers and sewer laterals to the street lot line in accordance with this section and shall cap all laterals as may be specified by standard specifications approved by the Utilities Director.
- (8) **Stormwater Drainage Facilities.** Whenever in the opinion of the Director of Planning & Development upon consultation with the city contract engineer there is within reasonable distance a storm sewer main, the subdivision or planned unit development shall be provided with a complete stormwater management system which shall connect with such main. If the subdivision or planned unit development is traversed by any watercourse or channel, stream or creek, either live or dry, the subdivider shall dedicate a right-of-way for storm drainage purposes conforming substantially with the lines of such natural watercourse or channel, stream or creek or, at the developer's option, subject to the approval of the plan commission and the public works committee, provide adequate storm drains

or other means for the handling of storm flow from and through his property and including the conveyance thereof. In general, the entire stormwater management systems and the disposal of stormwater shall be planned and built to meet the approval of the Director of Planning & Development upon consultation with the city contract engineer.

The subdivider shall, at its own cost, construct curbs and gutters, catch basins and inlets, storm sewers, road ditches and open channel drainageways as may be required by the city. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow; the type of facility required, the design criteria and the sizes and grades to be determined, to present no hazard to life or property; and the size, type and installation of all stormwater drains and wastewater or sanitary sewers proposed to be constructed, shall be in accordance with the stormwater management plan and the plans and standards specifications approved by the Director of Planning & Development upon consultation with the city contract engineer. Curb and gutter installation may be delayed pursuant to subsection (4). Where such installations are delayed, the stormwater to be conveyed by the curb and gutter management system shall be maintained by the city at the expense of the developer.

Subdividers shall refer to the Official Map for site-specific standards related to the requirements of this section.

- (9) **Public Water Supply Facilities.** The subdivider or condominium developer shall construct water mains in such a manner as to make adequate water service available to each lot within the subdivision or condominium plat. The subdivider shall assume the cost of installing all water mains 12 inches in diameter or less in size. Proposed water supply lines 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 Utilities Director, such extension is not necessary or desirable for the coordination of the layout of the subdivision or condominium plat or for the advantageous development of the adjacent tracts. If public water service is not available, the subdivider or condominium developer shall make provision for adequate private water systems as specified by the City, state, county and/or town. The subdivider or condominium developer shall install and complete the installation of all required water laterals to the street lot line prior to any paving, curbing or sidewalk construction.
- (10) **Other Utilities.** The subdivider or condominium developer shall cause gas, electrical power, telephone, cable television, and other telecommunications facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision or condominium plat. No such utility service shall be located on overhead poles. All installations must be underground. Plans indicating the proposed location of all utilities required to serve the plat shall be approved by the City.
- (11) **Street Lights.** The subdivider shall fund the installation of street lights along all streets proposed to be dedicated of a design compatible with the neighborhood, the type of development proposed, and City maintenance costs, as approved by the Utilities Director. Such lights shall be placed at each street intersection and at such interior block spacing as may be required by the Utilities Director.
- (12) **Street Signs.** The City shall install at the intersection of all streets proposed to be dedicated a street name sign of a design specified by the City. The City shall also install regulatory signs along all streets as necessary. The subdivider or condominium developer shall be responsible for reimbursing the City for all costs associated with the purchase and installation of required street name and regulatory signs.
- (13) **Street Trees.** The subdivider or condominium developer shall install at least one street tree for every residential lot or for every 90 lineal feet, or fraction thereof, of frontage a property has on a public street right-of-way, whichever is greater. Trees shall be located within the terrace or parkrow area wherever possible, midway between the sidewalk and curb. Street trees shall be of a species acceptable to the City, and be at least 2 inches in diameter (caliper) upon planting. In lieu of installing street trees, the subdivider or condominium developer and City may agree that the City shall install street trees, with the subdivider or condominium developer paying to the City all costs associated with the

purchase and installation of the trees, based on a written cost estimate provided to and approved by the City.

- (14) **Driveways.** Where driveways are to be provided, a concrete apron from all property lines to the pavement edge of adjacent streets shall be installed and shall otherwise comply with the applicable requirements of the City's municipal code.

ARTICLE 10: CONSTRUCTION

Section 66-1001: Commencement

Except for initial site preparation, no construction or installation or improvements shall commence in a proposed subdivision or condominium plat until the preliminary plat or condominium plat has been approved and the City has given written authorization. Initial site preparation shall meet the applicable provisions of this section.

Section 66-1002: Building Permits

No building permits shall be issued for erection of a structure on any lot of record until all the requirements of this section have been met.

Section 66-1003: Plans

The following engineering plans and accompanying construction specifications shall be required in both hard copy and digital format by the City Director of Planning & Development and Utilities Director 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 including: curb and gutter, sidewalks, walkways, and multi-use paths;
- (2) Sanitary sewer plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities;
- (3) Storm water management plans and profiles showing the locations, grades, sizes, cross-sections, elevations and materials of required storm-sewer and other facilities;
- (4) Water main plans and profiles showing the locations, sizes, elevations and materials of required facilities;
- (5) Street lighting plans showing all proposed locations and specifications;
- (6) Planting plans showing the locations, age, size and species of any trees and landscaping within the right-of-way;
- (7) Temporary fencing plans pursuant to section 78-718 of the City zoning ordinance showing the location and fencing of all existing vegetation to be preserved and protected during and after construction;
- (8) Additional special plans or information as required.

Section 66-1004: Inspection

The subdivider or condominium developer, prior to commencing any work within the subdivision or condominium plat, shall make arrangements with the City to provide for adequate inspection. At the expense of the subdivider or condominium developer, the City, or their designee, shall inspect and approve all completed work prior to release of the performance guarantees.

Section 66-1005: Submittal of "As Built" Plans

Following construction of improvements, the subdivider or condominium developer shall submit to the City an "as built" set of plans showing all public improvements for the plat, including quantities and unit costs, both in digital and reproducible hard copy format.

ARTICLE 11: PUBLIC LANDS and PUBLIC SPACES

Section 66-1101: Provision of Public Lands and Open Spaces

The subdivider or condominium developer shall provide and dedicate to the public adequate land to provide for park, recreation and open space needs of the land development within the City and its extraterritorial area. The location of such land to be dedicated shall be determined by the Plan Commission. Where a land dedication is not compatible with the comprehensive plan or the parks and open space plan, or for other reasons is not advised by the Plan Commission, the subdivider or condominium developer shall, in lieu thereof, pay a fee to the City to meet this requirement in whole or on a pro-rata basis.

- (1) **Land Dedication Requirement.** After consultation with the Parks and Recreation Committee, the Plan Commission shall determine whether the dedication of land for parks or monies in lieu thereof will better serve the public interest. Where land is to be dedicated, 1,468 square feet of land shall be dedicated for each residential dwelling unit proposed. If no particular number of dwelling units is proposed, the requirements shall be based on the number of dwelling units permitted by right under the proposed subdivision or condominium plat and the zoning in effect at the time of preliminary plat or condominium plat submittal. Lands dedicated for stormwater management shall not be credited towards a subdivision or condominium plat's park land dedication requirements. Unless otherwise approved by the Plan Commission, the minimum size of the dedicated land shall not be less than one acre. All dedicated lands shall be accompanied by an environmental assessment indicating that such lands present no environmental hazard, and that they will not require environmental mitigation or remediation measures. Said environmental assessment shall be paid for at the subdivider or condominium developer's expense.
- (2) **Monies in Lieu of Land Dedication.** The amount of any fee imposed, at the date of adoption of this section, shall be \$2,805 for each single-family residential dwelling unit, \$2,104 for each two-bedroom apartment unit and \$1,402 for each studio or one-bedroom apartment unit for park acquisition costs. Such fees are based upon the Public Facilities Needs Assessment and Impact Fee Study dated January 2009. The fees imposed under this section shall be increased annually at a rate equal to the percentage change in the Engineering News Record Construction Cost Index for the previous 12 months, with the adjustment effective January 1 of each year. The City Treasurer or designee shall calculate the adjusted fees and maintain a copy of the calculation and the adjusted impact fees in the office of the City Clerk.
- (3) **Park Improvement Fee.** Regardless of whether land dedication or monies in lieu of land dedication are required, a park improvement fee shall be paid for each dwelling unit proposed. See Chapter 67 Impact Fees for the fee schedule.
- (4) **Fees and Dedications Required for all New Developments.** In all instances where additional residential dwelling units are being created, without the need for land division review and approval, all fees and dedications required by this chapter shall apply.

Section 66-1102: Specifications for Dedicated Land

- (1) **Unity.** The dedicated land shall form a single parcel of land except where the Plan Commission determines that 2 parcels or more would be in the public interest.
- (2) **Shape.** The shape of the dedicated parcel of land shall be configured to be usable for recreational activities planned for the area or the type of park intended.
- (3) **Location.** The dedicated land shall be located so as to serve the recreation and open space needs of the subdivision or condominium plat from which the dedication was made. Where the amount of land dedicated is less than one acre, the Plan Commission may require that the recreation area be located in

a suitable place on the edge of the proposed plat area so that additional land may be added at such time adjacent land is subdivided.

- (4) **Access.** Public access to the dedicated land shall be provided by adjoining street frontage of sufficient width to assure safe, comfortable access to the dedicated land with a minimum public street frontage as recommended by the Planning Commission and approved by City Council.
- (5) **Usability.** The dedicated land shall be usable for recreation, as determined by the Parks and Recreation Committee. Wetlands or sloped areas may not be considered usable for recreational purposes. When usable land is dedicated for active recreational use, the subdivider or condominium developer shall grade, topsoil, and seed the land for its intended use before it will be accepted by the City. When useable land is dedicated for passive recreational use, the balance of the land should be restored to a natural state to the extent practicable and necessary.
- (6) **Plans.** If specifically designated on the comprehensive plan, comprehensive plan component, Official Map, or park and open space plan, such park areas shall be made a part of the plat to the extent allowed under this section. If not so designated, consideration shall be given in the location of such sites to the preservation of scenic and historic sites, stands of fine trees, marshes, lakes and ponds, watercourses, watersheds, natural prairies and ravines.

Section 66-1103: Allocation of Monies in Lieu of Dedicated Land and Park Improvement Fees

The City, when receiving monies in lieu of dedicated land and park improvement fees, shall hold these monies in separate reserve accounts to be used, respectively, for purchasing land for parks and other public open spaces and improving such lands. Where possible, these monies shall be spent to directly fill the needs of the subdivision or condominium plat which generated the monies. However, where such a practice could result in insufficient funds for any one acquisition or improvement, then a set of priorities for improvements shall be established by City Council resolution. These priorities shall rank order the planned acquisitions and/or improvements. Each improvement and/or acquisition shall be identified by the general area it is to serve. Each subdivision or condominium plat contributing to the general reserve funds shall be shown as planned to be benefited by one of the projects in the list of priorities unless that subdivision or condominium plat is already adequately served.

Section 66-1106: Land Reservation

Whenever a proposed park or other public open space land designated on the City's Official Map, comprehensive plan, park and open space plan, or components thereof is within a proposed subdivision or condominium plat, and the amount of public land suggested by said plan is in excess of the required park land dedication requirements set forth in this section, the City may require the reservation of such land for a period not exceeding 5 years from the date of final plat approval, unless extended by mutual agreement. Such reserved lands shall be kept in one or more outlots to be held by the subdivider or condominium developer. Over that period, the public agency having jurisdiction over said land shall have the ability to negotiate the purchase of said land at undeveloped land prices.

Section 66-1107: Park Lands within Extraterritorial Jurisdiction

If public dedication is not required by another jurisdiction with authority, proposed public lands outside of the corporate limits of the City but within the extraterritorial jurisdiction shall be reserved for acquisition by the town, county, or City at undeveloped land costs for a period not exceeding 5 years.

Section 66-1108: Access to Waterways

- (1) A subdivision or condominium plat abutting a navigable waterway shall, according to the provisions of Wisconsin Statutes, Section 236.16(3), provide access at least 60 feet wide to the low water mark so that there will be public access, connected to public roads, at ½ -mile intervals as measured along the lake or stream shore, except where greater intervals or different access is agreed upon by the state of

Wisconsin, and excluding shore areas where public parks or open space, streets, or roads on either side of a stream are provided.

- (2) The City may require a land dedication or public access easement to and/or along all navigable waterways, and in other locations identified by the City, to connect with existing or planned public roads and/or pedestrian facilities. Where natural waterways traverse the subdivision or condominium plat, the subdivider or condominium developer shall leave such channels in their natural state and shall dedicate, or provide public access easements, both to and/or along such waterways as directed by the City. Such dedication shall be credited towards meeting the park land dedication requirements specified in this section and dedications in excess of those requirements shall be compensated.

ARTICLE 12: ADMINISTRATION and ENFORCEMENT

Section 66-1201: Compliance

Upon the effective date of this chapter, no building permit or certificate of occupancy shall be issued for, or excavation commenced on, any lot or plat of land created by major subdivision, minor subdivision, or condominium plat that is not in substantial conformity with the provisions of this chapter. No person, firm or corporation shall divide any land located within the jurisdictional limits of these regulations which results in a major subdivision, minor subdivision, condominium plat or a replat as defined herein; no such major subdivision, minor subdivision, condominium plat or replat shall be entitled to have its associated plat or CSM recorded; and no street shall be laid out or improvements made to land without compliance with all requirements of this chapter and:

- (1) The provisions of Wisconsin Statutes, Chapters 236 and 703;
- (2) Rules of the state of Wisconsin if the land to be subdivided is not served by a public sewer and provisions for such service have not been made;
- (3) The rules of the State Department of Transportation relating to safety of access, minimum setbacks for private improvements, and preservation of the public interest and investment in the highway system if the land owned or controlled by the subdivider or condominium developer abuts on a state trunk highway or connecting street;
- (4) The duly approved comprehensive plan of the City of Stoughton, or comprehensive plan components;
- (5) All applicable local and county ordinances.

Section 66-1202: Penalties

The City may institute appropriate action or proceedings to enjoin violations of this chapter and of the applicable Wisconsin Statutes. Any person, firm or corporation who fails to comply with the provisions of this chapter shall, upon conviction thereof, forfeit not less than \$50 nor more than \$1,000, and the costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense. Recordation improperly made has penalties provided in Wisconsin Statutes, Section 236.30. Conveyance of lots in unrecorded plats has penalties provided in Wisconsin Statutes, Section 236.31. Monuments disturbed or not placed have penalties as provided for in Wisconsin Statutes, Section 236.32. An assessor's plat made under Wisconsin Statutes, Section 70.27 may be ordered by the City at the expense of the subdivider when a subdivision is created by successive divisions.

ARTICLE 13: EXCEPTIONS and WAIVER of CONDITIONS**Section 66-1301: General**

Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or that the purposes of these regulations may be served to a greater extent by an alternative proposal such as a Traditional Neighborhood Development, it may approve exceptions and waivers of conditions to these regulations so that substantial justice may be done and the public interest secured. The exception or waiver shall not have the effect of nullifying the intent and purpose of these regulations. Exceptions or waivers to preliminary plat submittal requirements may be approved by the City. The City shall not approve exceptions or waivers unless it shall make findings based upon the evidence presented to it in each specific case that all of the following conditions are met by the applicant:

- (1) The granting of the exception or waiver conditions will not be detrimental to the public safety, health, or welfare or injurious to other property;
- (2) The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property except as allowed through Planned Unit Development, Cluster Development or Traditional Neighborhood Development;
- (3) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;
- (4) The relief sought will not in any manner vary the provisions of the comprehensive plan, zoning ordinance, or Official Map, except that those documents may be amended in the manner prescribed by law.
- (5) In approving exceptions or waivers of conditions, the Plan Commission may require such conditions so as to carry out the purpose and intent of this ordinance described in section 66-102.

Section 66-1303: Procedures

A request for an exception or waiver of conditions shall be submitted in writing by the subdivider or condominium developer when the preliminary plat or condominium plat is filed. The request shall state fully the grounds for the exception or waiver and all of the facts relied upon by the petitioner. A 3/4 vote of the entire membership of the Plan Commission shall be required to grant any exceptions or waivers to this chapter except for waivers to preliminary plat submittal requirements, Planned Unit Developments, Cluster Developments, or Traditional Neighborhood Developments for which a majority vote of the entire membership shall be required.

ARTICLE 14: FEES

Section 66-1401: General

The subdivider or condominium developer shall pay the City all fees as hereinafter required and at the time specified. These fees may include charges for engineering, planning, and legal consulting for review and inspection of the requirements of this Chapter.

Section 66-1402: Preliminary Plat/Condominium Plat Review Fee

- (1) A preliminary plat review fee established by City resolution, which is updated annually, shall be paid to the City at the time of first application for approval of the preliminary plat or condominium plat to assist in defraying the cost of review.
- (2) A reapplication fee established by City resolution, which is updated annually, shall be paid to the City at the time of reapplication for approval of any preliminary plat or condominium plat that has previously been approved by the Plan Commission.

Section 66-1403: Improvement Review Fee

The subdivider or condominium developer shall pay the improvement review fee established by City resolution, which is updated annually, at the time of the submission of engineering plans and specifications to partially cover the cost of the City to review such plans and specifications. This fee may be recomputed, upon demand of the subdivider or condominium developer or City, during and/or after completion of improvement construction in accordance with the actual cost of such improvements and the difference, if any, shall be paid by or remitted to the subdivider or condominium developer. Evidence of cost shall be in such detail and form as required by the City.

Section 66-1404: Observation Fee

The subdivider or condominium developer shall pay a fee equal to the actual cost to the City for such observation as the City deems necessary to assure that the construction of the required improvements is in compliance with the approved plat or certified survey map, engineering plans and specifications, or any other terms of this chapter.

Section 66-1405: Final Plat Review Fee

- (1) A final plat review fee established by City resolution, which is updated annually, shall be paid to the City for approval of the final plat or condominium plat to assist in defraying the cost of review.
- (2) A reapplication fee established by City resolution, which is updated annually, shall be paid to the City at the time of a reapplication for approval of any final plat or condominium plat that has previously been reviewed.
- (3) The subdivider shall be assessed a maintenance fee of \$1,529.63 per acre for the future maintenance, repair and replacement of the citywide stormwater management system. Such fee shall be adjusted annually to reflect current estimates of maintenance and construction costs.
- (4) A sum computed at the rate of \$781.10 per acre, exclusive of streets, public sites and open spaces, shall be paid on each plat for wastewater or sanitary sewer area fee. This figure shall be reviewed annually by the utilities director upon consultation with the city contract engineer and be adjusted to the Engineering News Record (ENR) Index each January 1 to ensure that it still bears a reasonable relationship to general costs of construction.
- (5) These fees shall be paid at time of final plat as part of a development agreement.

Section 66-1406: Certified Survey Map Review Fee

- (1) A certified survey map review fee established by City resolution, which is updated annually, shall be paid to the City at the time of first application for approval of the certified survey map to assist in defraying the cost of review.
- (2) Where new lots are being created and typical land division fees have not been collected, such as those listed in section 66-1405 (3) and (4), those fees shall be collected on a per acre basis.

Section 66-1407: Administrative Fee

In addition to any of the above fees, the subdivider or condominium developer shall pay a fee equal to the cost of any legal, administrative or fiscal work that may be undertaken by the City in connection with the plat. Legal work shall include the drafting of contracts between the City and the subdivider or condominium developer.

Section 66-1408: Payment for Engineering, Planning, Observation, or Legal Services

In addition to the above fees, the subdivider or condominium developer shall pay to the City the actual cost of any engineering, planning, observation or legal work undertaken by consultants hired by the City.

Section 66-1409: Other Fees

The subdivider or condominium developer may be subject for other fees provided for elsewhere in this chapter, including monies in lieu of park land dedication, park improvement fee, street sign cost reimbursements, public hearing fees and street tree payments.

APPENDIX 1: SITE ASSESSMENT CHECKLIST

SITE ASSESSMENT CHECKLIST		
ITEM OF INFORMATION	YES	NO
I. Land Resources. Does the project site involve:		
A. Changes in relief and drainage patterns (Attach a topographical map showing, at a minimum, 2-foot contour intervals)		
B. A landform or topographical feature including perennial streams		
C. A floodplain (If “yes,” attach 2 copies of the 100-year floodplain limits.)		
D. An area of soil instability—greater than 18 % slope and/or hydric or alluvial soils, as depicted in the applicable “County Soils Survey”		
E. An area of bedrock within 6 ft. of the soil surface as depicted in the “County Soils Survey” or a more detailed source		
F. An area with groundwater table within 5 feet of the soil surface as described in the “County Soils Survey” or a more detailed source		
G. Areas of existing fill or grading		
H. An area with fractured bedrock within 10 feet of the soil surface as depicted in the “County Soils Survey”		
I. Prevention of future gravel extraction		
J. A drainage-way with a tributary area of 5 or more acres		
K. Lot coverage of more than 50 percent impermeable surfaces		
L. Prime agricultural land as depicted in the applicable “County Soils Survey” or adopted farm land preservation plans		
M. Wetlands as depicted on DNR wetland inventory maps or more detailed sources		
N. Environmental corridors, as mapped by the City or county		
II. Water Resources. Does the project involve:		
A. Location in an area traversed by a navigable stream, intermittent stream, or dry run		
B. Impact on the capacity of a stormwater storage system or flow of a waterway within 1 mile		
C. Existing drainage tile		
D. Lowering of water table by pumping or drainage		
E. Raising of water table by altered drainage		
F. Frontage on a lake, river, or other navigable waterway		

SITE ASSESSMENT CHECKLIST		
ITEM OF INFORMATION	YES	NO
G. The use of septic systems for on-site waste disposal		
H. Existence or use of private wells		
III. Biological Resources. Does the project involve:		
A. Critical habitat for plants and animals of community interest per DNR inventory		
B. Endangered or rare plant or animal species per the DNR Wisconsin Natural Heritage Inventory		
C. Trees with a diameter of 6 or more inches at breast height outside of “mature woodlands” as defined in the subdivision ordinance (If yes, all trees of such size must be mapped.)		
D. Removal of over 40% of the trees on the site within a “mature woodland” as defined in the subdivision ordinance		
IV. Human and Scientific Interest per State Historical Society Inventory.		
Does this project site involve:		
A. An area of archeological interest included on the Wisconsin Archeological Site Inventory		
B. An area of historical interest, including historic buildings or monuments listed on the State or National Register of Historic Places		
V. Energy, Transportation, Communications, and Community Facilities.		
A. Would the development increase traffic flow on any arterial or collector street by more than 10 percent based upon the most recent traffic counts and trip generation rates provided by the Institute of Transportation Engineers (ITE)?		
B. Is the land traversed by an existing or planned transportation facility, as shown on the City’s Official Map or Comprehensive Plan?		
C. Is the land identified on the City’s Official Map or in the Comprehensive Plan for new or expanded community facilities?		
D. Is the land within a highway noise impacted area (within 500 feet of an interstate or state or Federal highway)?		
E. Is the land traversed by an existing or planned utility corridor (gas, electrical, water, sewer, storm, communications)?		
VI. Population.		
A. Which public school service areas (elementary, middle and high) are affected by the proposed development, and what is their current available capacity?	E:Cap: M:Cap: H:Cap:	
VII. Appendices and Supporting Material including		

NOTES:

1. “Yes” answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.
2. The Plan Commission may waive the filing of a site assessment checklist for subdivisions of less than 5 acres total area.