

## CHAPTER 21

### SUBDIVISION CONTROL ORDINANCE

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#### 21.01 INTRODUCTION

(1) Authority. The authority for this Subdivision Control Ordinance, which is Chapter 21 of the Wisconsin Dells Municipal Code of Ordinances, is Section 236.45 of the Wisconsin Statutes, the City of Wisconsin Dells having heretofore established a City Plan Commission which is the planning agency for the City.

(2) Purpose. The purpose of this Ordinance is to regulate and control the division of land within the limits of the City of Wisconsin Dells in order to promote the public health, safety, morals, prosperity, aesthetics and general welfare of the City of Wisconsin Dells.

(3) Intent. It is the general intent of this Ordinance to regulate the division of land so as to lessen congestion in the streets and highways; to further the orderly layout and appropriate use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds, and other public requirements and amenities; to facilitate the further division of larger tracts into smaller parcels of land; to ensure adequate legal description and proper survey monumentation of subdivided land; to provide for the administration and enforcement of this Ordinance; to provide penalties for its violation and in general to facilitate enforcement of governing body development standards as set forth in the Master Plan, Master Plan components, zoning ordinance, building codes and official maps in force in the City of Wisconsin Dells.

(4) Abrogation and Greater Restrictions. Where the provisions of this chapter are more restrictive than the Wisconsin Statutes, the provisions of this chapter shall govern.

(5) Interpretation. The provisions of this chapter shall be held to be the minimum requirements adopted to regulate and control the division of land within the limits of the City of Wisconsin Dells.

(6) Severability. Should any section, clause or provision of this chapter be declared by the courts to be invalid, the same shall not affect the validity of the chapter as a whole or any part thereof, other than the part so declared to be invalid.

(7) Repeal. All ordinances or parts of ordinances in conflict with the provisions of this chapter are hereby repealed.

(8) Title. This chapter shall be known as the Subdivision Control Ordinance of the City of Wisconsin Dells and may be cited as such.

(9) Effective Date. The provisions of this chapter shall become effective on December 22, 1977.

## **21.02 GENERAL PROVISIONS**

(1) Jurisdiction. Jurisdiction of these regulations shall include all lands within the limits of the City of Wisconsin Dells and any lands within its extraterritorial plat approval jurisdiction. The provisions of this Ordinance as it applies to divisions of tracts of land into less than five (5) parcels shall not apply to:

- (a) Transfers of interests in land by will or pursuant to court order.
- (b) Leases for a term not to exceed ten years, mortgages, or easements.
- (c) Sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by these regulations, the zoning ordinance, or other applicable laws or ordinances.

(2) Compliance. No person, firm or corporation shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, division less than a subdivision, or a replat as defined herein; no such subdivision, division less than a subdivision or replat shall be entitled to record; and, no street shall be laid out or improvements

made to land without compliance with all requirements of this Ordinance; and:

(a) Provision of Chapter 236, Wisconsin Statutes, Rules of the Division of Health, Department of Health and Social Services set forth in Chapter H-65, Wisconsin Administrative Code regulating lot size and lot elevation if the land to be subdivided is not served by a central sewer and provisions for such service have not been made.

(b) Rules of the State Department of Transportation, Division of Highways relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the subdivider abuts on a state trunk highway or connecting street.

(c) Duly approved Master Plan, or Master Plan components.

(d) Applicable local and county Ordinances.

(3) Dedication and Reservation of Lands. Whenever a tract of land to be subdivided embraces all or any part of an arterial street, drainage-way or other public way which has been designated in the Master Plan, Master Plan component, or on the official map, said public way shall be made a part of the plat and dedicated or reserved by the sub divider in the locations and dimensions indicated on said plan or map and as set forth in 21.07 of this Ordinance.

Whenever a proposed playground, park, school site or other public land, other than streets or drainage-ways, designated in the Master Plan, Master Plan component, or on the official map, is embraced, all or in part in a tract of land to be subdivided, these proposed public lands shall be made a part of the plat and shall be dedicated to the community by the sub divider at the rate of one (1) acre for each 25 proposed dwelling units.

(4) Improvements. Before final approval of any plat, the sub divider shall install required improvements, and public utility improvements, as hereinafter provided. If such improvements are not installed as required at the time that the final plat is submitted for approval, the sub divider shall before the recording of the plat enter into a contract with the community agreeing to install the required improvements and shall file with said contract a bond approved by the City legal counsel or a certified check in an amount equal to the estimated cost of the improvements, said estimate to be made by the City Engineer, as a guarantee that such improvements will be completed by the sub divider or his subcontractors not later than one year from the date of recording of the plat and as a further guarantee that all obligations to subcontractors for work on the development are satisfied.

(a) Contractors and Subcontractors who are to be engaged in the construction of street and public utility improvements on dedicated street rights-of-way shall be subject to the approval of the Engineer.

(b) Governmental Units to which these bond and contract provisions apply may file, in lieu of said contract and bond, a letter from officers authorized to act on their behalf agreeing to comply with the provisions of this action.

(c) Survey Monuments. Before final approval of any plat, the sub divider shall install survey monuments in accordance with Section 21.08(1) of this Ordinance.

(5) Waiver of Requirements. Where, in the judgment of the City Planning Agency it would be inappropriate to apply literally the provisions of Section 21.07 and 21.08 of this Ordinance because exceptional or undue hardship would result, the City Planning Agency may waive or modify any requirements to the extent deemed just and proper.

(a) Such relief shall be granted without detriment to the public good, without impairing the intent and purpose of this Ordinance or the desirable general development of the community in accordance with the Master Plan or Master Plan component. Reasons for such waiver or modification shall be stated in the minutes of the meeting.

(b) The governing body may waive the placing of monuments, required under Section 236.15(b), (c) and (d) of the Wisconsin Statutes for a reasonable time on condition that the sub divider execute a surety bond to insure the placing of such monuments within the time required.

(6) Land Suitability. No land shall be subdivided for residential use which is held unsuitable for such use by the planning agency for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or of the community. The City Planning Agency, in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for residential use and afford the sub divider an opportunity to present evidence regarding such unsuitability if he so desires. Thereafter the City Planning Agency may affirm, modify, or withdraw its determination of unsuitability.

(7) Violations and Penalties. Any person, firm or corporation who shall violate, disobey, neglect, omit, or refuse to comply with, or who shall resist the enforcement of any of the provisions of this ordinance, shall be fined not less than \$10.00, nor more than

\$200.00, together with costs of prosecution, and in default of payment of the fine and costs of prosecution, shall be imprisoned in the County Jail for a period of not more than 30 days, or until the judgment is paid. Every day of violation shall constitute a separate offense.

(8) Appeals. Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom in the manner provided in Section 236.13(5) of the Wisconsin Statutes within 30 days of the notifications of the rejection of the plat.

### **21.03 PROCEDURE**

(1) Pre-application. It is recommended that, prior to the filing of an application for the approval of a preliminary plat, the sub divider consult with the City Planning Agency or City Engineer in order to obtain their advice and assistance. This consultation is neither formal nor mandatory, but is intended to inform the sub divider of the purpose and objectives of these regulations, the Master Plan, Master Plan components, and duly adopted plan implementation devices and to otherwise assist the sub divider in planning his development. In so doing, both the sub divider and planning agency may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and community. The sub divider will gain a better understanding of the subsequent required procedures.

(2) Preliminary Plat Review.

(a) Before submitting a Final Plat for approval, the sub divider shall prepare a Preliminary Plat and a letter of application. The Preliminary Plat shall be prepared in accordance with this Ordinance. The sub divider shall comply with the procedures of Section 236.11 and 236.12 of the Wisconsin Statutes and shall file an adequate number of copies of the Plat and the application with the City Clerk at least twenty-five (25) days prior to the meeting of the City Planning Agency at which action is desired. The City Clerk shall transmit copies, as appropriate, to agencies specified in Section 236.12(2) of the Wisconsin Statutes and ten (10) copies to the City Planning Agency, which is designated as approving authority for all Preliminary Plats pursuant to Section 263.10(3) of the Wisconsin Statutes.

(b) The City Planning Agency shall also transmit a copy of the Preliminary Plat to all affected city boards, commissions, or departments, and to all affected local utility companies for their review and recommendations

concerning matters within their jurisdiction. Their recommendations or objections shall be transmitted to the City Planning Agency within fifteen (15) days from the date the Plat is filed.

(c) In the event the sub divider elects to submit the Preliminary Plat to the state planning function pursuant to Section 236.12(6) of the Wisconsin Statutes, a copy of the Plat shall be filed with the City Planning Agency at the same time the original is filed with the state planning function and the City Planning Agency shall transmit to affected city boards, commissions or departments and public utilities as provided in 21.03(6).

(3) Preliminary Plat Approval.

(a) The City Planning Agency, within the time specified in Section 236.11 of the Wisconsin Statutes of the date of filing of Preliminary Plat with the Clerk, shall approve, approve conditionally, or reject such Plat. One copy of the Plat shall thereupon be returned to the sub divider with the date and action endorsed thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejections shall accompany the Plat. One copy each of the Plat and letter shall be placed in the City Planning Agency's permanent file.

(b) Failure of the City Planning Agency to act within this time limitation shall constitute an approval.

(c) Approval or Conditional approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except as indicated in Section 236.11 of the Wisconsin Statutes. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the Final Plat which will be subject to further consideration by the City Planning Agency at the time of its submission.

(4) Final plat Review.

(a) The sub divider shall prepare a Final Plat and a letter of application in accordance with this Ordinance, shall comply with the procedures of Section 236.11 and 236.12 of the Wisconsin Statutes, and shall file an adequate number of copies of the Plat and the application with the Clerk at least twenty-five (25) days prior to the meeting of the City Planning Agency at which action is desired.

(b) The Clerk shall transmit copies, as appropriate, to agencies

specified in Section 236.12(2) of the Wisconsin Statutes and shall transmit the original Final Plat and ten (10) copies to the City Planning Agency. A copy shall also be submitted to each public utility and City board, commission or department affected for their recommendations or objections within fifteen (15) days.

(c) In the event the sub divider elects to submit the Final Plat to the state planning function pursuant to Section 236.12(6) of the Wisconsin Statutes, a copy of the Plat shall be filed with the City Planning Agency at the same time the original is filed with the state planning function, and the City Planning Agency shall transmit to affected City boards, commissions or departments and public utilities as provided in

21.03(4)(b).

(d) The Planning Agency shall examine the Final Plat as to its conformance with the approved Preliminary Plat; any conditions of approval of the Preliminary Plat; this Ordinance and all ordinances, rules, regulations, Master Plan and Master Plan components which may affect it and shall recommend approval, conditional approval or rejection of the Plat to the governing body.

(e) Partial Platting. The Final Plat may, if permitted by the City Planning Agency, constitute only that portion of the approved Preliminary Plat which the sub divider proposes to record at that time.

(5) Final Plat Approval.

(a) Submission. If the Final Plat is not submitted within the time specified in Section 236.11 of the Wisconsin Statutes, the governing body may refuse to approve the Final Plat.

(b) The City Planning Agency shall, within thirty (30) days of the date of filing the Final Plat with the Clerk, recommend approval, conditional approval or rejection of the Plat and shall transmit the Final Plat and application along with its recommendations to the governing body, the City Council.

(c) Notification. The City Planning Agency shall, when it determines to recommend approval of the Plat, give at least ten (10) days prior written notice of its intention to the Clerk of any municipality or town within 1,000 feet of the Plat.

(d) The governing body shall approve or reject such Plat. If the Plat is

rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons supplied to the sub divider. The governing body may not inscribe its approval on the Final Plat unless the Clerk certifies on the face of the Plat in compliance with Section 236.12 of the Wisconsin Statutes unless the certificate required under 236.12(4) or 236.12(6) has been executed.

(e) Failure of the governing body to approve or reject such plat within the time specified in Section 236.11 of the Wisconsin Statutes, the time having not been extended and no unsatisfied objections having been filed, the Plat shall be deemed approved.

(f) Recordation. After the Final Plat has been approved by the governing body and required improvements either installed or a contract and sureties insuring

their installation is filed, the Clerk shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Plat returned to the sub divider for recording with the County Register of Deeds. The Register of Deeds cannot record the Plat unless it is offered within the time specified in Section 236.25 of the Wisconsin Statutes.

(g) Copies. The sub divider shall file ten (10) certified copies of the Final Plat with the Clerk for distribution to appropriate local agencies and offices.

(6) Plats within the extraterritorial plat approval jurisdiction. When the land to be subdivided lies within one and one-half (1 1/2) miles of the corporate limits of the City of Wisconsin Dells subject to the limitations of Section 66.32 of the Wisconsin Statutes, the sub divider shall proceed as specified in 21.03(1) through 21.03(5) except:

(a) Transmittal responsibility\* lies with the Clerk of the Town or municipality to whom the Plat is first submitted; and the sub divider shall indicate which one is his application.

\* implies mutual agreements must be arranged with adjacent towns.

(b) Approval agencies shall be as specified in Section 236.10 of the Wisconsin Statutes, and the sub divider must comply with the land subdivision ordinances of the town in which the Plat lies.

(c) Sub divider may proceed with the installation of such



improvements and under such regulations of the town board of the town within whose limits the Plat lies. Whenever connection to any utility of the City of Wisconsin Dells is desired, permission for such connection shall be obtained from the governing body. Presently city policy does not permit servicing any individual outside its city limits.

(d) All Improvement Requirements, specified by the town in which the Plat is located or any special improvement district, shall be met before filing of the Final Plat.

(7) Replat. When it is proposed to replat a recorded subdivision, or part thereof, the sub divider or person wishing to replat shall vacate or alter the recorded Plat as provided in Section 236.40 through 236.44 of the Wisconsin Statutes. The sub divider or person wishing to replat shall then proceed as specified in 21.03(1) through 21.03(6) of this Ordinance. Court vacations of Plats are required when areas dedicated to the public are altered.

The Clerk shall schedule, within the time period specified in 21.03(3) of this

Ordinance for the City Planning Agency to take action upon the Plat, a public hearing before the Planning Agency when a Preliminary Plat of a replat of lands within the community is filed, and shall cause notices of the proposed Replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed Replat and to the owners of all properties within 200 feet of the exterior boundaries of the proposed Replat.

(8) Division of land less than a subdivision.

(a) When it is proposed to divide land into three (3) parcels or building sites, any one of which is less than five (5) acres in size, or when it is proposed to divide a block, lot or outlot into not more than four (4) parcels or building sites within a recorded subdivision plat without changing the boundaries of said block, lot or outlot, the sub divider may subdivide by use of a Certified Survey Map. The sub divider shall prepare the Certified Survey Map in accordance with this Ordinance and shall file ten (10) copies of the Map and the letter of application with the Clerk at least fifteen (15) days prior to the meeting of the Planning Agency at which action is desired.

(b) The Clerk shall, within two (2) days after filing, transmit the copies of the Map and letter of application to the City Planning Agency.

(c) The City Planning Agency shall transmit a copy of the Map to all

affected boards, commissions, departments, and all affected public utilities, for their review, recommendations and objections concerning matters within their jurisdiction. Their recommendations and objections shall be transmitted to the planning agency within ten (10) days from the date the Map is filed. The Map shall be reviewed by the planning agency for conformance with this Ordinance and all ordinances, rules, regulations, Master Plan, and Master Plan components which affect it. The planning agency shall, within thirty (30) days from the date of filing of the Map, recommend approval, conditional approval or rejection of the Map, and shall transmit the Map along with its recommendations to the governing body.

(d) The governing body shall approve, approve conditionally, or reject such Map within sixty (60) days from the date of filing of the Map unless the time is extended by mutual agreement with the sub divider. If the Map is rejected, the reason shall be stated in the Minutes of the meeting and a written statement supplied the sub divider. If the Map is approved, the governing body shall cause the Clerk to so certify on the face of the original Map and return the Map to the sub divider.

(e) Recordation. The sub divider shall record the Map with the County Register of Deeds within thirty (30) days of its approval by the governing body or approval is voided.

(f) Copies. The sub divider shall file ten (10) certified copies of the Certified Survey Map with the Clerk for distribution to appropriate local agencies and offices.

#### **21.04 PRELIMINARY PLAT**

(1) General. A Preliminary Plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and the Plat prepared on tracing cloth or paper of good quality at a scale of not more than 100 feet to the inch and shall show correctly on its face the following information.

(a) Name under which the proposed subdivision is to be recorded which shall not be a duplicate name of any Plat recorded in Sauk County, Columbia County or Juneau County.

(b) Location of proposed subdivision by: government lot, quarter-quarter section, township, range, county and state noted immediately under the name.

(c) Date, graphic scale and north point.

(d) Name and addresses of owner, sub divider and land surveyor preparing

(e) Entire area contiguous to the proposed plat owned or controlled by the sub divider shall be included on the Preliminary Plat even though only a portion of said area is proposed for immediate development. The City Planning Agency may waive this requirement where it is unnecessary to fulfill the purposes and intent of this Ordinance and undue hardship would result from strict application thereof.

(2) Plat Date. All Preliminary Plats shall show the following:

(a) Exact length and bearing of the exterior boundaries of the proposed subdivision referenced by distances and bearings to a corner established in U. S. Public Land Survey and the total acreage encompassed thereby.

(b) Contours at vertical intervals of not more than two (2) feet where the slope of the ground surface is less than ten (10) per cent, and of not more than five (5) feet where the slope of the ground surface is ten (10) or more. Elevations shall be marked on such contours on U.S.G.S. datum.

(c) Water Elevations of adjoining lakes and streams at the date of the survey and approximate high and low water elevations, all referred to U.S.G.S. datum.

(d) Location, right-of-way width and names of all existing streets, alleys or other public ways, easements, railroad and utility rights-of-way and all section, and quarter section, lines within the exterior boundaries of the Plat or immediately adjacent thereto.

(e) Location and names of any adjacent subdivisions, parks and cemeteries, and owners of record of abutting unplatted lands.

(f) Type, width and elevation of any existing street pavements within the exterior boundaries of the Plat or immediately adjacent thereto together with any legally established centerline elevations, all to U.S.G.S. datum.

(g) Location, size and invert elevation of any existing sanitary or storm

sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, electrical communication facilities, whether aerial or underground, and the location and size of any existing water and gas mains with the exterior boundaries of the Plat or immediately adjacent the tract, thereto. If no sewer or water mains are located on or immediately adjacent the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by their direction and distance from the tract, size and invert elevations.

(h) Locations of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracts and other similar significant features within the tract being subdivided or immediately adjacent thereto.

(i) Location, width and names of all proposed streets and public rights-of-way such as alleys and easements.

(j) Approximate dimensions of all lots together with proposed lot and block numbers.

(k) Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainage ways, or other public use, or which are to be used for group housing, shopping centers, church sites, or other non-public uses not requiring lotting.

(l) Approximate radii of all curves.

(m) Existing zoning on and adjacent to the proposed subdivision.

(n) Corporate limits lines.

(o) Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.

(p) Any proposed lake and stream improvement or relocation.

(3) Street Plans and Profiles. The City Engineer may require that the subdivider provide street plans and profiles showing existing ground surface, proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall be based upon U.S.G.S. datum, and plans and profiles shall meet the approval of the Engineer.

(4) Testing. The City Engineer may require that borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depths to bedrock and depth to groundwater table. Where the subdivision will not be served by central sanitary sewer service, the provisions of Chapter H65 of the Wisconsin Administrative Code shall be complied with; and the appropriate data submitted with the Preliminary Plat.

(5) Covenants. The City Planning Agency may require submission of a draft of protective covenants whereby the sub divider intends to regulate land use in the proposed subdivision and otherwise protect the proposed development.

(6) The registered land surveyor preparing the Preliminary Plat shall certify on the face of the Plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this Ordinance.

## **21.05 FINAL PLAT**

(1) General. A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of Section 236.20 of the Wisconsin Statutes.

(2) Additional Information. The Plat shall show correctly on its face in addition to the information required by Section 236.20 of the Wisconsin Statutes, the following:

(a) Exact length and bearing of the centerline and centerline curves of all

streets.

(b) Exact street width along the line of any obliquely intersecting street.

(c) Railroad rights-of-way within and abutting the plat.

(d) Setbacks or building lines as required.

(e) All lands reserved for future public acquisition or reserved for the common use of property owners within the Plat.

(f) Special restrictions required by the City Planning Agency relating

to access control along public ways or to the provision of planting strips.

(3) Deed Restrictions. The City Planning Agency may require that deed restrictions be filed with the Final Plat.

(4) Survey Accuracy. The City Engineer shall examine all Final Plats and make field checks for the proper kind and location of monuments. The State determines the accuracy and closure of survey, the legibility and completeness of the drawing.

(a) Maximum error of closure before adjustment of the survey of the exterior boundaries of the subdivision shall not exceed, in horizontal distance or position, the ratio of one part in five-thousand (1:5,000), nor in azimuth, four seconds of arc per interior angle. If the field measurements exceed this maximum, new field measurements shall be made until a satisfactory closure is obtained. When a satisfactory closure of the field measurements has been obtained, the survey of the exterior boundary shall be adjusted to form a closed geometric figure.

(b) All street, block and lot dimensions shall be computed as closed geometric figures based upon the control provided by the closed exterior boundary survey. If field checks disclose an error for an interior line of the plat greater than the ratio of one part in three-thousand (1:3,000), or an error in measured angle greater than one minute of arc for any angle where the shorter side forming the angle is three-hundred (300) feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than three-hundred (300) feet in length, the error shall not exceed the value of one minute multiplied by the quotient of three-hundred (300) divided by the length of the shorter side; however, such error shall not in any case exceed five (5) minutes of arc.

(c) Where the plat is located within a quarter section the corners of which have been relocated, monumented and coordinated by the county, the tie required by Section 236.20(3)(b) of the Wisconsin Statutes shall be expressed in terms of grid bearing and distance; and the material and Wisconsin state plane coordinates of the monument marking the relocated section or quarter corner to which the plat is tied shall be indicated on the plat. The grid bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision.

(d) The governing body shall receive the results of the City Engineer's and the State's examination prior to approving the Final Plat.

(5) Surveying and Monumenting. All Final Plats shall meet all the surveying and monumenting requirements of Section 236.15 of the Wisconsin Statutes.

(6) State Plane Coordinate System, (where and when adopted). Where the Plat is located within a quarter section the corners of which have been relocated, monumented and coordinated by the county, the Plat shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinates of the monument marking the relocated section or quarter corner to which the Plat is tied shall be indicated on the Plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System, Southern Zone.

(7) Certificates. All Final Plats shall provide all the certificates required by Section 236.21 of the Wisconsin Statutes; and, in addition, the surveyor shall certify that he has fully complied with all the provisions of this Ordinance. The owner's certificate shall be fully executed prior to local approval.

## **21.06 CERTIFIED SURVEY MAP**

(1) General. A certified survey map prepared by a registered land surveyor shall be required for all divisions of land less than a subdivision. It shall comply in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. Such division shall be accepted from the improvements requirements set forth in 21.08(2) through 21.08(13) of this Ordinance.

(2) Additional Information. The Map shall show correctly on its face, in addition to the information required by Section 236.34 of the Wisconsin Statutes, the following:

- (a) All existing buildings, watercourses, drainage ditches and other features pertinent to proper division.
- (b) Setbacks or building lines required by the City Planning Agency.
- (c) All lands reserved for future acquisition.
- (d) Date of the map.
- (e) Graphic scale.
- (f) Name and address of the owner, sub divider and surveyor.

(3) State plane coordinate system (where and when adopted). Where the Plat is located within a quarter section the corners of which have been relocated, monumented and

coordinated by the county, the Plat shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinate of the monument marking the relocated section or quarter corner to which the Map is tied shall be indicated on the Map. All distances and bearings shall be referenced to the Wisconsin Coordinate System, Southern Zone.

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

(a) Dedication of streets and other public areas shall require, in addition, the owner's certificate and the mortgagee's certificate in substantially the same form as required by Section 236.21(2)(a) of the Wisconsin Statutes.

(b) Certified surveys shall be approved by the Common Council and a certificate of approval signed by the Clerk/Treasurer shall appear on the approved certified survey.

## **21.07 DESIGN STANDARDS**

### (1) Street Layout

(a) In any new subdivision the street layout shall conform to the arrangement, width and location indicated on the Master Plan or Master Plan components of the City. In areas for which such plans have not been completed, the street layout shall recognize the functional classification of the various types of street and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street.

(b) High Collector Streets, as hereafter defined, shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, shopping areas, 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 major streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.



(c) Low Collector Streets, as hereafter defined, shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic from residential areas and conveyance of this traffic to the major street and highway system and shall be properly related to the mass transportation system, to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the major streets into which they feed.

(d) Local Streets, as hereafter defined, shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.

(e) Proposed Streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the City Planning Agency, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts.

(f) High collector street and highway protection. Whenever the proposed subdivision contains or is adjacent to a major street or highway, adequate protection of residential properties, limitations of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a nonaccess reservation along the rear property line, or by the use of frontage streets.

(g) Stream or Lake shores shall have sixty (60) feet of public access platted to the low water mark at intervals of not more than one-half mile as required by Section 236.16(3) of the Wisconsin Statutes.

(h) Reserve strips shall not be provided on any plat to control access to streets or alleys, except where control of such strips is placed with the governing body under conditions recommended by the City Planning Agency and approved by the governing body.

(i) Alleys shall be provided in commercial and industrial districts for off-street loading and service access unless otherwise required by the City Planning

Agency, but shall not be approved in residential districts, unless a continuation of existing system. Dead-end alleys shall not be approved, and alleys shall not

connect to a major thoroughfare.

(j) Street names shall not duplicate or be similar to existing street names within ten miles of the boundary of the community, and existing street names shall be projected wherever possible.

(2) Limited Access Highway and Railroad Right-of-Way Treatment.

Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:

(a) When lots within the proposed subdivision back upon the right-of-way of an existing or proposed limited access highway or a railroad, a planting strip at least thirty (30) feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees and shrubs, the building of structures hereon prohibited".

(b) Commercial and industrial districts shall have provided, on each side of the limited access highway or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad for the appropriate use of the land between such streets and highway or railroad, but such distance shall not be less than one-hundred and fifty (150) feet.

(c) Streets parallel to a limited access highway or railroad right-of-way, when intersecting a major street and highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of two-hundred and fifty (250) feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

(d) Local streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of local streets immediately adjacent to collector streets and highways and railroad rights-of-way shall be avoided in residential areas.

(3) Street Design Standards.

(a) The minimum right-of-way and roadway width of all proposed

streets shall be as specified by the Master Plan and Master Plan components, or if no width is specified therein, the minimum widths shall be as specified in Table 1. Cross sections for freeways and parkways should be based upon detailed engineering studies.

Table 1

RECOMMENDED MINIMUM CROSS SECTIONS  
WISCONSIN DELLS, WISCONSIN

System	Right-of-Way Width in feet	Pavement Width in feet
High Collector	Desirable 80 Minimum 66	44
Low Collector	66 No parking one side	36
Local	66	36

(b) Cul-de-sac streets designed to have one end permanently closed shall not exceed one-thousand feet in length. All cul-de-sac streets designed to have one end permanently closed shall terminate in a circular turnaround having a minimum right-of-way radius of sixty six (66) feet and a minimum outside curb radius of forty (40) feet.

(c) Street grades. Unless necessitated by exceptional topography subject to the approval of the City Planning Agency the maximum centerline grade of any street or public way shall not exceed the following:

1. High Collector Streets: Six (6) percent
2. Low Collector Streets: Eight (8) percent
3. Local Streets, Alleys  
and frontage streets: Ten (10) percent
4. Pedestrian ways: Ten (10) percent,  
unless steps of acceptable design is

provided.

5. The grade of any street shall in no case exceed twelve (12) percent or be less than four-tenths of one (0.4) percent.

(d) Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and general leveling of topography. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to fifteen (15) times the algebraic difference in the rates of grade for all major streets, and one-half (1/2) this minimum for all other streets.

(e) Radii of curvature. When a continuous street centerline deflects at any one point by more than ten (10) degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

1. High Collector Streets and highways - 500 feet
2. Low Collector Streets - 300 feet
3. Local Streets - 100 feet

A tangent at least one hundred (100) feet in length shall be provided between reverse curves on arterial and collector streets.

(f) Half-streets. Where, on the date of enactment of this ordinance, an existing dedicated or platted half-street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the sub divider. The platting of half-streets is not permitted.

(4) Street Intersections.

(a) Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.

(b) Number of streets converging at one intersection shall be reduced to a minimum, preferably not more than two.

(c) Number of intersections along major streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections shall be not less than one thousand (1000) feet. Intersections on local streets shall be offset at least one hundred twenty-five (125) feet measured from the centerlines of the two streets.

(d) Property lines at street intersections shall be rounded with a minimum radius of fifteen (15) feet or of a greater radius when required by the

City Planning Agency, or shall be terminated by a straight line through the points of tangency of an arc having a radius of fifteen (15) feet.

(e) Local streets shall not necessarily continue across high collector or low collector streets; but if the centerlines of such local streets approach the major streets from opposite sides within three hundred (300) feet of each other, measured along the centerline of the high collector or low collector street, then the location shall be so adjusted that the adjoinment across the major or collector street is continuous, and a jog is avoided.

(5) Blocks.

(a) The width, 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.

(b) Length. Blocks in residential areas where the majority of the houses face the street shall not as a general rule be less than four-hundred (400) feet nor more than twelve-hundred (1,200) feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

(c) Pedestrian Ways of not less than ten (10) feet in width may be required near the center and entirely across any block over nine-hundred (900) feet in length where deemed essential by the City Planning Agency to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.

(d) Width. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic. 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.

(e) Utility easements. Refer to Section 21.07(9).

(6) Lots.

(a) The size, shape, and orientation of lots shall be appropriate for the

location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.

(b) 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 rather than cross them.

(c) 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.

(d) Access. Every lot shall front or abut for a distance of at least thirty (30) feet on a public street.

(e) Area and dimensions of lots shall conform to the requirements of the zoning ordinance, and in areas not served by public sewers shall, in addition, conform to the requirements of Chapter H-65, Wisconsin Administrative Code. Whenever a tract is subdivided to large parcels, such parcels shall be arranged and dimensioned as to allow resubdivision of any such parcels into normal lots in accordance with the provisions of this Ordinance.

(f) Depth. Lots shall have a minimum average depth of one-hundred (100) feet. Depth of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning regulations for such use.

(g) Width of lots shall conform to the requirements of appropriate zoning regulations.

(h) Corner lots shall have an extra width of ten (10) feet to permit adequate building setbacks from side streets.

(i) Lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake or stream.

(7) Building Setback Lines. Where not controlled by zoning regulations,

building setback lines, appropriate to the location and type of development contemplated, shall be established as may be required by the planning agency.

(8) Electric and Communications Utilities.

(a) All new electric distribution lines (excluding lines of 12,000 volts or more), all new telephone lines from which lots are individually served, all new telegraph lines, community television cables and services, installed without a newly-platted residential area, mobile home park or planned residential development, shall be underground unless the City Planning Agency shall specifically find after study that:

(1) the placing of such facilities underground would not be compatible with the planned development.

(2) location, topography, soil, stands of trees or other physical conditions would make underground installation unreasonable or impracticable; or

(3) the lots to be served by said facilities can be served directly from existing overhead facilities.

(b) Associated equipment and facilities which are appurtenant to underground electric and communications systems, such as but not limited to, substations, pad-mounted transformers, pad-mounted sectionalizing switches and above-grade pedestal-mounted terminal boxes may be located above ground.

(c) The sub divider or his agent shall furnish proof to the City Planning Agency that such arrangements as may be required under applicable rates and rules filed with the Public Service Commission of Wisconsin have been made with the owner or owners of such lines or services for placing their respective facilities underground as required by this section, as a condition precedent to approval of the final plat or certified survey map.

(d) Temporary overhead facilities may be installed to serve a construction site or where necessary because of severe weather conditions. In the latter case, within a reasonable time after weather conditions have moderated, such temporary facilities shall be replaced by underground facilities and the temporary facilities removed, subject to any exception permitted by the City Planning Agency under subparagraphs (a)(1), (2) and (3) above.

(e) All aerial facilities for new electric distribution lines (excluding lines of 15,000 volts or more), all new telephone lines from which lots are individually served, all new telegraph lines, community antenna television cables and services, installed subsequent to the approval of this Ordinance shall be placed in utility easements within a newly platted residential area, mobile home park or planned residential development, unless waived by the City Planning

Agency.

(9) Easements.

(a) Electric and Communications Facilities.

(1) Adequate easements shall be provided and dedicated on each side of all rear lot lines, and on side lot lines, across lots or along front lot lines where necessary, for the installation of electric and communications facilities. Such easements shall be noted as "Utility Easements" on the final plat or certified survey map. Prior to approval of the final plat or certified survey map the concurrence of the electric and communications companies serving the area as to the location and width of the utility easements shall be noted on the final plat or certified survey map.

(2) Where the electric and communications facilities are to be installed underground, the utility easements shall be graded to within six (6) inches of final grade by the sub divider, prior to the installation of such facilities, and earth fill, piles or mounds of dirt or construction materials shall not be stored on such easement areas.

(3) Where the electric and/or communications facilities are to be installed underground a note shall be placed on the final plat or certified survey map stating that the final grade established by the sub divider on the utility easements shall not be altered by more than six (6) inches by the sub divider, his agent, or by subsequent owners of the lots on which such utility easements are located, except with written consent of the utility or utilities involved.

(b) Distribution gas mains and appurtenances, except service laterals, shall be installed in street right-of-way, normally in the area between sidewalk and curb. However, the City Planning Agency may, at the request of the utility, or



where deemed necessary or desirable, require easements of adequate width for the intended purpose along lot lines or across lots for such installation and such easements shall be noted on the final plat or certified survey map as "Utility Easements".

(c) Drainage easements. Where a subdivision is traversed by a watercourse, drainage way channel or stream, an adequate drainage way or easement shall be required subject to the approval of the City Engineer; and

parallel streets or parkways may be required in connection therewith. Where necessary storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. These design details are subject to review and approval by the City Engineer.

(d) Whenever any stream or important surface watercourse is located in an area that is being subdivided, the sub divider shall at his own expense make adequate provision for straightening or widening the channel so that it will properly carry the surface water and any such provision will be in accordance with State Statutes, rules and regulations applicable to the Department of Natural Resources.

(10) Public Sites and Open Space. In the design of the plat, due consideration shall be given to the reservation of suitable sites of adequate area for future schools, parks, playgrounds, drainage ways and other public purposes. If designated on the Master Plan, Master Plan components or official map, such areas shall be made a part of the plat at stipulated in 21.02(3) of these regulations. If no part is so designated, the owner shall dedicate land usable for recreation purposes equal in size to five percent (5%) of the plat. This land shall be in one parcel and shall be used for park, playground or for other specific public recreational uses as deemed desirable by the planning agency. However, if the Planning Agency should consider the plat too small or for some other reason unusable for a public purpose the planning agency shall direct the owner to make a money payment to the city in lieu of land. This payment must be equal to five percent (5%) of the market value of the total plat prior to subdivision and cannot be used by the City for any purpose other than the purchase or development of land to be used for such public recreational uses serving the neighborhood as indicated above.

## **21.08 REQUIRED IMPROVEMENTS**

(1) Survey Monuments. The sub divider shall install survey monuments placed in accordance with the requirements of Section 236.15 of the Wisconsin Statutes and as may be required by the City Engineer.

(2) Grading. After the installation of temporary block corner monuments by the sub divider and establishment of street grades by the governing body, the sub divider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with plans and standard specifications approved by the City Engineer. The sub divider shall grade the roadbeds in the street rights-of-way to subgrade. The cost of grading shall be borne by the sub divider.

(3) Surfacing. After the installation of all public utility and storm water drainage improvements, the sub divider shall surface all roadways and streets proposed to be dedicated to the width prescribed by these regulations and the Master Plan or Master Plan components. Said surfacing shall be done in accordance with plans and standard specifications approved by the City Engineer. The cost of surfacing a local street shall be borne entirely by the sub divider. For low collector and high collector streets the cost of surfacing the excess of thirty-six (36) feet in width shall be borne by the community.

(4) Curb and Gutter. After the installation of all public utility and storm water drainage improvements, the sub divider shall construct concrete curbs and gutters in accordance with plans and standard specifications approved by the City Engineer. This requirements may be waived where a permanent rural section has been approved by the community. Wherever possible, provisions shall be made at the time of construction for driveway access curb cuts. The cost of installation of all inside curbs and gutters for dual roadway pavements shall be borne by the community, unless the developer chooses this type of road by himself and all other costs for curbs and gutters shall be borne by the sub divider.

(5) Street Cross Sections. When the permanent street cross sections have been approved by the community the sub divider shall finish grade all shoulders and road ditches, install all necessary culverts at intersections and, if required, surface ditch inverts to prevent corrosion and sedimentation in accordance with plans and standard specifications approved by the City Engineer, all costs to be borne by the sub divider.

(6) Sidewalks.

(a) The sub divider shall construct a sidewalk on one side of all frontage streets and both sides of all other streets within the subdivision. The City Planning Agency may permit the construction of a sidewalk on only one side of minor streets that serve lots having fronting on said street and may waive the construction of sidewalks on collector and minor streets that serve lots having an average width of one-hundred fifty (150) feet or more fronting on said streets. The construction of all sidewalks shall be in accordance with plans and standard specifications approved by the City Engineer.

(b) Wider than standard sidewalks may be required by the City Engineer in the vicinity of schools, commercial areas and other places of public assemblage; and the planning agency may require the construction of sidewalks in locations other than required under the preceding provision of this Ordinance if such walks are necessary, in their opinion, for safe and adequate pedestrian circulation. All costs for the construction of sidewalks shall be borne by the sub divider.

(7) Central Sanitary Sewerage and Private Sewage Disposal Systems.

(a) The sub divider shall construct sanitary sewers, including any necessary equipment or facilities, in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision. If central sewer facilities are not available, the sub divider shall make provision for adequate private sewage disposal systems as specified by the community and Wisconsin Department of Health and Social Services and County Board of Health. The City Planning agency shall require the installation of sewer laterals to the street lot line. If at the time of final platting, sanitary sewer facilities are not available to the plat, but will become available within a period of five (5) years from the date of plat recording, the sub divider 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 the engineer. The size, type, and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and standard specifications approved by the City Engineer.

(b) Sub divider shall assume the cost of installing all sanitary sewers eight (8) inches in diameter and necessary equipment and facilities. If greater than eight (8) inch diameter sewers are required to handle the contemplated sewage flows, the cost of such larger sewers shall be prorated in proportion to the ratio which the total area of the proposed plat is to the total drainage area to be served

by such larger sewer as determined by the City Engineer, and the excess cost either borne by the community or assessed against the total tributary drainage area.

(8) Storm Water Drainage Facilities.

(a) The sub divider shall construct, at its cost, storm water drainage facilities, which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches and open channels, as may be required. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow; the type of facility required, the design criteria and the sizes and grades to be determined by the City Engineer. Storm drainage facilities shall be so designed as to present no hazard to life or property; and the size, type and installation of all storm water drains and sewers proposed to be constructed shall be in accordance with the plans and standard specifications approved by the City Engineer.

(b) If greater than 24-inch diameter sewers are required to handle the contemplated flows, the cost of such larger sewers shall be prorated in proportion to the ratio which the total area of the proposed Plat is to the total drainage area to be served by such larger sewer, as determined by the City Engineer, and the excess cost either borne by the community or assessed against the total tributary drainage area.

(9) Central Water Supply Facilities.

(a) The sub divider shall construct water mains, including any necessary equipment or facilities, in such a manner as to make adequate water service available to each lot within the subdivision. If municipal water service is not available, the sub divider shall make provision for adequate private water systems as specified by the governing body and the State Division of Environmental Protection and County Board of Health. The City Planning Agency shall require the installation of water laterals to the street lot line. The size, type and installation of all public water mains proposed to be constructed shall be in accordance with plans and standard specifications approved by the City Engineer.

(b) The sub divider shall assume the cost of installing all water mains eight (8) inches in diameter. If greater than eight (8) inch diameter water mains are required, the excess cost of such mains over and above the cost of an eight (8) inch main may be borne by the utility.

(10) Other Utilities. The sub divider shall, at its cost, have arranged with the affected utility companies for gas, electric, telephone or CATV (optional) facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision when needed.

Where underground utility cables are to be installed in a new residential subdivision, the utility may install conduit for street crossings before the street is surfaced to facilitate later installation of the necessary cable to serve such subdivision or portion thereof. The installation of conduit shall be in lieu of direct installation of the underground cable.

Plans indicating the proposed location of all gas, electrical power and telephone distribution and transmission lines required to service the plat shall be approved by the City Engineer.

(11) Street Lighting. The sub divider shall provide, at its cost, for the location of the street light system within the subdivision upon consultation with the utility serving the area and consistent with their standards and compatible with area being served and as approved by the City Planning Agency and the Common Council.

(12) Street Signs. The sub divider shall install, at its cost, at the intersection of all streets proposed to be dedicated a street sign of a design specified by the City Engineer.

(13) Improvements on Boundaries of Subdivision. Any public improvements occurring on the boundaries of the subdivision shall use normal assessing values for establishing payments.

## 21.09 CONSTRUCTION

(1) Commencement. No construction or installation of improvements shall commence in a proposed subdivision until:

- (a) The preliminary plat has been approved;
- (b) The City Engineer has given written authorization;
- (c) All fees required by 21.10 are paid;
- (d) Necessary inspections have occurred;

(e) Necessary plans have been filed; and

(f) A "hold harmless agreement" protecting the City from any damages, claims, or suits resulting from the construction and development by subdivider is executed. Said agreement shall be approved as to form by the City Attorney.

(2) Building Permits. No building permits shall be issued for erection of a structure on any lot of record until all the requirements of this Ordinance have been met.

(3) Plans.

(a) The following plans and accompanying construction specifications may be required by the City Engineer before authorization of construction or installation of improvements:

(b) Street plans and profiles showing existing and proposed grades, elevations and cross sections of required improvements.

(c) Sanitary sewer plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities.

(d) Storm sewer plans and profiles showing the locations, grades, sizes, cross sections, elevations and material of required facilities.

(e) Planting plans showing the locations, age and species of any required street trees.

(f) Additional special plans or information as required.

(g) Where required by the State of Wisconsin, such plans shall be approved by the proper State Department before construction begins.

(4) Inspection. The subdivider, prior to commencing any work within the subdivision, shall make arrangements with the City Engineer to provide for adequate inspection. The City Engineer shall inspect and approve all completed work prior to approval of the final plat or release of the sureties.

#### 21.10 FEES

(1) General. The subdivider shall pay the governing body all fees as

hereinafter required and at the time specified.

(2) Establishment of Fees. The shall be established by resolution adopted pursuant to Section 2.05 by the Common Council and shall be reviewed from time to time and up-dated.

## 21.11 DEFINITIONS

For the purposes of this Ordinance the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and the word "may" is permissive.

- (1) Alley. (As defined in Chapter 236 of the Wisconsin Statutes.)
- (2) Building Line. A line parallel to a lot line and at a distance from the lot line to comply with the zoning ordinance's yard requirements.
- (3) Clerk. The Clerk of the City of Wisconsin Dells.
- (4) Community. The City of Wisconsin Dells.
- (5) Cul-de-Sac Street. Minor street closed at one end with a turnaround provided for passenger vehicles.
- (6) Double Frontage Lots. Lots having frontage on opposite property boundaries with public streets.
- (7) City Engineer. The City Engineer of the City of Wisconsin Dells.
- (8) Extraterritorial plat approval jurisdiction. (As defined in Chapter 236 of the Wisconsin Statutes.)
- (9) Frontage street. A local street auxiliary to and located on the side of a high collector street for control of access and for service to the abutting development.

- (10) Master Plan. The developed general plan adopted by the City of Wisconsin Dells, including proposals for future land use, transportation and public utilities.
- (11) Governing body. The City Council of the City of Wisconsin Dells.
- (12) Half-streets. A street located on the boundary of a plat whose centerline meets the boundary at an angle of less than 30 degrees or whose right-of-way width is reduced by that boundary.
- (13) High collector streets. A street used, or intended to be used, primarily for through traffic. (Refer to community Master Plan.)
- (14) Division of land less than a subdivision. The division of land by the owner or sub divider resulting in the creation of three (3) parcels or building sites, any one of which is five (5) acres in size or less, or the division of a block, lot or outlot within a recorded subdivision plat into not more than four (4) parcels of buildings sites without changing the exterior boundaries of said block, lot or outlot.
- (15) Low collector street. A street used, or intended to be used, to carry traffic from local streets to the major system of high collector streets including the principal entrance streets to residential development. (Refer to Community Master Plan.)
- (16) Municipality. (As defined in Chapter 236 of the Wisconsin Statutes.)
- (17) Outlot. (As defined in Chapter 236 of the Wisconsin Statutes.)
- (18) Official map. The official map of the City of Wisconsin Dells. (Refer to Section 62.23 of the Wisconsin Statutes.)
- (19) Planning Agency. The City Plan Agency of the City of Wisconsin Dells.
- (20) Public Way. Any public road, street, highway, walkway, drainage way, or part thereof.
- (21) Reverse Frontage Lots. Corner lots with no provision for extra width to permit side yard to be same as front yards on that side.
- (22) Recording a plat. (As defined in Chapter 236 of the Wisconsin Statutes.)
- (23) Replat. (As defined in Chapter 236 of the Wisconsin Statutes.)
- (24) Sub divider. Any person, firm or corporation, or any agent thereof,



dividing or proposing to divide land resulting in a subdivision, minor subdivision or replat.

(25) Subdivision\*. The division of a lot, parcel or tract of land by the owner thereof, or his agents, for the purpose of transfer of ownership or building development where the act of division creates three (3) or more parcels or building sites of four (4) acres each or less in area; or where the act of division creates three (3) or more parcels or building site of four (4) acres each or less in area by successive division within a period of five (5) years.

\* Modification to the definition of "Subdivision" contained in Section 236.02 of the Wisconsin Statutes is permitted by Section 236.45 of the Wisconsin Statutes.

APPENDIX A  
PLAT APPROVAL AND REVIEW JURISDICTION

1. The Subdivision is in a City.

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	Approves, Approves with Conditions or Rejects	Reviews and Objects or Certifies No Objections
IN ALL CASES		City Council Head of the Planning Function of the  Department of Local Affairs and Development.
AND IN ADDITION IF provision is not made  for public sewer		Division of Health and Social Services
IF it abuts or adjoins a State Trunk Highway or connecting street		Division of Highways State Department of Transportation
IF		

there is a County Planning Agency employing a full-time professional engineer, planner, or other person charged with planning administration

County Planning Agency

IF in an area the annexation of which is being legally contested

City Council and Town Board or Village Board

2. The Subdivision is in a Town and Within the Extraterritorial Plat Approval Jurisdiction of a City.

Approves, Approves with Conditions or Rejects

Reviews and Objects or Certifies No Objections

IN ALL CASES

Town Board Head of the Planning Function of the Department of Local Affairs and

Development

AND IN ADDITION

IF the City or Village has adopted a subdivision ordinance or official map

City Council

IF provision is not made

Division of Health

for public sewer

and Social Services

IF

it abuts or adjoins a  
State Trunk Highway  
or connecting street

Division of Highways  
State Department of  
Transportation

IF

there is a County  
Planning Agency  
employing a full time  
professional engineer,  
planner, or other  
person charged with  
planning administration

County Planning  
Agency

IF

in an area the annexa-  
tion of which is being  
legally contested

City Council and  
Town Board or  
Village Board

### CHAPTER 21 REVISIONS

A-417 11-17-97  
A-476 02-01-01

Refers fees to Schedule of Fees - 21.10.(2)  
Certified surveys of lands in the City be approved by Council. 21.06(4)(b)