

CHAPTER ONE
LAND DIVISION AND SUBDIVISION REGULATIONS

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LAND DIVISION AND SUBDIVISION REGULATIONS

Section 1.01 Authority for and Purpose of Regulations.

- I. **Authority.** In accordance with the authority granted by §§236.01, 236.13(1)(b), and 236.45 of the Wisconsin Statutes and for the purposes listed below, the Town of Roxbury does hereby ordain as follows:
 - A. The provisions of this Ordinance shall be held to be the minimum requirements adopted to promote the health, safety, morals, comfort, prosperity and general welfare of the Town.
 - B. This Ordinance shall not repeal, impair, or modify Wisconsin State Statutes and Administrative Codes, or Dane County Ordinances, except that it shall apply whenever it imposes stricter restriction on land divisions.
- II. **Purpose.** The purpose of this Ordinance is to promote the public health, safety, convenience and general welfare of the community. The regulations are designed to lessen congestion in the highways and streets; to foster the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems; to discourage overcrowding of the land; to protect the community's agriculture base; to facilitate adequate provision for transportation, public water and sewerage, schools, parks, playgrounds and other public necessities; and to facilitate the further division of large tracts of land into smaller parcels. The regulations are made with the reasonable consideration of, but not limited to, the present character of the Town and its environs, with the objectives of conserving the value of the land and improvements placed thereon, providing the most appropriate environment for human habitation, encouraging commerce and industry, protecting farming and open spaces, and providing for the most appropriate use of land in the Town.

Section 1.02 Definitions.

For the purpose of this Ordinance, the following definitions shall apply. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory. All references to the Wisconsin Statutes shall be to the 1995-1996 Edition, as subsequently amended.

SECTION 1.02(X)

- I. **Alley.** A public right-of-way which normally affords a secondary means of vehicular access to abutting property.
- II. **Arterial Street.** A street which provides for the movement of relatively heavy traffic to, from or within the Town. It has a secondary function of providing access to abutting land.
- III. **Block.** An area of land within a subdivision that is entirely bounded by a combination or combinations of streets, exterior boundary lines of the subdivision and streams, lakes or other bodies of water.
- IV. **Building Line.** A line parallel to a lot line and at a distance from the lot line to comply with the Dane County Zoning Ordinance's yard and setback requirements.
- V. **Certified Survey Map.** A map of land division, prepared in accordance with Wis. Stats. §236.34, and in full compliance with other applicable provisions of this ordinance.
- VI. **Collector Street.** A street which collects and carries traffic within an area such as a residential neighborhood between arterial streets and local streets. It includes principal entrance streets to residential subdivisions. It provides access to abutting property.
- VII. **Condominium Development.** A real estate development in which the condominium form of ownership pursuant to Wis. Stats. Chap. 703 is utilized.
- VIII. **Cul-de-sac.** A local street having one end open to traffic and the other end permanently terminated in a vehicular turnaround.
- IX. **Easement.** An area of land set aside or over or through which a liberty, use, privilege or advantage in land, distinct from ownership of the land, is granted to the public or some particular person or part of the public.
- X. **Environmental Corridor.** An area of significant environmental value that by reason of having steep slopes, wetlands, wooded cover, drainage way, water features, endangered or threatened plant or wildlife, topographic feature of local or regional interest, etc. that results in the land division and/or development of the area creating significant loss of environmental value or would result in significant difficulty in the

SECTION 1.02(XVII)(B)

construction of public improvements and/or the provision of municipal services.

- XI. **Extraterritorial Plat Approval Jurisdiction.** The unincorporated area within one and one-half miles of a fourth-class city or a village and within three miles of all other cities.
- XII. **Final Plat.** The final map, drawing or chart on which the subdivider's plan of subdivision is presented for approval and which, if approved, will be submitted to the County Register of Deeds.
- XIII. **Fire Chief.** The person having the authority established in Wisconsin Statutes as the Fire Chief.
- XIV. **Frontage Street.** A street auxiliary to and located on the side of a major thoroughfare for control of access and for service to the abutting development.
- XV. **Land Divisions.** See Subdivision
- XVI. **Land Use Plan.** The master plan for the development of the lands within the Town as officially adopted by the Town Board.
- XVII. **Local Street.** A street used primarily for access to abutting properties and connecting with not more than two local or collector streets and not exceeding 1,000 feet in length.
- XVIII. **Lot.** A parcel of land having frontage on a public street or other officially approved means of access, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area and other open space provisions of this Ordinance and any applicable zoning ordinance. Among the types of lots are:
 - A. **Corner Lot.** A lot abutting intersecting streets at their intersection.
 - B. **Reversed Corner Lot.** A corner lot which is oriented so that its rear lot line is coincident with or parallel to the side lot line of the interior lot immediately to its rear.

SECTION 1.02(XXVII)

- C. **Through Lot.** A lot having lot lines abutting two more or less parallel public streets which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.
- XIX. **Lot Area.** The area contained within the exterior boundaries of a lot excluding streets and land under bodies of water.
- XX. **Lot Lines.** The peripheral boundaries of a lot.
- XXI. **Lot Width.** The width of a parcel of land measured along the front building line.
- XXII. **Major Thoroughfare.** A street used or intended to be used primarily for fast or heavy through traffic. Major thoroughfares shall include freeways, expressways and other highways and parkways, as well as arterial streets.
- XXIII. **Master Plan.** The Town Land Use Plan, Town Official Map, Parks and Open Space Plan, Stormwater Management Plan, and/or any other such comprehensive development plan pertaining to the intended future infrastructure or land uses within the Town, as adopted by the Town Board in accordance with Wisconsin Statutes.
- XXIV. **Minor Subdivision.** The division of land by an owner or subdivider resulting in the creation of not more than four lots or parcels, or the division of a block, lot or outlot in a recorded plat into not more than four lots or parcels without changing the exterior boundaries of said block, lot or outlot.
- XXV. **Official Map.** The map adopted by the Town of Roxbury which indicates the existing and proposed location of streets, highways, parks, playgrounds, roads, rights-of-way, waterways, and other public facilities as authorized by the Wisconsin Statutes.
- XXVI. **Outlot.** A parcel of land, other than a lot or block, so designated on a plat or certified survey, on which building is prohibited.
- XXVII. **Owner.** The person owning land, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or combination of these.

SECTION 1.02 (XXXIV)

- XXVIII. **Planned Unit Development.** A form of development usually characterized by a unified site design for a number of housing units. The concept usually involves clustering buildings, providing common open space, and mixing different types of housing (single family, duplexes and apartments). Ordinances permitting planned unit development permit planning a project and calculating densities for the entire development rather than on an individual lot by lot basis. It is hereby declared that regulating planned unit developments requires greater involvement of public officials in site plan review and development aspects of both zoning and subdivision regulation since such developments require exceptions from both types of regulation.
- XXIX. **Planning Commission.** The Commission of the Town of Roxbury having the statutory authority of a Planning Commission to review and approve land divisions in the Town.
- XXX. **Preliminary Plat.** A map and other submitted information documenting the salient features of a proposed division of land as described in this Ordinance and submitted to the Town for the purposes of preliminary consideration prior to final platting and, when requested, prior to all land divisions involving oversized lots.
- XXXI. **Public Way.** Any public road, street, highway, walkway, drainage way, or part thereof.
- XXXII. **Replat.** The process of changing, or a plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat.
- XXXIII. **Restrictive Covenants.** Contracts entered into between private parties or between private parties and public bodies pursuant to Wis. Stats. §236.293, which constitute a restriction on the use of all platted property within a subdivision for the benefit of the public or property owners and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.
- XXXIV. **Sanitary District.** Any Sanitary District, or districts, as defined in Wis. Stats. §60.70(9) located wholly or partially within the Town of Roxbury, or its commission, depending on the context of its use in this ordinance, including, but not limited to, the Roxbury Sanitary District No. 1 and other Sanitary Districts created subsequent to the adoption of this ordinance.

SECTION 1.02(XLII)

- XXXV. **Shorelands.** Those lands within the following distances: 1,000 feet from the high-water mark of navigable lakes, ponds and flowages or 300 feet from the high-water mark of navigable streams or to the landward side of the floodplain, whichever is greater.
- XXXVI. **Sketch Plan.** A conceptual plan and other submitted information documenting the salient features of a proposed division of land as described in this Ordinance and submitted to the Town for the purposes of preliminary consideration prior to preliminary platting and/or significant engineering.
- XXXVII. **Subdivider.** Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor subdivision or replat.
- XXXVIII. **Subdivision.** The establishment of a condominium development pursuant to Wis. Stats. Chap. 703 or the division of a lot, outlot, parcel or tract of land by the owner thereof, or a subdivider for the purpose of transfer of ownership or building development where the act of division creates:
- A. five or more lots or parcels of four acres or less in area; or
 - B. five or more lots or parcels of four acres or less by successive divisions within a period of five years, whether done by the original or successor owners or subdividers; or
 - C. a new street or alley, or alters any existing street or alley.
- XXXIX. **Town.** The Town of Roxbury, Dane County, Wisconsin.
- XL. **Town Board.** The Board of Supervisors of the Town of Roxbury.
- XLI. **Town Engineer.** The person or firm employed by the Town of Roxbury to function in the capacity of the Town Engineer, or the duly appointed representative, unless the text states otherwise.
- XLII. **Town Highway Superintendent.** The person or firm employed by the Town of Roxbury to function in the capacity of the Town Highway Superintendent as authorized by Wis. Stats. §81.01(1), or the duly appointed representative, unless the text states otherwise.

SECTION 1.03(I)(F)

- XLIII. **Urban Service Area.** The area in the Town currently served by public sanitary sewer and/or water facilities, or expected to be served by public sanitary sewer and/or water within the next 20 year period, as designated on a map adopted by the Town Board.
- XLIV. **Utility District.** A utility district, or districts, as defined in Wis. Stats. §66.072, located wholly or partially within the Town of Roxbury, or its commission, depending on the context of its use in this ordinance, including, but not limited to, Utility Districts created subsequent to the adoption of this ordinance.
- XLV. **Wetlands.** An area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

Section 1.03 General Provisions.

- I. **Compliance.** No person shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, minor subdivision or replat, or non-conforming remnant, and no such subdivision, minor subdivision or replat shall be entitled to be recorded, and no street shall be laid out, nor improvements made to land, nor building permits issued without compliance with all requirements of this Ordinance and all of the following:
- A. The provisions of Wis. Stats. Ch. 236 and 80.
 - B. All other Town Ordinances.
 - C. Chapter 75, Dane County Code of Ordinances.
 - D. Master plans or components of such plans prepared by state, regional, county or municipal agencies, when duly adopted by the Town Board, including Sanitary Districts and Utility Districts.
 - E. The provisions of Wis. Admin. Code Chap. Comm. 85 for subdivisions, minor subdivisions or replats not served by public sanitary sewer.
 - F. The provisions of Wis. Admin. Code Chap. Trans. 233 Land Subdivision Plats, Abutting State Trunk Highways.

SECTION 1.03(V)

- G. The provisions of Wis. Admin Code Chap. NR 116, Wisconsin's Floodplain Management Program.
- H. All Ordinances of Roxbury Sanitary District No. 1 or other Sanitary District, if applicable, and any Utility District.
- I. All other applicable state statutes and administrative rules.

Where more than one governing body or other agency has authority to approve or to object to a plat and the requirements of such bodies or agencies are conflicting, the plat shall comply with the most restrictive requirements

- II. **Jurisdiction.** These regulations shall apply to all lands within the political boundaries of the Town. These regulations shall not apply to:
 - A. Transfers of interests in land by will, succession or Court Order;
 - B. Leases, mortgages and easements;
 - C. The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created, or if the effect of the sale or exchange on existing lots does not reduce their size below minimum sizes required by this Ordinance or other applicable laws.
- III. **Recognition and Permits.** The Town shall not recognize nor issue any permits relating to any parcel of land forming all or any part of lands included in a subdivision, minor subdivision or replat originally submitted to the Town on or after the effective date of this Ordinance until the applicant has complied with all of the provisions and requirements of this Ordinance.
- IV. **Applicability to Condominiums.** The Ordinance is expressly applicable to condominium developments within the Town's jurisdiction, pursuant to Wis. Stats. §703.27(1). For purposes of this Ordinance, a condominium unit and any associated limited common elements shall be deemed to be equivalent to a lot or parcel created by the act of subdivision.
- V. **Land Suitability.** No land shall be subdivided for residential, commercial or industrial use which is held unsuitable for such use by the Town Board, upon the recommendation of the Plan Commission, Utility District, and Roxbury Sanitary District No. 1, or any other Sanitary District having jurisdiction, for

SECTION 1.03(VII)

reasons of flooding, inadequate drainage, incompatible surrounding land use, 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 determination of land suitability will be evaluated through the Environmental Assessment filed with the preliminary plat. The Town Board, 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 the proposed use and afford the subdivider an opportunity to present evidence regarding such unsuitability if the subdivider so desires. Thereafter the Town Board may affirm, modify, or withdraw its determination of unsuitability.

In addition to the above, the following criteria are to be adhered to:

- A. all lands to be subdivided shall be at least two (2) feet above the elevation of the 100 year recurrence interval flood or, where such data is not available, five (5) feet above the elevation of the maximum flood on record.
- B. No building sites shall be created which do not meet the standards as established in Wis. Admin. Code Comm. 65 and the Dane County Sanitary Code.
- C. Any proposed development areas creating more than 50 homesites shall be located in areas that have direct access to County trunk or State trunk highway road systems within the Town.

VI. **Existing Flora.** The subdivider shall make every effort to protect and retain all existing trees, shrubs, vines, grasses and other non-noxious plants not actually lying in public roadways, drainage ways, building foundation sites, private driveways, waste disposal areas, paths and trails. The subdivider shall protect and preserve such trees and other flora during construction in accordance with sound conservation practices (such as the possibility of preserving trees by well islands or retaining walls), whenever abutting grades are altered, pursuant to a landscaping plan filed by the subdivider.

VII. **Environmental Corridors.** The subdivider shall make every effort to protect and retain existing environmental corridors.

Section 1.04 Plat Review and Approval Procedure.

- I. **Pre-Application Consultation.** Before filing a Preliminary Plat or certified survey, the subdivider is encouraged to consult with the Plan Commission for advice regarding general subdivision requirements. The subdivider may obtain information on meeting dates, agenda deadlines and filing requirements from the Town Clerk. The subdivider shall also submit a location map showing the relationship of the proposed subdivision to traffic arteries and existing community facilities, and a Sketch Plan of the intended layout of the lands to be subdivided. The subdivider shall also submit a copy of the Sketch Plan to the Sanitary District if within 1320 feet of the boundaries of any Sanitary District, and to the Utility District if within 1320 feet of the boundaries of any Utility District. These consultations are not formal, but are intended to inform the subdivider of the purpose and objectives of these regulations, the other Ordinances and planning rules of the Town, the availability of sanitary sewer service, and to otherwise assist the subdivider in planning the development. In so doing, the subdivider, Sanitary District, Utility District, and Plan Commission may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and community. The subdivider will gain a better understanding of the subsequent required procedures. The Town shall charge no fee for this preliminary consultation.
- II. **Preliminary Plat Review and Approval.**
 - A. **Submission.** Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat and a letter of application. The subdivider shall submit 16 copies of the Preliminary Plat, prepared in accordance with this Ordinance. The subdivider shall file copies of the Plat and the application with the Town Clerk at least 25 days prior to the meeting of the Plan Commission at which action is desired. The Town Clerk shall submit copies of the Preliminary Plat to the Plan Commission and to the Town Engineer for review. The Engineer shall promptly submit to the Plan Commission a written report of the Engineer's recommendations and reactions regarding the proposed plat.
 - B. **Supplementary Data Filed With Preliminary Plat.** The subdivider shall also file the following materials with the Preliminary Plat:
 1. **Preliminary Layout of Public Improvements.** The subdivider shall file four complete sets of engineering reports

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and preliminary plans for the construction of any public improvements required by this Ordinance, specifically addressing sewer and/or water service feasibility (size, location and grade), drainage facilities (size and location), traffic patterns, typical street cross sections, erosion control measures, pavement design and other improvements necessary to serve the subdivision.

2. **Preliminary Street Plans and Profiles.** The subdivider shall provide street layout and profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall meet the approval of the Town Board.
3. **Soil Testing.** The subdivider shall provide a preliminary soils report, listing the types of soil in the proposed subdivision, their effect on the subdivision and a proposed soil testing and investigation program. Pursuant to the land suitability concerns described in Section 1.03(V), the Town Board may require that borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to ground water table. Where the proposed subdivision will not be served by public sanitary sewer, the subdivider shall comply with Wis. Admin. Code. Chap. Comm. 85, delineating areas with three foot and six foot ground water and bedrock levels. Where the proposed subdivision is located, entirely or partially, within the boundaries of any Sanitary District, or where the nearest boundary of the proposed subdivision is located within 1320 feet of any Sanitary District boundary, such subdivision plans shall be submitted to such Sanitary District for approval.
4. **Restrictive Covenants.** The subdivider shall submit a draft of any proposed deed restrictions and restrictive covenants to the Town Clerk.
5. **Property Owners Association.** If the subdivider proposes that common property or common elements within a subdivision or condominium would be owned or maintained by an organization of property owners or a subunit of the Town pursuant to Wis. Stats. §236.293, the subdivider shall submit

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a draft of the legal instruments and rules for the proposed association.

6. **Use Statement.** A statement of the proposed use of lots stating the type of residential buildings with number of proposed dwelling units; types of business or industry intended to reveal the effect of the development on traffic, fire hazards and congestion of population.
7. **Zoning Changes.** If any zoning changes are contemplated, the proposed zoning plan for the area, including dimensions.
8. **Area Plan.** Where the subdivider owns or controls the development of property adjacent to that proposed for the subdivision, the subdivider shall submit a Preliminary Plat showing all of the property to preserve and protect the relationships between the proposed subdivision and future subdivision. In any event, all subdivisions must be shown to relate with existing or potential adjacent subdivisions in or outside the subdivider's control. Where in or within 1320 feet of a Sanitary District, the subdivider shall submit a sketch plan of the proposed method for extending sanitary sewers to, and through, the Area Plan. Where in or within 1320 feet of a Utility District, the subdivider shall submit a sketch plan of the proposed method for extending utility service to, and through, the Area Plan.
9. **Erosion Control and Storm Runoff.**
 - a. **Finding And Declaration Of Purpose.**
 - (1) The Town Board finds that urbanizing land uses have accelerated the process of soil erosion, runoff and sediment deposition in the waters of the Town of Roxbury. Therefore, it is declared to be the purpose of this article to control and prevent soil erosion and minimize storm-water runoff increases and thereby to preserve the natural resources, control floods and prevent impairment of dams and reservoirs, protect the quality of public waters, protect wildlife, protect the tax base, and protect and promote the health, safety and

SECTION 1.04(II)(B)(10)

general welfare of the people of the Town of Roxbury.

- (2) All Preliminary and Final Plats shall be in compliance with the Dane County Erosion Control Ordinance, Chapter 75, Dane County Code of Ordinances and Chapter 2, Town of Roxbury Ordinances.

b. Land-Disturbing Activities Subject To Erosion And Sediment Control.

- (1) General Requirement. Any owner, occupant or user who undertakes, commences or performs any land division activities; or who permits another person to do the same on land under said owner, occupant or user's control shall be subject to this section.

(a) Control Plan Required.

- i) Every land division involving construction of public improvements shall include a plan to control erosion, sedimentation and runoff which would result from the proposed activity with the design of the public improvements submitted to the Town Engineer for review.
- (2) Land divisions not involving construction of public improvements are exempted from the requirement of the submission of a control plan if: The proposed land division involves one acre or less of land, and the applicant agrees to install control devices and to implement control techniques which are deemed necessary to meet all applicable standards of this ordinance.

10. Environmental Assessment. The subdivider shall submit an environmental assessment in the format specified in Section 1.09. This assessment provides the basis for an orderly, systematic

SECTION 1.04(II)(B)(10)(a)((2))

review of the effects of all new subdivisions, minor subdivisions and condominiums upon the community environment. The Town Board and Plan Commission shall use this assessment to determine land suitability under Section 1.03(V). The purpose of this assessment is to eliminate or reduce pollution and siltation to an acceptable standard, assume ample living space per capita, preserve open space and parks for recreation, provide adequately for storm water control, maintain scenic beauty and aesthetic surroundings, administer to the economic and cultural needs of the citizens and provide for the effective and efficient flow of goods and services.

a. **Application.** The Environmental Assessment shall apply to all subdivisions, minor subdivisions and condominiums. The Plan Commission may waive the requirement for the filing of an environmental assessment for minor subdivisions of less than five acres total area.

(1) **Review.** The Plan Commission shall review the environmental assessment as soon as possible after submittal. The Plan Commission may, at that time, for reasons stated in a written resolution setting forth specific questions on which it requires research, data and input from the subdivider and other affected persons, decide that the preliminary environmental assessment raises unusually significant questions on the effects on the environment and that review by a Sanitary District, Utility District, and/or other Approving Authorities is required and/or that an unusually high level of citizen interest has resulted from questions raised in a preliminary assessment. The listing of questions may include items which this Ordinance already enables the Plan Commission to obtain, or it may include additional information which is relevant to the questions specified in the resolution. The resolution may also request data on the specific impact questions from other governmental agencies or from the subdivider. The resolution shall set a reasonable date for the return of the requested data and information, and it may specify the format in which the data is presented.

(2) **Hearing.** Following the return to the Plan Commission of the data required in the resolution adopted under

SECTION 1.04(II)(B)(10)(d)((1))

Section 1.04(II)(B)(10)(b), the Commission shall make such data available for scrutiny by the subdivider, by Town departments, commissions and Commissions and by other interested persons or agencies. The Plan Commission may schedule and hold a public hearing on the findings of the report which may be held at the same or a different time from the general hearing on the preliminary plat. The hearing shall be preceded by a Class I notice.

- b. **Review.** The Plan Commission shall review the Preliminary Plat as soon as possible after submittal. The Plan Commission may, at that time, for reasons stated in a written resolution setting forth specific questions on which it requires research, data and input from the subdivider and other affected persons, decide that the Preliminary Plat raises unusually significant questions on the effects on the environment and that review by a Sanitary District, Utility District, and/or other Approving Authorities is required and/or that an unusually high level of citizen interest has resulted from questions raised in a preliminary assessment. The listing of questions may include items which this Ordinance already enables the Plan Commission to obtain, or it may include additional information which is relevant to the questions specified in the resolution. The resolution may also request data on the specific impact questions from other governmental agencies or from the subdivider. The resolution shall set a reasonable date for the return of the requested data and information, and it may specify the format in which the data is presented.
- c. **Affidavit.** The surveyor preparing the Preliminary Plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and in full compliance with the provisions of this Ordinance.
- d. **Referral to Other Approving Authorities.**
 - (1) The Town Clerk shall, within two days of filing, transmit copies as provided in Wis. Stats. §236.12 (1995-96), as may be amended, which is incorporated herein by reference. Distribution shall be as follows:

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(i) three copies to the appropriate Sanitary District, if the subdivision is within the Sanitary District or within 1320 feet of the Sanitary District;

(ii) three copies to the appropriate Utility District, if the subdivision is within the Utility District or within 1320 feet of the Utility District

(iii) four copies to the County Planning Agency:

(iv) two copies to the supervisor of the Plat Review Section in the Wisconsin Department of Agriculture, Trade & Consumer Protection ("DATCP") as well as sufficient additional to said DATCP Supervisor for retransmission of two copies to the Wisconsin Department of Transportation ("DOT"), Division of Highways and Transportation services, if the subdivision abuts a state trunk highway, the Wisconsin Department of Commerce ("DCOMM") if the subdivision is not served by public sanitary sewer and provision for such service has not been made and/or the Wisconsin Department of Natural Resources ("DNR") if appropriate;

(v) one copy to the Town Engineer;

(vi) one copy to the Town Highway Superintendent; and,

(vii) adequate copies to the Plan Commission.

The County Planning Agency, DATCP, DOT, DCOMM, and DNR (collectively, "state and county approving authorities") shall be considered objecting or approving agencies as provided in Wis. Stats. §236.12, which is incorporated by reference. The Sanitary District, Utility District, Plan Commission and Town Board (collectively, "local approving authorities") shall have the same rights and obligations as the state and county approving authorities do under Wis. Stats. §236.12, except as otherwise expanded by this ordinance. The term "approving authorities" shall include both state and county approving authorities and local approving authorities.

The recommendations of the Plan Commission and Town Engineer shall be made within 30 days of the filing of the Preliminary Plat. The Town Engineer shall examine the plat and final plans and specifications of public improvements for technical details, conformance with Wisconsin Statutes, Town Ordinances

SECTION 1.04(II)(B)(10)(d)((2))(f)

(including this one), the Town Master Plans, the Town Official Map, sound engineering principles and, if found satisfactory, shall so certify in writing to the Plan Commission. If the plat or the plans and specifications are unsatisfactory, the Town Engineer shall return them to the subdivider and so advise the Plan Commission.

- (2) Within twenty days of the date of receiving the copies of the Preliminary Plat, any of the state and county approving authorities who object to the Preliminary Plat shall notify the subdivider, all state, and county approving authorities and the Town Clerk of any objections. Notwithstanding the foregoing, DATCP shall have thirty days to object. A Plat shall not be approved or deemed approved until any and all objections are satisfied. If there are no objections or all objections have been satisfied, the state and county approving authority shall so certify on the face of a copy of the Plat and shall return same to the approving authority from whom the Plat was received. If a state and county approving authority fails to act within the specified time limit, it shall be deemed to have no objection. Local approving authorities shall have the same rights and obligations to review, object to and/or approve, except that the time limit for providing any objections shall extend through the date of the public hearing on the Preliminary Plat before the Town Board.

- e. **Board Review: Public Hearing.** The Town Clerk shall schedule a public hearing on the Preliminary Plat before the Town Board. The Town Clerk shall give notice of the Town Board's review and public hearing on the Preliminary Plat by listing it as an agenda item in the Board's meeting notice published in the official Town newspaper. The notice shall include the name of the applicant, the address of the property in question and the requested action. Property owners within 1320 feet of the proposed land division shall receive written notice of the public hearing.
- f. **Board Action.** After review of the Preliminary Plat and negotiation with the subdivider on any changes deemed advisable and the kind and extent of public improvements which are necessary, the Town Board shall, within 90 days of the date the preliminary plat was filed with the Town Clerk,

SECTION 1.04(III)(B)

approve, approve conditionally or reject the plat. The Town Clerk shall provide written notice to the subdivider of any conditions for approval or the reasons for rejection. Failure of the Town Board to act within 90 days of filing shall constitute rejection of the Preliminary Plat, unless any approving agency files an objection or unless the review period is extended by agreement with the subdivider.

- g. **Effect of Preliminary Plat Approval.** Approval or conditional approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within six months of Preliminary Plat approval, conforms substantially to the Preliminary Plat layout and meets the conditions of Preliminary Plat approval, 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 Town Board at the time of its submission.

III **Final Plat Review and Approval.**

- A. **Submission.** The subdivider shall file a sufficient number of copies of the Final Plat within six months of the approval date of the Preliminary Plat. If the Final Plat is not submitted within said six months, the Preliminary Plat approval is deemed void unless extended by mutual agreement between the subdivider and the Town Board. The following additional items shall be filed with the Final Plat:
1. A title insurance commitment, title insurance policy, and/or other title evidence deemed suitable and/or necessary by the Town Attorney, current to within one week prior to filing, showing title or control in the owner or the subdivider.
 2. Six copies of the final plans and specifications of public improvements required by this Ordinance.
- B. **Transmission of Copies.** The Town Clerk shall, within two days of filing, transmit copies of the Final Plat in the same manner as required for Preliminary Plats under Section 1.04(II). In addition,

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copies shall be sent to the telephone, power and other utility companies that are expected to serve the subdivision. The following additional information shall be provided along with the Final Plat:

1. To the Town Attorney, the title insurance commitment or final policy and subdivision agreement, if appropriate; and,
 2. To the Town Engineer, final plans and specifications for public improvements, The Town Engineer shall examine the Final Plat and final plans and specifications for public improvements for technical sufficiency and, if satisfactory, shall so certify to the Plan Commission, If unsatisfactory, the Town Engineer shall return same to the subdivider and so advise the Plan Commission.
 3. The approving authorities shall review the Final Plat in the same manner as provided in Section 1.04(II)(d).
- C. **Objecting Agencies.** The objecting agencies shall, within 20 days of the date of receiving their copies of the Final Plat, notify the subdivider and all other approving and objecting agencies of any objections in the same manner noted for Preliminary Plats under Section 1.04(II)(d)(2).
- D. **Other Municipalities.** If the Final Plat lies within 1000 feet of any incorporated municipality, the Town Clerk shall give at least 15 days prior written notice to such municipality of the meeting at which the Final Plat is scheduled for final action by the Town Board.
- E. **Review.** The Town Board shall, within 60 days of the date of filing the Final Plat with the Town Clerk, approve or reject such Plat unless the time is extended by agreement with the subdivider. If the Plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons sent to the subdivider by the Town Clerk. The Town Board may not inscribe its approval on the Final Plat unless the Town Clerk certifies on the face of the Plat that the copies were forwarded to objecting agencies as required herein, the date thereof and that no objections have been filed within 20 days or, if filed, have been met. Failure of the Town Board to act within 60 days of filing, unless the time has been extended and/or unsatisfied objections have been filed, shall be deemed rejection of the plat.

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- F. **True Copies** If the original of the Final Plat has been filed with another approving authority, the subdivider may file a true copy of such plat in lieu of the original. However, before approval of the Town Board will be inscribed on the original of the Final Plat, the surveyor or the subdivider shall certify the respects in which the original of the Final Plat differs from the true copy, and all modifications must first be approved.
- G. **Certificate**. After the Town Board approves the Final Plat and required improvements either installed or a contract and sureties insuring their installation is filed, the Town Clerk shall execute the certificate inscribed upon the Plat attesting to such approval and return the Plat to the subdivider for recording with the county register of deeds.

IV **Replat Procedure.**

- A. **Replat**. Except when an assessor's plat is ordered pursuant to Wis. Stats. §70.27(1), when it is proposed to replat a recorded subdivision, or part thereof, so as to alter areas dedicated to the public, the subdivider or person wishing to replat shall vacate or alter the recorded plat as provided in Wis. Stats. §§236.40 through 236.45. The subdivider, or person wishing to replat, shall then proceed as specified in Sections 1.04(I) and (II).
- B. **Hearing**. The Town Clerk shall schedule a public hearing before the Plan Commission when a Preliminary Plat of a replat of lands within the Town is filed, and shall mail notices of the proposed replat and public hearing 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 1320 feet of the exterior boundaries of the proposed replat.

V. **Minor Subdivision - Certified Survey Procedure.**

- A. **Certified Survey Map**. When an owner or subdivider proposes to divide land into two or no more than four lots or parcels, any of which is less than 35 acres, or when an owner or subdivider proposes to divide a block, lot or outlot into not more than four lots or parcels within a recorded plat without changing the boundaries of said block, lot or outlot, the owner or subdivider may subdivide by

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use of a Certified Survey Map, prepared in accordance with Wis. Stats. §236.34 and this Ordinance.

- B. **Submission and Review.** The subdivider is encouraged to first consult with the Plan Commission regarding the requirements for certified surveys before submission of the final map. Following consultation, a sufficient number of copies of the final map in the form of a Certified Survey Map shall be submitted to the town. The Certified Survey shall be reviewed, approved or disapproved by the Plan Commission pursuant to the procedures used for Preliminary Plats in Section 1.04(II), including notice and hearing requirements.

VI

Recording a plat or certified survey.

Plats and certified surveys, approved by the Town Board of the Town of Roxbury, must be recorded together with the adopting resolution, with the Dane County Register of Deeds within thirty (30) days of the date of the last resolution of approval and not later than six (6) months following the date of the first resolution of approval. Land divisions shall not be recognized by the Town until recorded with the register of Deeds. The recording data provided by the Register of Deeds shall be filed with the Town Clerk prior to issuance of any permits. The subdivider shall file a reproducible mylar copy of the land division with the Town Clerk.

Section 1.05 Technical Requirements for Plats and Certified Surveys.

I.

Sketch Plan.

- A. Before submitting a preliminary plat for approval, the subdivider shall prepare a conceptual sketch plan of the proposed plat and shall file one original and ten (10) copies of the sketch plan accurately prepared on not smaller than 8 ½ inches by 11 inches with the Town Planning Commission. The sketch plan will be scheduled for review by the Town Planning Commission per their meeting schedule.
- B. The sketch plan shall cover the entire area proposed for development at the time, including rights-of-way for all adjacent roads and highways, utilities, driveways and wetlands, and shall be prepared in accordance with this ordinance. Where a subdivider owns or controls adjacent lands in addition to those proposed for

SECTION 1.05(I)(E)

development at that time, said subdivider shall submit a sketch plan for the development of the adjacent lands showing streets, utilities, driveways, wetlands, zoning districts, and other information as may affect the review of the conceptual sketch plan in question. The Town Planning Commission may waive these requirements where adjacent development patterns have already been established.

- C. The Town Planning Commission shall examine the Sketch Plan for conformity with the requirements of this ordinance and with the requirements of any other ordinances, statutes or administrative rules and regulations, and for compliance with the Town Land Use Plan. A report shall then be forwarded to the Town Board.
- D. The Town Planning Commission shall recommend, or conditionally recommend, that the subdivider proceed with the preparation and submittal of a preliminary plat, or shall reject the sketch plan. If approval or conditional approval to proceed with the preparation and submittal of a preliminary plat is recommended, the sketch plan shall be forwarded to the Town Board for consideration. The Town Board shall then approve or conditionally approve the sketch plan to allow the preparation and submittal of a preliminary plat, or reject the sketch plan. A letter shall be returned to the subdivider, said subdivider's surveyor or engineer with the date and action endorsed thereon; and if approved conditionally or rejected, the conditions of approval or reasons for rejection shall be endorsed thereon or attached thereto. Unless a written request to extend the review time is submitted by the subdivider to the Town Clerk within ninety (90) days of filing of the conceptual plat, the conceptual plat shall be automatically denied on the basis of the subdivider's failure to submit required information in a timely manner.
- E. Approval or conditional approval of a sketch plan shall entitle the preliminary plat to be filed, provided the preliminary plat conforms substantially to the sketch plan, including any conditions of that approval, conforms to any applicable local plans and ordinances, and is submitted within six (6) months of the last required approval of the sketch plan. If the sketch plan is approved, the preliminary plat must be filed within six (6) months or the sketch plan approval is void. Previous conceptual plat approvals shall not constitute grounds for approval upon resubmission.

II **Preliminary Plats.**

A. **General.** The Preliminary Plat shall be based upon a survey by a registered Land Surveyor and the plat prepared on mylar, 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:

1. Title under which the proposed subdivision is to be recorded, which shall not duplicate the name of any plat recorded in Dane County.
2. Location of proposed subdivision by government lot, recorded private claim, quarter section, township, range, county and state noted immediately under the name of the proposed subdivision.
3. Date, scale and north point referenced to a magnetic, true or other identifiable direction and related to either the nearest exterior line, east-west quarter line or north-south quarter line of a section in which the subdivision is situated.
4. Names and addresses of the owner, subdivider, and any agent having control of the land, mortgage holder, and land surveyor preparing the plat.
5. Entire area contiguous to the plat owned or controlled by the owner or subdivider shall be included in the plat, even if only a portion of said area is proposed for immediate development. The Plan Commission may waive this requirement where it is unnecessary to fulfill the purposes and intent of this Chapter and undue hardship would result from strict application thereof.
6. Such other information as required by Wisconsin Statutes, or as requested by the Plan Commission or Town Board for the purpose of adequately considering the proposed land division.

B. **Plat Data.** All Preliminary Plats shall show the following:

1. Exact location of the proposed subdivision indicated by distances and bearing with reference to the nearest exterior

SECTION 1.05(II)(B)(7)

line, north-south quarter line or east-west quarter line of a section in which the subdivision is situated and a corner established in U.S. Public Land Survey that establishes one end of this line. A description of the material of which the corner marker is composed. Exact distances and bearing of the exterior boundaries and the total acreage encompassed thereby. At least two permanent benchmarks shall be located in the immediate vicinity of the plat.

2. Contours at vertical intervals of not more than two feet where the slope of the ground surface is less than ten percent, and of not more than five feet where the slope of the ground surface is ten percent or more. Elevations shall be marked on such contours based on U.S.G.S. datum.
3. High water elevation of all lakes, streams, ponds, flowages and wetlands at the date of the survey and approximate high and low water elevations, all referred to U.S.G.S. datum, within the exterior boundaries of the plat or located within 100 feet therefrom.
4. 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.
5. Location and names of any adjacent subdivisions, parks, and cemeteries, and owners of record of abutting and adjacent lands within 1320 feet of the boundaries of the proposed land division.
6. Type, width and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations, all to U.S.G.S.datum.
7. Location, size and invert elevation of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch-basins, hydrants, electric and communication facilities, whether overhead or underground, the locations of the boundaries of Sanitary or Utility District located within

SECTION 1.05(II)(B)(17)

1320 feet, together with any requested amendment to those boundaries, and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by their direction and distance from the tract, size and invert elevations.

8. Locations of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, environmental corridors, railroad tracks and other similar significant features within the tract being subdivided or immediately adjacent thereto.
9. Location, width and names of all proposed streets and public ways.
10. Approximate dimensions and area in square feet of all lots together with proposed lot and block numbers.
11. 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 nonpublic uses not requiring lotting.
12. Locations and sizes of anticipated easements.
13. Approximate radii of all curves.
14. Existing zoning on and adjacent to the proposed subdivision.
15. Proposed zoning.
16. Town and corporate limit lines within the exterior boundaries of the subdivision or immediately adjacent thereto.
17. Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.

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18. Any proposed lake and stream improvement or relocation, and notice of application for Department of Natural Resources approval, where applicable.
19. Floodland and shoreland boundaries and the contour line lying a vertical distance of two feet above the elevation of the 100 year recurrence interval flood or, where such data is not available, two feet above the elevation of the maximum flood of record within the exterior boundaries of the plat or within 100 feet therefrom.
20. Soil types and their boundaries, as shown on the operational soil survey maps prepared by the U.S. Department of Agriculture, Soil Conservation Service.
21. Proposed erosion control and stormwater management measures.

C. SUPPLEMENTARY DATA TO BE SUPPLIED WITH PRELIMINARY PLAT.

1. Statement of the proposed use of lots stating type of residential buildings with number of proposed dwelling units; type of business or industry so as to reveal the effect of the development on traffic, fire hazards, and congestion of population.
2. Provisions for water supply.
3. Provisions for sewage disposal. If within or within 1320 feet of the Service Area of any Sanitary District, a layout of proposed sewerage mains, manholes, pumping stations and force mains, and other such sewerage appurtenances, together with such design calculations as are necessary to determine the adequacies of the sewerage facilities. If outside the Sanitary District, soils information pertaining to the suitability of the soils for on-site wastewater treatment systems.
4. The proposed zoning plan for the areas, including dimensions and acreage.

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5. Provisions for surface water management including both minor and major system components, detention/retention facilities, including existing and post development 100 year flood elevations, etc.
6. Title commitment, or certification by the owner of record of the property agreeing to the division of the lands.
7. Environmental Assessment Checklist and supplemental information.
8. Such other information as may be requested by the Town Engineer, Town Planner, Town Planning Commission, any Sanitary District, Utility District, or Town Board.

III Final Plat.

- A. **General.** A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of Wis. Stats. §236.20 and this Ordinance.
- B. **Additional Information.** The Final Plat shall also show the following information correctly on its face:
 1. Exact length and bearing of the center line of all streets.
 2. Exact street width along the line of any obliquely intersecting street.
 3. Railroad rights-of-way within and abutting the plat.
 4. Setbacks or building lines required by the Town Board.
 5. All lands reserved for future public acquisition or reserved for the common use of property owners within the Plat.
 6. Special restrictions required by the Town Board relating to access control along public ways or to the provision of planting strips.
 7. Exact location and description of street lighting and utility easements.

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8. Drainage arrows at all lot lines showing the direction of all drainage to public facilities upon final grading of the land.
 9. Notarized certification of the Owner(s) of the lands being divided and any mortgage holders of record authorizing the plat and the dedication of streets and public areas.
- C. **Supporting Documents.** The subdivider shall submit the following documents when filing the Final Plat:
1. **Covenants and Restrictions.** All restrictive covenants and deed restrictions for the proposed subdivision.
 2. **Property Owners Association.** The legal instrument(s) creating a property owners association for the ownership and/or maintenance of common lands in the subdivision.
 3. All certificates required by Wis. Stats. §236.21; in addition, the surveyor shall certify full compliance with all of the provisions of this Ordinance.
 4. A certification of attached information showing that all taxes and special assessments and other past due fees due on the property to be divided have been paid in full as verified by the Town Treasurer.
- D. **Survey Requirements.**
1. **Examination.** The Town Engineer shall examine all Final Plats within the Town and may check for the accuracy and closure of the survey, the proper kind and location of monuments, and legibility and completeness of the drawing.
 2. **Maximum Error of Closure.** 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 ten thousand (1:10,000), nor in azimuth, four seconds of arc per interior angle. If field measurements exceed this maximum, new field measurements shall be made until a satisfactory closure of

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the field measurements is obtained; the survey of the exterior boundary shall be adjusted to form a closed geometric figure.

3. **Street, Block and Lot Dimensions.** 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 checks disclose an error for any interior line of the plat greater than the ratio of one part in five thousand (1:5,000), or an error in measured angle greater than one minute of arc for any angle where the shorter side forming the angle is 300 feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than 300 feet in length, the error shall not exceed the value of one minute multiplied by the quotient of 300 divided by the length of the shorter side; however, such error shall not in any case exceed five minutes of arc.
4. **Plat Location.** Where the plat is located within a quarter section, the corners of which have been relocated, monumented and coordinated by the Town, the bearing and distance required by Wis. Stats. §236.20(3)(b) 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.
5. **Surveying and Monumenting.** All Final Plats shall meet all the surveying and monumenting requirements of Wis. Stats. §236.15 except as temporarily waived by the Town Board during grading of the land division and the subdivider provides any surety required for the monumentation. Such waivers shall terminate within 45 days of the commencement of grading activities.

IV

Certified Survey Map.

- A. **General.** When a subdivider proposes a minor subdivision, the subdivider shall submit a Certified Survey Map prepared by a

SECTION 1.05(IV)(D)

registered land surveyor in accordance with Wis. Stats. §236.34 and this Ordinance.

B. **Additional Information.** The Certified Survey Map shall also show the following information correctly on its face:

1. All existing buildings, watercourses, drainage ditches and other features pertinent to proper division.
2. Setbacks or building lines required by the Town Board.
3. All lands reserved for future acquisition.
4. Date of the Map.
5. Graphic scale.
6. Name and address of the owner, subdivider and surveyor.
7. Existing zoning on and adjacent to the proposed land division.
8. Square footage or acreage for each lot or parcel.

C. **Certificates.**

1. The surveyor shall certify on the face of the Map full compliance with all the provisions of this ordinance. The Plan Commission, after a recommendation by the reviewing agencies, shall certify its approval on the face of the Map.
2. Dedication of streets and other public areas shall require, in addition, the owner's certificate and the mortgagees' certificate in substantially the same form as required by Wis. Stats. §236.21(2)(a).

D. **Recording.** The subdivider shall record the Map with the Dane County Register of Deeds within thirty days of its approval by the Town Board and any other approving agencies. Failure to do so

SECTION 1.05(VI)(B)(2)

shall necessitate a new review and reapproval of the Map by the Town Board.

- V. **Subdivision Created by Successive Land Divisions.** When it is not practicable to require that a Final Plat of a subdivision created by successive divisions be filed in accordance with this section, the Town Board may in lieu thereof order an assessor's plat to be made under Wis. Stats. §70.27, and may assess the cost thereof as provided in such section, or to the subdivider. Regardless of the type of plat filed, any such subdivision shall comply with all provisions of this Ordinance to the extent that they may reasonably apply.

VI **Determination of Adequacy of Public Facilities and Services.**

- A. A sketch plan, preliminary plat, final plat, or certified survey shall not be approved unless the Town Planning Commission and the Town Board determine that adequate public facilities and public services are available to meet the needs of the proposed land division and that no public funds, other than those already provided in an adopted capital or operating budget, are required.
- B. Public facilities and public services for a proposed land division may be found to be adequate when either of the following conditions exists:
1. The proposed land division is located in the urban service area of a Sanitary District with adequate capacity, and where adequate sewer service is presently available for extension, under construction, or designated by the Sanitary District for extension of sewer service within the current capital budget year, and/or funds are specifically provided for such extension either from public or private financing. The Town Planning Commission and the Town Board shall consider the recommendations of the Sanitary District, and/or the Wastewater Treatment Operator and the appropriate Commission(s) on the capacity of trunk lines and of sewerage treatment facilities and any other information presented. No connections to the sewers of any Sanitary District shall be permitted without the written approval of the Sanitary District.
 2. Soils are adequate to provide for safe on-site wastewater treatment systems.

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- C. There are provisions for safe and adequate drinking water.
- D. Where the Town Planning Commission and the Town Board determine that one (1) 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.
- E. The above requirements shall not apply to those areas within the Town of Roxbury and within the Villages of Sauk City and Prairie du Sac Extraterritorial Limits. Areas within another municipality's Urban Service Area shall be required to connect to public water distribution and/or public sewerage system if determined by the Town Board to be feasible. If such connection(s) are not determined feasible, the proposed land division shall provide for adequate on-site systems and such special piping provisions as may be necessary to serve the anticipated development during the interim period until such public water and/or sewerage systems are determined by the Town Board to be feasibly available for connection to. The subdivider, and said subdivider's heirs and assigns, shall by written plat restriction agree to abandon the interim water and sewerage facilities and connect to the public water and sewerage facilities upon a determination by the Town Board that such facilities are available for feasible connection to.
- F. The provisions of (4) shall also apply to the provision of public sanitary sewer service to areas within 1320 feet of the boundaries of a Sanitary District.

VII

Fees For Review of Plats, Replats and Certified Surveys.

- A. **General.** The subdivider shall pay the Town the Utility District, and the Sanitary District all fees required herein and at the times specified. In the event fees are not timely paid, the Town shall not be required to take any further action with respect to the plat or certified survey map. Non-payment of fees shall be deemed sufficient cause for rejection of the plat or certified survey map.
- B. **Engineering Fee.** The subdivider shall pay a fee equal to the actual cost to the Town for all engineering work incurred by the

SECTION 1.05(VII)(E)

Town in connection with the plat or certified survey map, including inspections required by the Town. The subdivider shall pay a fee equal to the actual cost to the Town for such inspection as the Town Board deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Town or any other governmental authority. Subdivider shall pay the fee within fifteen (15) days of each billing by the Town Clerk.

- C. **Legal Fee.** The subdivider shall pay a fee equal to the actual cost to the Town for all legal services incurred by the Town in connection with the plat or certified survey map, including inspections required by the Town. The subdivider shall pay a fee equal to the actual cost to the Town for such legal services as the Town Board deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Town or any other governmental authority. Subdivider shall pay the fee within fifteen (15) days of each billing by the Town Clerk.
- D. **Sanitary District Review Fee.** The subdivider shall pay a fee equal to the actual cost to the Sanitary District for all engineering work and legal services incurred by the Sanitary District in connection with the plat or certified survey map, including inspections required by the Sanitary District. The subdivider shall pay a fee equal to the actual cost to the Sanitary District for such engineering work and legal services as the Sanitary District deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Sanitary District or any other governmental authority. Subdivider shall pay the fee within fifteen (15) days of each billing by the Sanitary District or Town Clerk.
- E. **Utility District Review Fee.** The subdivider shall pay a fee equal to the actual cost to the Utility District for all engineering work and legal services incurred by the Utility District in connection with the plat or certified survey map, including inspections required by the Sanitary District. The subdivider shall pay a fee equal to the actual cost to the Utility District for such engineering work and legal services as the Utility District deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Utility District or any

SECTION 1.05(VII)(G)(2)

other governmental authority. Subdivider shall pay the fee within fifteen (15) days of each billing by the Utility District or Town Clerk.

- F. **Administrative Fee.** The subdivider shall pay a fee equal to the cost of any legal, administrative or fiscal work which may be undertaken by the Town in connection with the plat or certified survey map, including but not limited to postage, publication costs, meeting fees, inspection costs, etc.
- G. **Escrow for Fees.** At such time as the subdivider submits a Preliminary Plat or Certified Survey Map for review by the Plan Commission and Town Board, it shall deposit with the Town Treasurer, in escrow, the sum required by the following schedule to guarantee the timely payment of all of the Town's fees:
1. Minor Subdivision (Certified Survey Map): \$300.00.
 2. Subdivisions - including Condominiums: \$1,000.00 for each five lots or units, up to a maximum of \$5,000.00.

In the event the amount deposited with the Town Treasurer falls below 25% of the amount required to be deposited, the Plan Commission or the Town Board shall have the option of requiring the subdivider to replenish the escrow to the original amount required hereunder. In the event subdivider withdraws his plat or minor subdivision, or same is approved, and money remains in escrow over and above the Town's fees, the excess shall be refunded to subdivider. The escrow account shall not draw interest for the benefit of subdivider. The Town Treasurer, with the approval of the Town Board, shall have the right to draw upon the escrow to reimburse the Town for the fees it has incurred in reviewing the minor subdivision or subdivision on a periodic basis. An accounting of all fees incurred by the Town and the status of the escrow shall also be provided to subdivider periodically. In the event the subdivider defaults in establishing or replenishing the escrow, the Town shall not be required to act further upon the subdivider's request. Failure to replenish the escrow shall be sufficient cause to reject the minor subdivision or subdivision.

SECTION 1.06(I)(A)

H. Preliminary Plat/Certified Survey Map Review Fee.

1. The subdivider shall pay a fee of \$250.00 plus \$10.00 for each lot or authorized dwelling unit within the Preliminary Plat or Certified Survey Map to the Town Treasurer at the time of first application for Preliminary Plat or Certified Survey Map approval to assist in defraying the cost of review.
2. The subdivider shall pay a re-application fee of \$50.00 to the Town Treasurer at the time of re-application for approval of any Preliminary Plat which has previously been filed.

I. Final Plat Review Fee.

1. The subdivider shall pay a fee of \$150.00 plus \$10.00 for each lot or authorized dwelling unit with the Final Plat to the Town Treasurer at the time of first application for Final Plat approval of said plat to assist in defraying the cost of review.
2. The subdivider shall pay a re-application fee of \$50.00 to the Town Treasurer at the time of re-application for approval of any Final Plat which has previously been reviewed.

- J. **Condominium Development Review Fee.** The subdivider shall pay a fee of \$50.00 plus \$5.00 for each unit shown on a condominium plat, less \$2.00 for each lot shown on a Preliminary Plat or Certified Survey Map for the same project.

Section 1.06 Required Improvements.

I. In General.

- A. In accordance with the authority granted by Wis. Stats. §236.13, the Town Board of the Town of Roxbury hereby requires that, the improvements prescribed in this Ordinance are required as a condition of approval of a land division. The required improvements described in this Ordinance shall be installed, furnished and financed at the sole expense of the subdivider. In the case of required improvements in a commercial or industrial area, the cost of such improvements may, at the sole discretion of the Town Board, be financed through special assessments.

SECTION 1.06(I)(E)

- B. **Non-Specified Standards.** The following required improvements in this Ordinance shall be installed in accordance with the engineering standards and specifications which have been adopted by the Town Board. Where standards and specifications have not been adopted, the improvements shall be made in accordance with good engineering practices, approved prior to the start of construction by the Town Engineer.
- C. **Compliance with Town Planning Documents.** The arrangement, character, extent, size, grade, and location of all streets and utilities shall conform to the Town Land Use Plan, the Official Map, the plans of any Sanitary District, the plans of any Utility District, and to this Chapter, and other Town planning documents and shall be considered in their relation to: existing and planned streets, reasonable circulation of traffic, topographical conditions, generation of sewage, run-off of storm water, public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets and utilities. The arrangement of streets and utilities in new subdivisions shall make provision for the appropriate continuation at the same or greater size and/or capacity in adjoining areas.
- D. **Areas or Facilities Not Covered by Town Planning Documents.** In areas not covered by the Land Use Plan, or Official Map, the layout of streets and utilities shall conform to the plan for the most advantageous development of adjoining areas of the neighborhood. Streets shall be designed and located in relation to existing and officially planned streets, topography and natural terrain, streams and lakes, and existing tree growth, public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets. Utilities shall be designed and installed to best serve the needs of the entire serviceable area, whether in or outside of the area of immediate development.
- E. **Survey Monumentation.** Before final approval of any plat or certified survey within the corporate limits of the Town of Roxbury the subdivider shall install monuments placed in accordance with the requirements of Chapter 236, Wisconsin Statutes or as may be required by the Town Board. All survey monumentation located adjacent to street or public rights-of-way, but not located within street pavement, shall be protected with steel fence posts erected near the survey monumentation. The Town Board may waive the

SECTION 1.06(II)(B)(1)

placing of monuments for a reasonable time during public improvement construction on condition that the subdivider executes a surety to insure the placing of such monuments within the time required. On behalf of the Town of Roxbury, the Town Clerk is authorized to accept such surety bonds and contracts for monumentation in an amount approved by the Town Board. Building permits shall not be issued until all survey monumentation for the block(s) of lots in which the lot(s) for which building permits are being applied for within the phase of the land division under development has been installed. When the land division includes an established $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{4}-\frac{1}{4}$, or other such section monument, the established monument shall be preserved and/or fully restored by the subdivider at said subdivider's cost.

- F. **Town Acceptance of Dedicated Public Rights-of-Way.** As a condition for the acceptance of the dedication of public rights-of-way, the Town shall require that all publicly dedicated rights-of-way identified on the plat or Certified Survey Map shall have installed all of the required public improvements as required by this Ordinance including, but not limited to, sewerage, storm drainage, grading, electrical and gas mains and services, grading and improvement to the streets and other public ways, sidewalk, bikeways, street signing, street lighting, traffic control and such other facilities required by the Town Board and set forth in the approval of the final plat of subdivision or Certified Survey Map.

II **Development Agreement.**

- A. **Contract.** Prior to installation of any required improvements and prior to approval of the Final Plat, the subdivider shall enter into a written contract with the Town requiring the subdivider to furnish and construct said improvements at the subdivider's sole cost and in accordance with plans and specifications and usual contract conditions, which shall include a provision for inspection of construction details by the Town Engineer.
- B. **Financial Guarantees.**
1. The agreement shall require the subdivider to make an escrow deposit or in lieu thereof to furnish a performance bond, the amount of the deposit and the penal amount of the bond to be equal to 125 percent of the Town Engineer's

SECTION 1.06(II)(B)(4)(b)

estimate of the total cost of the improvements to be furnished under the contract, including the cost of inspection. In the sole discretion of the Town Board, the subdivider may also assure payment for the improvements by filing an irrevocable letter of credit issued by a national or state chartered financial institution in the same amount running to the Town of sufficient duration to assure the completion of installation of the improvements.

2. On request of the subdivider, the contract may provide for completion of part or all of the improvements covered thereby prior to acceptance of the plat, and in such event the amount of the deposit, bond or letter of credit shall be reduced in a sum equal to the estimated cost of the improvements so completed prior to acceptance of the plat only. If the required improvements are not completed within the specified period, all amounts held under performance bond shall be turned over and delivered to the Town and applied to the cost of the required improvements. Any balance remaining after completion of such improvements shall be returned to the owner or subdivider. The Town Board, at its option, may extend the bond period for additional periods not to exceed two years each period.
3. The time for completion of the work and the several parts thereof shall be determined by the Town Board upon recommendation of the Town Engineer after consultation with the subdivider. The completion date shall form part of the contract.
4. A subdivider may petition the Town for the installation of one or more required public improvements through the Special Assessment B-Bond process as provided for in Wis. Stats. §66.54(10). The Town Board shall review all petitions for Special Assessment financing based on the following requirements:
 - a. the total cost of the public improvements petitioned must be greater than \$250,000; and
 - b. the public improvements must serve an area greater than the subject land division itself; and

SECTION 1.06(II)(B)(4)(f)

- c. the public improvements must serve to significantly enhance the safety and general welfare of the land division and the Town; and
- d. that only through the issuance of the Special Assessment financing can the Town achieve a benefit to the municipality that might otherwise not be obtained if performed by the Ordinance through private financing; and
- e. that only through the issuance of the Special Assessment financing can the Town achieve a benefit to the municipality which might not otherwise be obtained because of time constraints beyond the control of the Ordinance.
- f. if B-Bond Special Assessment is utilized the subdivider shall provide the Town with either a Certificate of Deposit, a Irrevocable Letter of Credit, or a Certified Check in a form approved by the Town Attorney in amount equal to one hundred and twenty (120%) percent of the B-Bond issuance, as surety to guarantee that the B-Bond timely payments can be made from the special assessments collected and/or purchased by the County. The surety shall also guarantee payment by the subdivider/Ordinance of all Town costs incurred. The Town is entitled to draw on the surety to make up any shortfalls or deficiencies in special assessment proceeds required in order to make payment on the B-Bonds or to cover delinquent cost payments. Upon written request from the subdivider from time to time, the Town Board is authorized to reduce the amount of the surety to reflect special assessment amounts which have been collected or received by the town; however, in no event shall the surety be allowed to be reduced to an amount less than 120% of the amount outstanding on the B-Bond.

After carefully reviewing each petition the Town Board shall determine if the petition for Special Assessment complies with all of the above requirements. If the Board determines that said petition meets all of the

SECTION 1.06(III)(A)(4)

requirements the Board may authorize a Special Assessment to install the public improvements. Approved Special Assessments shall be accomplished in full accordance with the terms and conditions of the Special Assessment resolution.

III

Construction Plans: Inspections.

A. Engineering Reports, Construction Plans and Specifications.

As required by Section 1.04(II)(B), preliminary engineering reports and plans shall be submitted with the filing of the Preliminary Plat. At the Final Plat stage, construction plans for the required improvements conforming in all respects with the standards of the Town Engineer and the ordinances of the Town shall be prepared at the subdivider's expense by a professional engineer registered in the State of Wisconsin under said engineer's seal. Such plans, together with the quantities of construction items, shall be submitted to the Town Engineer for approval and for estimation of the total cost of the required improvements; upon approval, they shall become a part of the required contract. Simultaneously with the filing of the Final Plat with the Town Clerk, or as soon thereafter as practicable, the subdivider shall furnish copies of the construction plans and specifications, together with the appropriate design calculations for the following public improvements, with a copy sent to the appropriate Sanitary District and to the appropriate Utility District.

1. **Street Plans and Profiles** showing existing and proposed grades, elevations and cross sections of required improvements.
2. **Sanitary Sewer** plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities, including sanitary pumping stations and forcemains
3. **Storm Sewer and Open Channel** plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials of required facilities.
4. **Water Main** plans and profiles showing the locations, sizes, elevations and materials of required facilities.

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5. **Erosion and Sedimentation Control** plans showing those structures required to retard the rate of runoff water and those grading and excavating practices that will prevent erosion and sedimentation. Such plans shall comply with the Town's Erosion Control Ordinance.
 6. **Planting Plans** showing the locations, age, caliper, species and time of planting of any required grasses, vines, shrubs and trees.
 7. **Additional** special plans or information as required by Town officials.
- B. **Action by the Town Engineer.** The Town Engineer shall review or cause to be reviewed the plans and specifications for conformance with the requirements of this Ordinance and other pertinent Town ordinances and design standards recommended by the Town Engineer and approved by the Town Board. If the Town Engineer rejects the plans and specifications, the Town Engineer shall notify the subdivider, who shall modify the plans or specifications or both accordingly. When the plans and specifications are corrected, the Town Engineer shall approve the plans and specifications for transmittal to the Town Board. The Town Board shall approve the plans and specifications before the improvements are installed and construction commenced.
- C. **Construction and Inspection.**
1. Prior to starting any of the work covered by the plans approved above, the subdivider shall obtain written authorization to start the work from the Town Engineer upon receipt of all necessary permits and in accordance with the construction methods of this Ordinance. The Town shall issue no building permits until all improvements required by this Ordinance are satisfactorily completed.
 2. Construction of all improvements required by this Ordinance shall be completed within two years from the date of approval of the Preliminary Plat by the Town Board, unless the subdivider demonstrates good cause for the Town Board to grant an extension.

SECTION 1.06(VI)(B)(3)

3. During the course of construction, the Town Engineer shall make such inspections as the Town Board deems necessary to insure compliance with the plans and specifications as approved. The subdivider shall pay the actual cost incurred by the Town for such inspections. This fee shall be the actual cost to the Town of inspectors, engineers and other parties necessary to insure satisfactory work.
- D. **"As Built" Plans.** After completion of all public improvements and prior to final acceptance of said improvements, the subdivider shall make or cause to be made three copies of record plans showing the actual location of all valves, manholes, stubs, sewers and water mains and such other facilities as the town Engineer shall require. These plans shall bear the signature and seal of a professional engineer registered in Wisconsin. The subdivider's presentation of the as built plans shall be a condition of final acceptance of the improvements and release of the financial security assuring their completion. The town shall retain two copies and forward one copy of such record plans to the appropriate Sanitary District and to the appropriate Utility District.

IV **Street Improvements.** The subdivider shall construct streets, roads and alleys as outlined on the approved plans based on the requirements of this Ordinance:

- A. **Street Construction Standards.** The design and construction of all roads, streets and alleys in the town shall fully comply with the requirements and specifications of Sections 1.07(I) and (II) of this ordinance.
- B. **Grading.**
 1. In cases where an existing street right-of-way is made a part of the plat or abuts the plat, the subdivider shall grade that portion of the right-of-way between the existing pavement and the property line.
 2. The subdivider shall grade the bed for the roadways in the street rights-of-way to subgrade elevation.
 3. Where electric and other communications or utilities facilities are to be installed underground, the subdivider shall grade the

SECTION 1.06(VI)(B)(4)(c)

utility easements to within six inches of the final grade prior to the installation of such facilities; earth fill piles or mounds of dirt or construction materials shall not be stored on such easement areas.

4. Grading Requirements: The subdivider shall grade each land division in order to establish street, block and lot grades in proper relation to each other and to the surrounding and adjacent topography as follows:
 - a. The subdivider shall grade the full width of the right-of-way of all proposed streets in accordance with the approved plans, including the grading of site triangles at each intersection.
 - b. Block grading shall be completed by one or more of the following methods:
 - (1) Regrading along the side or rear lot lines which provides for drainage to the public drainage facilities.
 - (2) Parts of all lots may be graded to provide for drainage to a ditch or to a swale, provided any ditches or swales are in public drainage easements.
 - (3) Draining across rear or side lot lines may be permitted provided that the course of drainage is within a public drainage easement and is toward public drainage facilities.
 - c. Lot grading shall be completed so that water drains away from each building site toward public drainage facilities at a minimum grade of two (2%) percent so that the lowest point of the building foundation fronting the street is one (1') to three (3') feet above the lowest point of the adjacent roadway centerline or as approved by the Town Highway Superintendent in writing. Provisions shall be made to prevent drainage onto properties adjacent to the land division unless to a public drainage facility.

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- d. Grading activities shall not result in slopes greater than 4:1 on public lands or lands subject to public access.
 - e. The topsoil stripped for grading shall not be removed from the site unless identified in the Erosion Control Plan approved by the Town Board/Highway Superintendent as not being necessary for erosion control or site landscaping purposes. Topsoil shall be uniformly returned to the lots when rough grading is finished. Topsoil piles shall be leveled and seeded for erosion control prior to the Town releasing the one year guarantee provision on public improvements in the streets adjacent to the lots on which the topsoil is stockpiled.
 - f. Such grading shall not result in detriment to any existing developed lands either within or outside of the town.
- C. **Street Construction.** After sanitary sewer, storm sewer, water, and other necessary utilities have been installed, the subdivider shall construct and dedicate as part of the subdivision, streets and curbs and gutters. The subdivider shall surface roadways to the widths prescribed by Sections 1.07(I) and (II). Construction shall meet Town standard specifications for street improvements.
- D. **Completion of Street Construction.**
- 1. Prior to issuance of any building permits by the Town for lands adjacent to streets, all street construction shall be completed by the subdivider, approved by the Town Engineer and accepted by the Town Board.
 - 2. The Town Board may issue a waiver of these requirements in unusual or special circumstances such as excessively severe weather conditions, heavy construction temporarily in area or construction material shortages (such as cement or asphalt). The issuance of a waiver shall be at the sole discretion of the Town Board.
 - 3. The subdivider requesting a waiver shall do so in writing, presenting such information and documentation as required by the Town Board. The waiver shall detail which

SECTION 1.06(V)(E)

improvement requirements are temporarily waived and for what period of time.

- E. **Curb and Gutter.** After the installation of all utility and storm water drainage improvements, the subdivider shall construct concrete curbs and gutters in accordance with plans and standard specifications approved by the Town Board. Wherever possible, provision shall be made at the time of construction for driveway access curb cuts.

V **Sanitary Sewerage.**

- A. The subdivider shall provide a sanitary sewerage system in conformity with the master plan of sewers as approved by the Town Board and/or Sanitary District.
- B. The subdivider shall make adequate sewerage disposal systems available to each lot within the subdivision or minor subdivision. Sanitary sewer laterals shall be stubbed out to the street right-of-way line of each lot, capped watertight, and marked with a steel fence post.
- C. Subdivisions and minor subdivisions in the Urban Service Area shall be served by public sewer facilities. The size, type, and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and specifications approved by the appropriate Sanitary District.
- D. Minor subdivisions outside the Urban Service Area may be served by private sewage disposal systems, if public sewer facilities are not available. Private sewage disposal systems shall comply with Wis. Admin. Code Comm. 83.09, 85.06 and with the Dane County Code of Ordinances, Chapter 46, Private Sewage System Ordinance and Health Ordinance. The subdivider shall provide service laterals to all lots.
- E. The subdivider shall pay all the costs of all sanitary sewer work including the bringing of the sanitary sewer from where it exists to the subdivision in question as well as providing all pumping stations and forcemains and other sanitary sewer work within and/or necessary to serve the subdivision. The size, type and installation of all sanitary sewers proposed to be constructed shall be in

SECTION 1.06(VI)(C)

accordance with plans and standard specifications approved by the appropriate Sanitary District serving the area.

- F. The minimum size for public sanitary sewers shall be eight inches in diameter.
- G. Sanitary sewer improvements shall be sized and installed to accommodate all the drainage basin within the Sanitary District Sewer Service Area.
- H. All sanitary sewers shall be inspected by televising at the subdivider's expense. The subdivider shall provide the Sanitary District with a copy of the video inspection and written report to the Sanitary District before acceptance of the improvements by the District.
- I. All sanitary sewers shall be designed and constructed in accordance with the ordinances, standards, and guidelines of the Sanitary District.
- J. In the absence of sewer specifications in this ordinance the *Standard Specifications for Sewer and Water Construction in the State of Wisconsin* shall be considered the minimum requirements of this ordinance.

VI

Water Supply.

- A. The subdivider shall insure that adequate domestic water supplies can be made available via on-site wells to serve each lot within the subdivision or minor subdivision.
- B. When the subdivision is located within an Urban Service Area, or when otherwise available, the subdivider shall construct water mains in such a manner as to make adequate water service available to each lot within the subdivision or minor subdivision. The size, type, and installation of all public water mains proposed to be constructed shall comply with plans and specifications approved by the appropriate Sanitary District. Water service laterals shall be provided to all lots.
- C. The minimum size for public water mains shall be eight inches in diameter.

VII **Storm Water Drainage.**

- A. The subdivider shall provide storm water drainage facilities which may include curb and gutter, catch basins and inlets, storm sewers, detention systems, road ditches and open channels, as are necessary. Storm sewers shall be of adequate size and grade to hydraulically accommodate the ten year frequency storm; culverts shall be designed to accommodate the ten year frequency storm and shall be sized so that the 25 year frequency storm does not cause flooding of the adjacent roadway. Storm water swales and ditches shall be sized for the 100 year frequency storms, with additional flood way width beyond the swale and ditch depending upon the estimated amount of damage that would be incurred by adjacent properties if flooding did occur. Storm drainage facilities shall be designed to minimize hazards to life or property, and the size, type and installation of all storm water drains and sewers proposed to be constructed shall comply with the plans and specifications approved by the Town Board, upon the recommendation of the Town Engineer.

VIII **Other Utilities.**

- A. Service Location Markings. The ends of any water services from joint wells, and/or sewer service laterals, and/or other utility service lines for each lot shall be accurately measured and recorded with the Town Clerk and marked in the field with appropriate staking.
- B. The subdivider shall cause gas, electric power and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision or minor subdivision.
- C. The subdivider shall cause gas, electric power and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision or minor subdivision. All new electrical distribution, television cables and telephone lines from which lots are individually served shall be underground unless the Town Board specifically allows overhead poles for the following reasons:
1. Topography, soil, water table, solid rock, boulders, or other physical conditions would make underground installation unreasonable or impractical; or

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2. The lots to be served by said facilities can be served directly from existing overhead facilities.
 - D. Plans indicating the proposed location of all gas, electric power and telephone distribution and transmission lines required to service the plat shall be approved by the Town Board and such map shall be filed with the Town Clerk.
- IX **Street Signs.** The subdivider shall install, have installed, or reimburse the Town for the costs of all traffic control signing, posts, and street name signs of a design and installation specified by the Town Engineer to be dedicated to the public.
- X **Street Trees.**
- A. The subdivider shall plant in the terrace area at least one tree of a species acceptable to the Town Board at least six feet in height for each 50 feet of frontage on all streets proposed to be dedicated. The required trees shall be planted in accordance with plans and specifications approved by the Town Board.
 - B. No person shall plant or maintain in the terrace area any tree of the species Populus Deltoides, commonly called the "Cottonwood," Black Locust, Red Oak, the seedbearing "Box Elder" or Acer Negundo, which may now or hereafter become infested with Box Elder bugs, Russian Olive, White Poplar, Native Elm, Lombardy Poplar, any evergreen or fir tree, any fruit or nut tree, or any other species, which in the opinion of the Town Board, will constitute a nuisance to the public or adjoining property owners or interfere with the safety of the public. Required terrace trees shall be at least three feet tall at planting.
 - C. "Terrace Areas" means the land between the normal location of the street curbing and sidewalk. Where no sidewalk exists, the area six feet from the curb line shall be deemed to be a terrace for the purpose of this Ordinance.
- XI **Erosion Control During Construction.** To minimize erosion during construction, the subdivider shall cause all grading, excavations, open cuts, side slopes, and other land surface disturbances to be mulched, seeded, sodded or otherwise protected so that erosion, siltation, sedimentation and washing are prevented. The subdivider shall submit

SECTION 1.06(XIII)(C)

an erosion control plan that specifies measures that will be taken to assure the minimization of erosion problems.

- XII **Fences Adjacent to Agricultural Lands.** When the land included in a subdivision or minor subdivision abuts upon or is adjacent to land used for farming or grazing purposes, the subdivider shall erect, keep, and maintain partition fences, satisfying the requirements of the Wisconsin Statutes for a legal and sufficient fence, between such land and the adjacent land. A covenant binding the owner and the subdivider, their grantees, heirs, successors, and assigns to erect and maintain such fences, without cost to the adjoining property owners, so long as the land is used for farming or grazing purposes, shall be included upon the face of the Final Plat or Certified Survey Map.

XIII **Easements.**

- A. **Utility Easements.** The Town Board, on the recommendation of appropriate agencies serving the town, shall require utility easements for poles, wire, conduits, storm and sanitary sewers, gas, water and head mains or other utility lines. It is the intent of this Ordinance to protect all established easements so as to assure proper grade, assure maintenance of the established grade, prohibit construction of permanent fences or retaining walls over underground installation and prevent the planting of trees in the easement area.
- B. **Easement Locations.** Such easements shall be at least twelve feet wide, or wider where recommended by the Town Engineer, and may run across lots or alongside of rear lot lines. Such easements should preferably be located along rear lot lines. Evidence satisfactory to the Town Board shall be furnished to the Town Board that easements and any easement provisions incorporated in the plat or in deeds have been reviewed by the individual utility companies or the organization responsible for furnishing the services involved.
- C. **Drainage Easements.** Where a subdivision is traversed by a watercourse, drainage way, channel or stream:

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1. The subdivider shall provide a storm water easement or drainage way conforming substantially to the lines of such watercourse and such further width or construction, or both, as will be adequate for the purpose and as may be necessary to comply with this section; or
2. The watercourse, drainage way, channel or stream may be relocated in such a manner that the maintenance of adequate drainage will be assured and the same provided with a storm water easement or drainage way conforming to the lines of the relocated watercourse, and such further width or construction, or both, as will be adequate for the purpose and may be necessary to comply with this section.
3. Wherever possible, it is desirable that drainage be maintained by an open channel with landscaped banks or protected and adequate width for maximum potential volume flow. In all cases, such water course shall be of a minimum width established at the high-water mark or, in the absence of such specification, not less than 30 feet. If, in the opinion of the Town Engineer, the easement will be for a major drainage swale, the easement shall be of sufficient width to contain a 100 year frequency storm. If the drainage easement is located in an established flood way or flood fringe district, the entire floodplain area shall be included within the drainage easement.

XIV **Street Lamps.** The subdivider shall install, have installed, or reimburse the Town for the costs of street lamps along all streets proposed to be dedicated of a design compatible with the neighborhood and type of development proposed. Such lamps shall be placed at each street intersection and at such interior block spacing as the Town Board requires upon the recommendation of the Town Highway Superintendent.

XV **Sidewalks.** Sidewalks are required for the rights-of-way of arterial streets and collector streets, as well as in high traffic areas such as the vicinity of schools, commercial areas and other areas of public assemblage. In addition, the Town Board may require sidewalks, upon the recommendation of the Town Engineer, in other locations where necessary for safe and adequate pedestrian circulation.

Section 1.07 Design Standards.**I Street Design.**

- A. **Compliance with Statutes.** In laying out a subdivision, the subdivider shall conform to the provisions of Wis. Stats. Chap. 236 and all applicable Town regulations. All streets and roads shall comply with Wis. Stats. §86.26. In all cases where the requirements of this Ordinance are different from the requirements of Chapter 236 or §86.26, the more restrictive provision shall apply.
- B. **Dedication.** The subdivider shall dedicate land and improve streets as provided in this Ordinance. Streets shall be located with due regard for topographical conditions, natural features, existing and proposed streets, utilities and land used and public convenience and safety. The subdivision or minor subdivision shall be designed to provide each lot with satisfactory access to a public street or road.
- C. **Compliance with Master Plan and Official Map.** The arrangement, character, extent, width, grade and location of all streets shall conform to any Town Master Plan and Official Map and to this Ordinance and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to run-off of storm water, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. The arrangement of streets in new subdivisions shall make provision for the appropriate continuation at the same width of the existing streets in adjoining areas.
- D. **Areas not Covered by Official Map or Master Plan.** In areas not covered by a Town Master Plan or Official Map, the layout of streets shall conform to the plan for the most advantageous development of adjoining areas of the neighborhood. Streets shall be designed and located in relation to existing and officially planned streets, topography and natural terrain, streams and lakes and existing tree growth, public convenience and safety and in their appropriate relation to the proposed use of the land to be served by such streets. Streets shall be laid out without offsetting intersections (within 250 feet of each other for local streets, within 500 feet of each other on arterial and collector streets).

SECTION 1.07(I)(F)

- E. **Street Classifications.** Streets shall be classified as indicated below:
1. **Arterial Streets.** Arterial streets shall provide through traffic for a heavy volume of vehicles.
 2. **Collector Streets.** Collector streets shall provide ready collection of traffic from commercial and residential areas and conveyance of this traffic to the arterial street and major thoroughfare system. Collector streets shall relate properly to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the major streets into which they feed.
 3. **Local Streets.** Local streets shall 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 property.
 4. **Proposed Streets.** Proposed streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Town Board, such extension is unnecessary or undesirable for the coordination of the layout of the subdivision or land division or for the advantageous development of the adjacent tracts.
 5. **Proposed Street Names.** New street names shall not duplicate existing street names nor be so similar to existing street names that they may be confused with other streets in the emergency response area of any EMT service or Fire Department providing such services to the Town. Continuations of existing streets shall use the same name. The Plan Commission and Town Board shall approve each street name.
- F. **Reserve Strips.** Reserve strips are prohibited on any plat to control access to streets or alleys, except where control of such strips is placed with the Town under conditions approved by the Town Board.

SECTION 1.07(I)(K)(2)

- G. **Alleys.** Alleys are permitted in commercial and industrial districts for off-street loading and service access, but are prohibited in residential districts. Dead-end alleys are prohibited. Alleys shall not connect to a major thoroughfare.
- H. **Continuation.** Streets shall be laid out to provide for possible continuation wherever topographic and other physical conditions permit. All proposed streets shall have a direct connection with, or be continuous and in line with, existing, planned or platted streets with which they are to connect. Proposed streets shall extend to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Town Board, such extension is unnecessary for the coordination of the layout of the subdivision with existing layout or the most advantageous future development of adjacent tracts. Dead-end streets not over 500 feet in length with a Cul-de-sac or turn-around approved by the Town Engineer are permitted when necessitated by the topography.
- I. **Number of Intersections.** The number of intersections of local streets with major streets shall be the practical minimum consistent with circulation needs and safety requirements, preferably not more than two.
- J. **Frontage Roads.** Where a subdivision abuts or contains an existing or proposed major thoroughfare, the Town Board may require a frontage road, non-access reservation along the rear of the property contiguous to such thoroughfare or such other treatment as may be necessary to ensure safe, efficient traffic flow and adequate protection of residential properties.
- K. **Private Roads.** Private roads are prohibited, except as part of a condominium development, and the town Board shall not permit installation of public improvements in any private road.
 - 1. All private roads shall be designed and constructed to provide access by emergency responders and emergency vehicles.
 - 2. All private roads shall be platted as outlot. Every outlot designated as for a private road shall have deed restrictions recorded with the Dane County Register of Deeds, giving enforcement powers to the Town, before a building permit will

SECTION 1.07(I)(L)(5)

be issued for a structure on any property served by said private road.

3. The deed restriction shall require the land owners served by the private road to provide for maintenance of the road.
4. If the property owners fail to fulfill their obligations, then the deed restrictions shall give full authority to the Town to fulfill those conditions, and then assess all costs associated with said action, including legal fees, if any, to the property owners served by the road.
5. Each property served by a private road shall have deed restrictions recorded indicating their responsibility for the private road and outlot.

L. **Private Road Construction Standards and Specifications.** All private roads shall be designed by a Wisconsin registered professional engineer, registered land surveyor, or equivalent, and shall be approved by the Town of Roxbury Engineer prior to construction. Private roads shall conform to the following minimum specifications and criteria:

1. The minimum traveled road width shall be sixteen (16) feet for roads serving two or more parcels.
2. The roadbed shall be stripped of topsoil and vegetation down to a hard firm subgrade. A minimum of ten (10) inches of crushed aggregate base course shall be placed on the roadbed and compacted.
3. Private roads serving more than three (3) dwelling units shall be paved with bituminous or concrete pavement.
4. It is permissible to provide for overland flow where the terrain is gentle and rolling. In such instances, the existing ground can be matched.
5. Where cut or fill sections are needed to provide a reasonable profile grade line, the back slopes and fore slopes shall be constructed to a 3:1 section.

SECTION 1.07(I)(O)(3)

6. In all drainage swales crossed by the private road, a culvert shall be provided.
- M. **Visibility.** Streets shall afford maximum visibility and safety and shall intersect at right angles where practicable. As required by the Town Engineer, sufficient vision clearance triangles shall be provided at intersections. Stopping sight distances shall be provided to comply with Chap. 3, "A Policy of Geometric Design of Highways and Streets," latest edition, published by the American Association of State Highway and Transportation Officials (AASHTO).
- N. **Tangents.** A tangent at least 100 feet long shall be required between reverse curves on arterial and collector streets. On all roads, a tangent at least 100 feet long shall be provided between the curve and any intersection.
- O. **Street Grades.**
 1. Unless necessitated by exceptional topography subject to the approval of the Town Board, the maximum centerline grade of any street or public way shall not exceed the following:
 - a. Arterial streets: six percent.
 - b. Collector streets: seven percent.
 - c. Local streets, alleys and frontage streets: ten percent.
 - d. Pedestrian ways: twelve percent unless part of an ADA accessible route, in which case the design shall meet all ADA requirements. The grade of any street shall in no case exceed eleven percent or be less than one-half of one percent.
 2. Street grades shall be established wherever practicable so as to avoid excessive grading, the excessive removal of ground cover and trees, and general leveling of the topography.
 3. All street grade changes shall be connected by vertical curves of a minimum length equivalent in feet to forty times the algebraic difference in the rate for collector roads and thirty

SECTION 1.07(I)(S)

times the difference for local roads. Major roads shall conform to "A Policy of Geometric Design of Highways and Streets," latest edition, of the AASHTO.

- P. **Radii of Curvature.** When a continuous street centerline deflects at any one point by more than one degree, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

1. Arterial streets and major thoroughfares: 500 feet.
2. Collector streets: 300 feet.
3. Local streets: 150 feet.

Curves should be provided when centerline deflections exceed one degree in rural areas and in urban areas when deflection exceeds three degrees.

- Q. **Half Streets.** Where an existing dedicated or platted half-street is adjacent to the subdivision, the subdivider shall dedicate the other half-street. The platting of half-streets should be avoided where possible.

- R. **Intersections.**

1. Property lines at street intersections of major thoroughfares shall be rounded with a radius of fifteen feet or greater where the Town Engineer considers it necessary.
2. Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.
3. Number of streets converging at one intersection shall be reduced to a minimum, preferably not more than two.

- S. **Street Names.** New street names shall not duplicate the names of existing streets, but streets that are continuations of others already in existence and named shall bear the names of the existing streets. Street names shall be subject to approval by the Plan Commission and Town Board.

T. **Cul-de-sacs.**

1. **Cul-de-sacs.** Cul-de-sac streets designed to have one end permanently closed shall not exceed 500 feet in length and shall have a straight or nearly straight alignment that permits the end of the Cul-de-sac to be readily visible from the through street. 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 70 feet and a minimum inside edge of pavement radius of 52 feet. The use of Cul-de-sacs should be avoided where possible. Cul-de-sacs shall be provided with a "Dead End" sign visible from the through street.
2. **Temporary Dead-ends or Cul-de-sacs.** All temporary dead-ends shall have a maximum length of 800 feet and a temporary Cul-de-sac shall have a minimum right-of-way radius of 60 feet and a minimum inside curb radius of 45 feet.

U. **Major Thoroughfare and Railroad Right-of-way Treatment.**

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

1. **Subdivision Lots.** 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 of at least 30 feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. This strip shall be part of the platted lots but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees and shrubs; the building of structures hereon prohibited."
2. **Commercial and Industrial Districts.** Commercial and industrial districts shall have provided, on each side of the major thoroughfare or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad for the appropriate use of the land between such streets and highway or railroad, but not less than 150 feet.

SECTION 1.07(II)(A)(3)

3. **Streets Parallel to a Major Thoroughfare.** Streets parallel to a major thoroughfare or railroad right-of-way, when intersecting a major street or collector street which crosses said railroad or highway, shall be a minimum distance of 250 feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
4. **Local Streets.** Local streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of local streets immediately adjacent to arterial streets and highways and to railroad rights-of-way shall be avoided in residential areas.

II

Street Dedication and Construction.

A. General Requirements.

1. **Construction Standards.** All roadway construction and materials used shall be installed in accordance with the construction methods as listed in the appropriate sections of the "State of Wisconsin Department of Transportation Standard Specifications for Highway and Structure Construction" and its supplements, and this Ordinance, whichever is more restrictive. The design requirements of this Ordinance shall apply to all streets and roads proposed for dedication to the town, regardless of whether such streets or roads are part of a new subdivision or minor subdivision.
2. **Project Costs.** All roadway surveys, dedications, plans and specifications and construction will be at the expense of the subdivider. This includes any expense incurred by the Town in the preparation of plans and review and inspection of plans and construction.
3. **Preliminary Consultation.** Prior to the design, preparation and construction of any roadway to be dedicated to the Town, the subdivider shall notify the Town Clerk, who will arrange an on-site meeting attended by the Town Engineer and the

SECTION 1.07(II)(A)(8)

subdivider. Plans must be provided in order for the Town Engineer to check the design and the drainage.

4. **Material Slips.** Copies of material slips for all materials furnished for road construction projects shall be delivered to the Town Engineer before the Town approves the final construction.
5. **Required Inspections.** Although the Town Engineer may conduct inspections as necessary at any state of construction, the subdivider shall contact the Town Engineer for required inspections after the following phases of construction by the subdivider:
 - a. Sanitary Sewer installation;
 - b. Subbase grading;
 - c. Crushed aggregate base course;
 - d. Bituminous surface course; and
 - e. Shouldering.

Any deficiencies found by the Town Engineer shall be corrected before proceeding to the next phase of construction.

6. **Tests of Materials.** The Town reserves the right to obtain a sample of the roadway base material prior to installation in the roadway to determine whether the material meets gradation and soundness requirements.
7. **Pavement Samples.** The Town reserves the right to take samples of bituminous asphalt during pavement construction operations for purposes of determining that the material meets specifications.
8. **Highway Commission Approval.** The finished roadway shall require the approval of the Dane County Highway Commission, since the Town will include this road work in its annual request for highway aid.

SECTION 1.07(II)(B)(4)(b)

- B. **Construction Standards.** All streets and highways constructed in the Town or to be dedicated to the town shall fully comply with the following construction standards:
1. **Right-of-Way Width.** All streets shall be platted with a right-of-way width necessary to accommodate pavements, shoulders, ditch sections, utilities, and all other street features and fixtures, but not less than that required by an approving authority and/or the following:
 - a. Arterial streets: Minimum of 80 feet or as required by the State or Dane County Highway Departments.
 - b. All other streets and roads: Minimum of 66 feet.
 - c. Cul-de-sacs and bulb radius: Minimum of 70 feet radius.
 - d. Alleys: Minimum of 24 feet.
 - e. Pedestrian ways: Minimum of 12 feet.
 2. **Roadway Alignment Details.** As specified in this Ordinance or in Chapter 12 of the Dane County Code of Ordinances, whichever is more restrictive.
 3. **Roadway Ditches.** Minimum ditch slope of 0.50%.
 4. **Roadway Base Thickness.**
 - a. Residential and rural roads and streets shall have a minimum roadway base thickness of eight inches of compacted in-place crushed aggregate base course of gradation No. 2 in the top layer and gradations No. 1 and No. 2 in the lower layer.
 - b. On commercial, arterial or other heavy-use roads, as determined by the Town Board, a base course of ten inches compacted shall be constructed upon an inspected and approved subgrade, either well-graded crushed gravel from a state-approved pit with a maximum stone of one and one-half inches and no greater than ten percent by weight passing a No. 200 sieve or No. 3 crushed rock approximately six inches in

SECTION 1.07(II)(B)(6)

depth and one or more layers of fine aggregate, either three-fourths inch crushed gravel, well-graded with no greater than ten percent passing a No. 200 sieve, or three-fourths inch traffic-bound crushed rock.

- c. In the case of commercial, arterial or other heavy-use roads, the Town Board may, as an alternative to the above standards, have the Town Engineer provide specifications for such roads after researching the site(s) and conducting a soil analysis.
 - d. In any case, the Town Board shall have the sole discretion to determine the use and construction classification to follow.
 - e. In all cases, the base course shall be compacted to the extent necessary to produce a condition in which no appreciable displacement of material laterally and longitudinally under traffic shall occur and shall conform to line, grades and shape shown on the approved plans, profiles and cross sections.
5. **Roadway Sub-Base.** Stable and non-organic material required. Unstable and organic material must be subcut, removed, and replaced with a suitable granular or breaker-run material approved by the Town Engineer.
6. **Pavement Width.** Minimum of 36 feet face of curb to face of curb for Urban Service Area local streets, 40 feet face of curb to face of curb for collector streets or streets serving commercial or industrial areas, as shown on Figure 1 attached hereto and incorporated herein, 22 feet for rural roads, and wider when required by the "Town Road Standards" as noted in Wis. Stats. §86.26, or by the Town Subdivision Ordinance, or by the recommendation of the Town Engineer based on projected traffic and parking requirements, the more restrictive of which shall apply. Figure 2, attached hereto and incorporated herein, illustrates the standard rural cross section. Rural roads shall comply with the specifications for Urban Service Area local streets if located in an area that in the Town Board's opinion might be annexed to the Urban Service Area within five years.

SECTION 1.07(II)(B)(12)

7. **Pavement Thickness.** Residential and rural roads shall have a minimum of three inches thick compacted hot mix bituminous pavement, placed in two layers: a binder course of 1-1/2 inches thick and a surface course of 1-1/2 inches. Commercial, arterial or other heavy-use roads shall have a minimum of 4 inches of hot mix bituminous pavement, placed in two layers a binder course of two inches thick and a surface course of 2 inches. In the case of commercial, arterial or other heavy-use roads, the Town Board may, as an alternative to the above standards, have the Town Engineer provide specifications for paving such roads after researching the site(s) and conducting a soil analysis. In any case, the Town Board shall have the sole discretion in determining the use and construction classification utilized.
8. **Shoulder Width.** Minimum of four feet wide on each side and wider when required by the "Town Road Standards" as noted in Wis. Stats. §86.26.
9. **Shoulder Thickness.** Minimum of 2-1/2 inches of compacted in-place crushed aggregate base course - gradation No. 2 or No. 3 over a minimum of eight inches of compacted in-place crushed aggregate base course.
10. **Roadway Culverts and Bridges.** Roadway culverts and bridges shall be constructed as directed by the Town Engineer and sized utilizing the methods listed in Chapter 13, entitled "Drainage," of the "Facilities Development Manual" of the Wisconsin Department of Transportation.
11. **Driveway Culverts.** The Town Highway Superintendent shall size driveway culverts. The culverts shall be placed in the ditch line at elevations that will assure proper drainage, and provided with concrete, metal or landscape timber end walls. The minimum size shall be 18 inch diameter or the equivalent elliptical size with a minimum 9 inches of cover of the top of the culvert.
12. **Topsoil, Grass, Seed, Fertilizer and Mulch.** All disturbed areas (ditches, back slopes) within the road right-of-way not provided with pavement and shouldering material shall be restored utilizing four inches of topsoil and good quality grass

SECTION 1.07(IV)(A)

seed, fertilizer and mulch. Ditches along the roadway with greater than a 2.5% longitudinal slope shall be protected by erosion control materials such as hay bales, sod, or erosion control mats.

13. **Drainage Improvements.** In the case of all new roads and streets, the Town Board may require the subdivider to construct stormwater retention areas and storm sewers to provide for proper drainage.

III **Block and Lot Design Standards.**

- A. **Block Length; Arrangement.** The lengths, widths and shapes of blocks shall be appropriate for the topography and the type of development contemplated, but block length in residential areas shall not exceed 1,200 feet nor have insufficient width to provide for two tiers of lots of appropriate depth between street lines. As a general rule, blocks shall be no less than 500 feet in length. A block may have a single tier of lots where it adjoins a railroad, major thoroughfare, river or park.
- B. **Pedestrian Pathways.** Pedestrian pathways, not less than twelve feet wide, may be required by the Town Board through the center of a block more than 900 feet long, where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.
- C. **Lot Size.** Where a lot is located outside the Urban Service Area, it shall be at least one-half acre inside (21,700 square feet). Where a lot is located within the Urban Service Area, the minimum size is 20,000 square feet, with an additional 2,000 square feet per dwelling unit where the development contemplates more than one dwelling unit on a particular lot.

IV **Stormwater Management System.**

- A. **Drainage System Required.** The Town Board shall not approve a Final Plat until the subdivider has submitted plans, profiles and specifications for a stormwater management plan prepared by a registered professional engineer and approved by the Town Board, upon the recommendations of the Plan Commission and Town Engineer. The stormwater management system shall be designed

SECTION 1.07(IV)(C)(1)

to limit the rate of post-development runoff to that of a pre-developed 10 year storm event.

B. Drainage System Plans.

1. The subdivider shall submit to the Town at the time of filing a Preliminary Plat a preliminary drainage plan or engineering report on the ability of existing watercourse channels, storm sewers, culverts and other improvements pertaining to drainage or flood control within the subdivision to handle the additional runoff which would be generated by the development of the land within the subdivision. Additional information shall be submitted to adequately indicate that provision has been made for disposal of surface water without damage to the developed or undeveloped land downstream or below the proposed subdivision. The report shall also include:
 - a. Estimates of the quantity of storm water entering the subdivision naturally from areas outside the subdivision.
 - b. Quantities of flow at each inlet or culvert.
 - c. Location, sizes and grades of required culverts, storm drainage sewers and other required appurtenances.
2. A grading plan for the streets, blocks and lots shall be submitted by the subdivider for the area within the subdivision.
3. The design criteria for storm drainage systems shall be based upon information provided by the Town Engineer.
4. Material and construction specifications for all drainage projects such as pipe, culverts, seed or sod shall be in compliance with specifications provided by the Town Board, upon the recommendation of the Town Engineer.

C. Grading to Maintain Drainage. The subdivider shall grade each subdivision in order to establish street, block and lot grades in proper relation to each other and to topography as follows:

1. The subdivider shall grade the full width of the right-of-way of all proposed streets in accordance with the approved plans.

SECTION 1.07(IV)(D)(2)

2. Block grading shall be completed by one or more of the following methods:
 - a. A ridge may be constructed along the rear lot lines which provides for drainage onto the streets.
 - b. Parts of all lots may be graded to provide for drainage to the street or to a ditch along the rear and/or side lot line if a drainage easement is provided.
 - c. Draining across rear or side lot lines may be permitted provided that drainage onto adjoining properties is to and established water course and an adequate drainage easement is provided.

D. **Drainage System Requirements.** The subdivider shall install all the storm drainage facilities indicated on the plans required in Section 1.07(IV)(B)(1).

1. **Street Drainage.** All streets shall be provided with an adequate storm drainage system. All drainage crossing streets shall be conveyed in an underground storm sewer system. On urban streets, maximum inlet spacing shall be 600 feet. The street storm system shall serve as the primary drainage system and shall be designed to carry street, adjacent land and building storm water drainage. No storm water shall be permitted to be run into the sanitary sewer system within the proposed subdivision.
2. **Off-Street Drainage.** The design of the off-street drainage system shall include the watershed affecting the subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage. When the drainage system is outside of the street right-of-way, the subdivider shall make provisions for dedicating an easement of the Town to provide for the future maintenance of said system. Easements shall be at least 30 feet wide, but the Town may require larger easements if more area is needed due to factors such as topography, or size of watercourse.

SECTION 1.07(VI)(B)(1)

3. **Driveway Drainage.** Driveways shall slope away from buildings, but shall be provided with a crown to shed runoff to the off street drainage system.

- E. **Protection of Drainage Systems.** The subdivider shall adequately protect all ditches to the satisfaction of the Town Board and Town Engineer. Ditches and open channels shall be seeded, sodded or paved depending upon grades and soil types. Generally, ditches or channels with grades up to one percent shall be seeded; those with grades up to four percent shall be sodded and those with grades over four percent shall be rip-rapped and/or paved.

- V **Sanitary Sewer and Water System.** The subdivider shall comply with the *Standard Specifications for Sewer and Water Construction in the State of Wisconsin* and the Administrative Code requirements of the State Department of Natural Resources.

- VI **Standards for Non-Residential Subdivisions and Minor Subdivisions.**

- A. **General.**

1. If a proposed subdivision or minor subdivision includes land that is zoned for commercial or industrial purposes, the layout with respect to such land shall make such provisions as the Town may require.
2. A non-residential subdivision shall also be subject to all the requirements of this Ordinance, as well as such additional standards required by the Town and shall conform to the proposed land use standards established by any Town Master Plan or Official Map, or the Dane County Code of Ordinances, Chapter 10, Zoning Ordinance.

- B. **Standards.** In addition to the principles and standards in this Ordinance, the subdivider shall demonstrate to the satisfaction of the Town Board that the street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The subdivider shall observe the following principles and standards:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.

SECTION 1.08(I)(B)

2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
3. Special requirements may be imposed by the Town Board with respect to street, curb, gutter and sidewalk design and construction.
4. Special requirements may be imposed by the Town Board with respect to the installation of public utilities, including water, sanitary sewer and storm water drainage.
5. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for permanently landscaped buffer strips when necessary.
6. Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

Section 1.08 Dedication Requirements.

I General Public Land Dedication Requirements.

- A. **Dedication Requirement.** In order that adequate open spaces and sites for public uses may be properly located and reserved and in order that the cost of providing public areas, such as but not limited to, parks, recreation areas and public schools may be equitably apportioned on the basis of additional need created by the subdivision development, each subdivider shall dedicate land for park or other public uses.
- B. **General Design.** In the design of a subdivision, minor subdivision, planned unit development or condominium project, the Ordinance shall make provision for suitable sites of adequate area for schools, parks, playgrounds, open spaces, drainage-ways and other public purposes. Such sites shall be shown on the Preliminary Plat and Final Plat, and shall comply with the Town Master Plan or component of said Plan, if any exists for the site. Consideration

SECTION 1.08(II)(B)(1)

shall be given to the preservation of scenic and historic sites, stands of trees, marshes, lakes, ponds, streams, watercourses, watersheds, ravines and woodlands, prairie and wetlands, and plant and animal communities.

II Land Dedication.

A. Dedication Calculation. The subdivider shall designate on every new preliminary plat of a residential subdivision, an area of land suitable for park or playground purposes, and shall dedicate said land to the public where the town agrees to accept the land. The amount of land to be provided shall be at least 2,178 square feet of land for each proposed residential dwelling unit within the plat. However, the total amount of land dedicated for public purposes or otherwise provided for need not exceed one-third (1/3) of the total (gross) area of the plat. "Dwelling unit" shall include a unit of a condominium development. Whenever a proposed playground, park, or other public area, other than streets or drainage ways, designated in any Master Plan or Master Plan component of the Town is embraced, all or in part, in the tract of land to be subdivided, this land shall be included in the required land dedication. The Town Board shall have sole authority to determine the suitability and adequacy of park lands proposed for dedication. Drainage ways, wetlands or areas reserved for streets shall not be considered as satisfying land dedication requirements.

B. Shoreland.

1. Lake and Stream Shore Plats. All subdivisions abutting on a navigable lake or stream shall provide public access at least 60 feet wide providing access to the low watermark so that there will be public access, which is connected to existing public roads, at not more than one-half mile intervals as measured along the lake or stream shore except where greater intervals and wider access is agreed upon by the Wisconsin Department of Natural Resources and the Wisconsin Department of Development, and excluding shore areas where public parks or open-space streets or roads on either side of a stream are provided. No public access established under this Chapter may be vacated except by Circuit Court action. This Subsection does not require the Town to improve land provided for public access.

SECTION 1.08(IV)(A)(1)

2. **Lots Adjacent to Lake or Stream Shore.** The lands lying between the meander line, established in accordance with Wis. Stats. §236.20(2)(g), 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, outlot or public dedications in any plat abutting a lake or stream. This Subsection applies not only to lands proposed to be subdivided but also to all lands under option to the subdivider or in which the subdivider holds any interest and which are contiguous to the lands proposed to be subdivided and which abut a lake or stream.

- C. **Unknown Number of Dwelling Units.** Where the plat, certified survey or condominium does not specify the number of dwelling units to be constructed, the land dedication shall be based upon the maximum number of units permitted by the Dane County Code of Ordinances, Chapter 10, and this Ordinance.
- D. **Access to Dedicated Land.** All dedicated land shall have frontage on a public street and shall have unrestricted public access.
- E. **Utility Extensions.** The subdivider shall install or provide for installation of water and sanitary lines to the property line of all dedicated land, where such services are to be provided to the adjacent properties.

- III **Reservation of Additional Land.** When public parks and sites for other public areas as shown on any Master Plan or Master Plan component lie within the proposed area for development and are greater in area than required by Section 1.08(II)(A), the owner shall reserve for acquisition by the Town, through agreement, purchase or condemnation, the remaining greater public area for a period of one year after Final Plat approval unless extended by mutual agreement.

IV **Dedicated Parkland Development.**

- A. When parklands are dedicated, the subdivider is required to:
 1. Properly grade and contour for proper drainage;

SECTION 1.08(V)(B)

2. Provide surface contour suitable for anticipated use of area; and
 3. Cover areas to be seeded with a minimum of four inches of quality topsoil, seed as specified by the Plan Commission, fertilized with 16-6-6 at a rate of seven pounds per one thousand square feet, and mulched. The topsoil furnished for the park site shall consist of the natural loam, sandy loam, silt loam, silty clay loam or clay loam humus-bearing soils adapted to the sustenance of plant life, and such topsoil shall be neither excessively acid nor excessively alkaline.
- B. The Town Board may require certification of compliance by the Town Engineer. The cost of such report shall be paid by the subdivider.
- C. Development of parklands shall be completed as soon as ten percent of the planned lots in the subdivision are sold, as determined by the Town Board.
- D. If the subdivider fails to satisfy the requirements of this section, the Town Board may contract for said completion and bill such costs to the subdivider, following a public hearing and written notice to the subdivider of noncompliance. Failure to pay such costs may result in the immediate withholding of all building permits until such costs are paid.

V Fees in Lieu of Land.

- A. The Town Board, upon the recommendation of the Plan Commission, shall determine whether to require dedication of land or payment of money from any subdivider. If the Town Board has determined to require payment of money in lieu of dedication of land, such money shall be paid to the Town Clerk-Treasurer at the time of first application for approval of a final plat of such subdivision in the amount per dwelling unit within the plat consistent with the standards set forth in Section 1.08(II) of this Ordinance.
- B. The fee per dwelling unit shall be the greater of: (i) the last official equalized value of the required public land area (2,178 square feet of land for each proposed residential dwelling unit within the plat), or, (ii) effective January 1, 1999; \$650.00. This alternate fee may be adjusted annually as of January 1st of each year by the Town Board,

SECTION 1.09(I)(Environmental Assessment)

utilizing the Consumer Price Index – All Urban Consumers for Small Metro Areas prepared by the United States Department of Labor.

- C. Funds paid to the Town under this provision or contributed from other sources for parkland and recreational development and improvement shall be placed in a separate non-lapsing fund designated for parkland and recreational development and improvement as recommended by the Town Parks Commission. The Town Board shall have the final right to approve or reject such projects. Said account shall be a continuing account which does not lapse at the end of a budget period.
- D. No payment may be required for a lot created by the division of land under this Ordinance on which a residential structure already exists, or which is a residual parcel in excess of ten acres not intended for conveyance and development. Where a lot, parcel or dwelling unit for which payment has once been made is further divided, the subdivider shall pay only for the additional lots or parcels created.

Section 1.09 Environmental Assessment.

- I **Format.** The environmental assessment required by Section 1.04(II)(B)(10) of this Ordinance shall generally follow the format herein:

ENVIRONMENTAL ASSESSMENT

This assessment shall be prepared for review, if possible, at the pre-application conference. The information sought will assist the Plan Commission and Town Board in determining the suitability of the land for development as required by Section 1.03(V) and to assess the potential threat to existing flora under Section 1.03(VI). All "yes" answers must be explained in detail by attaching maps and supporting documents describing the impact of the proposed development.

- | | | |
|--------------------------|------------|-----------|
| | <u>Yes</u> | <u>No</u> |
| 1. <u>Land Resources</u> | | |

Does the project site involve:

- a. Changes in relief and drainage patterns (attach a topographic map showing, at a minimum, two foot

SECTION 1.09(I)(Environmental Assessment)

- | | | |
|--|-------|-------|
| contour intervals). | _____ | _____ |
| b. A land form, environmental corridor,
or topographic feature of local or
regional interest | _____ | _____ |
| c. A floodplain (if yes, attach two
copies of a typical stream valley
cross-section showing the channel
of the stream, the 100 year flood-
plains limits and the flood way
limits (if officially adopted), of
each side of the channel and a cross-
section of area to be developed). | _____ | _____ |
| d. An area of soil instability --
greater than 18% slope and/or organic
soils, peats, or mucks at or near
the surface | _____ | _____ |
| e. An area of bedrock within 6 feet of
the soil surface | _____ | _____ |
| f. An area with the groundwater table
within 10 feet of the soil surface | _____ | _____ |
| g. An area with fractured bedrock within
10 feet of the soil surface | _____ | _____ |
| h. A drainage way serving 50 or more acres
of land | _____ | _____ |
| i. Lot coverage of more than 50%
impermeable surfaces | _____ | _____ |
| j. Prime agricultural land | _____ | _____ |
| k. Wetlands and Marshes | _____ | _____ |
| l. Mapped environmental corridors | _____ | _____ |

SECTION 1.09(I)(Environmental Assessment)

- | | | |
|----------------------------|-------|-------|
| m. Woodlots | _____ | _____ |
| n. Mineral Extraction Site | _____ | _____ |

2. Water Resources

Does the proposed project have:

- | | | |
|--|-------|-------|
| a. Location within or adjacent to an area traversed by a navigable stream or dry run | _____ | _____ |
| b. Greater than 10% change in the capacity of a storm water storage facility or flow of a waterway within one mile | _____ | _____ |
| c. The use of septic tank-soil absorption fields for on-site waste disposal | _____ | _____ |
| d. Lowering of water table by pumping or drainage | _____ | _____ |
| e. Raising of water table by altered drainage patterns | _____ | _____ |
| f. Lake, river or stream frontage | _____ | _____ |

3. Biological Resources

Does the project site involve:

- | | | |
|--|-------|-------|
| a. Critical habitat for plants and animals of community interest | _____ | _____ |
| b. Endangered, unusual or rare species of | | |
| 1) Land animals | _____ | _____ |
| 2) Birds | _____ | _____ |

SECTION 1.09(I)(Environmental Assessment)

3) Plants

c. Do there exist trees and shrubs of greater than 3" DBH; if yes, identify species present and approximate numbers and sizes

d. Removal or potential damage to over 10% of the present trees, shrubs, vines, grasses and other non-noxious plants; if yes, provide aerial photos and/or vegetation surveys to document extent of potential damage

4. Human and Scientific Interest

Does the project site involve:

a. An area of archaeological interest

b. An area of geological interest

c. An area of hydrological interest

d. An area of historical interest

1) Historic building or monuments

2) Building or monuments of unique architecture

e. An area of identified community recreational use

5. Energy, Transportation and Communications

a. Does the development increase the traffic flow in any collector system by more than 10%

b. Is the development traversed by an existing or planned utility corridor? (gas, electricity, water, sewer inter-

SECTION 1.09(II)(C)(2)

ceptor, communications, storm sewer) _____

6. Population

a. Does the development increase by more than 10% the school population of any school serving the development? _____

7. Comments on any of the above which may have a significant environmental impact.

8. Appendices and Supporting Material, including in all cases the Dane County Soil Survey Map for the area as prepared by the United States Department of Agriculture, Soil Conservation Service

II **Environmental Criteria.** The following criteria shall serve as guidelines to assist the Plan Commission and Town Board in determining suitability of the land for development:

- A. Recommendations as to soil suitability contained in the Soil Conservation Service Soil Survey of Dane County shall govern.
- B. Land with slopes between 12% and 20% will require special design for limiting storm water runoff and erosion and for sewerage systems.
- C. Development is prohibited on land with slopes equal to or greater than 20 percent. Under extraordinary circumstances, the Town Board may permit development on land with slopes equal to or greater than 20% only if all of the following minimum criteria are met:
 - 1. At least 60% of each building lot shall remain undisturbed and in its natural state. Existing trees and vegetation on the undisturbed portion shall not be removed by the development.
 - 2. Plans and design calculations acceptable to the Town Engineer are submitted for retaining walls and other erosion control measures for each lot.

SECTION 1.09(II)(I)

3. Lots large enough so that no buildings or driveways shall be constructed on or through land with existing slopes of 20% or greater while maintaining normal building setbacks.
 4. The soils as shown on the Dane County Soil Survey Map for the land have no more than a "slight" erosion hazard potential as determined by the Soil Conservation Service.
 5. The soil limitations for dwellings with basements, local streets and roads, septic tank (if applicable) shall be no greater than "moderate" as determined by the Soil Conservation Service.
 6. A special public hearing having been held to assess effects of the specific property on surrounding property owners.
 7. Such special studies of soils, slope stability, storm water runoff, erosion and safety as have been requested by the Plan Commission having been conducted by the Ordinance and presented to the Town Board prior to official submittal of the preliminary plat.
- D. Soils with severe erosion hazard potential as determined by the Soil Conservation Service will require special design to limit storm water runoff and erosion.
- E. No structure shall be constructed with a basement floor below the normal ground water elevation. Ground water level shall be determined by a minimum of three soil borings.
- F. Lands known to be habitat for endangered species, as determined by the Department of Natural Resources Bureau of Endangered Resources, shall not be developed unless methods, satisfactory to the DNR, are implemented to protect such species and/or habitat.
- G. Areas of archaeological and/or historical interest shall be designated by the State Historical Society.
- H. Areas of geological interest shall be designated by the State Geological and Natural History Survey.
- I. Suitability of land for private sewerage systems shall be determined in accordance with Wis. Admin. Code Comm. 83.

SECTION 1.10(I)(C)(4)

- J. Public utilities shall not be extended through or around vacant land to serve new development.
- K. Development of Shoreland or Wetlands shall be governed by Chapter 11 of the Dane County Code of Ordinances.

Section 1.10 Condominium Developments.

I Purpose.

- A. The Town Board hereby finds that certain issues arise in condominium developments that require limited applicability of this Ordinance to condominium developments. The State Legislature has recognized that subdivision Ordinances may apply to condominiums, but that subdivision Ordinances shall not impose burdens upon condominiums that are different from those imposed on other property of a similar character not subject to a declaration of condominium.
- B. The factor that makes this Ordinance applicable to a condominium development is the creation of multiple, distinct property entities at or near the ground surface, subject to property taxation as separate "parcels," with each property entity having different ownership and management. The Town determines that this factor makes a condominium development dissimilar, both physically and in ownership, from developments in which the land and improvements are under unitary ownership, management and control.
- C. Thus, the Town Board hereby finds that new condominium developments can place impacts on community resources in the same manner as other new developments which are characterized by division of land into lots. These impacts include:
 - 1. Additional population density;
 - 2. Possibility of use of particular land in a manner unsuitable to the land's characteristics;
 - 3. Additional demands upon Town area parks, recreation areas, utility facilities and schools;
 - 4. Additional traffic and street use.

SECTION 1.11(I)

II Portions of Ordinance Applicable to Condominium Developments.

The following sections of this Ordinance shall apply to condominium developments:

- A. Sections 1.03(V) and 3(VI), relating to land suitability and construction practices;
- B. Section 1.04(II), relating to preliminary plat approval. This stage of approval shall be the only approval required for a condominium development. The technical requirements for preliminary plats set forth in Section 1.04(II) of this Ordinance shall not apply, since condominiums have separate technical standards set forth in Wis. Stats. Chap. 703.
- C. Section 1.05(VI)(A) through (I), inclusive, relating to fees for review;
- D. Section 1.06, relating to required improvements;
- E. Section 1.07, relating to design standards for improvements;
- F. Section 1.08, relating to dedication requirements.

III Portions of Ordinance Not Applicable to Condominium Developments. This Ordinance shall not apply to the following condominiums:

- A. Any condominium plat recorded prior to the effective date of this Ordinance;
- B. Any conversion of a structure or structures in existence on the effective date of this Ordinance to a condominium after the effective date of this Ordinance.

Section 1.11 Variances.

- I Where, in the judgment of the Town Board, on the recommendation of the Plan Commission, it would be inappropriate to apply literally the provisions of this Ordinance because exceptional or undue hardship would result, the Town Board may waive or modify any requirements to the extent deemed just and proper. Application for any such variance shall be made in writing by the subdivider at the time when the Preliminary Plat or Certified Survey is filed for consideration, stating fully all facts relied upon by the subdivider, and shall be supplemented with maps, plans or other additional data which may aid the Town Board in the analysis of the proposed project.

SECTION 1.12(I)

- II The Plan Commission shall not recommend nor shall the Town Board grant a variance to the regulations of this Ordinance unless it shall make findings based upon the evidence presented to it in each specific case that:
 - A. The granting of the variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located;
 - B. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
 - C. 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, financial hardship or self-imposed hardship, if the strict letter of the regulations were carried out.
- III The Town Board, if it approves of the variance, shall do so by motion or resolution and instruct the town Clerk to notify the subdivider.
- IV 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 Town in accordance with any Town Comprehensive Plan or component thereof, this Ordinance, or the Zoning Code of Dane County. A majority vote of the entire membership of the Town Board shall be required to grant any modification of this Ordinance, and the reasons shall be entered in the minutes of the Board.
- V The Town Board may waive the placing of monuments, required under Wis. Stats. §236.15(b), (c) or (d), for a reasonable time on condition that the subdivider execute a surety bond to insure the placing of such monuments within the time required.

Section 1.12 Enforcement, Penalties and Remedies.

- I **Violations.** It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this Ordinance or the Wisconsin Statutes and no person shall be issued a building permit by the Town authorizing the building on, or improvement of, any subdivision, minor subdivision, replat or condominium development within the jurisdiction of this Ordinance until the provisions and requirements of this Ordinance have been fully met. The Town may institute appropriate action or

SECTION 1.13(III)

proceedings to enjoin violations of this Ordinance or the applicable Wisconsin Statutes.

II Penalties.

- A. Any person who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit no less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) and the costs of prosecution for each violation, and in default of payment of such forfeiture shall be imprisoned in the County Jail until the payment thereof, but not exceeding six months. Each day a violation exists or continues shall constitute a separate offense.
- B. Improper recording has penalties provided in Wis. Stats. §236.30.
- C. Conveyance of lots in unrecorded plats has penalties provided in Wis. Stats. §236.31.
- D. Monuments disturbed or not placed has penalties provided in Wis. Stats. §236.32.

- III Appeals. Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Wis. Stats. §236.13(5), within 30 days of notification of the rejection of the plat.

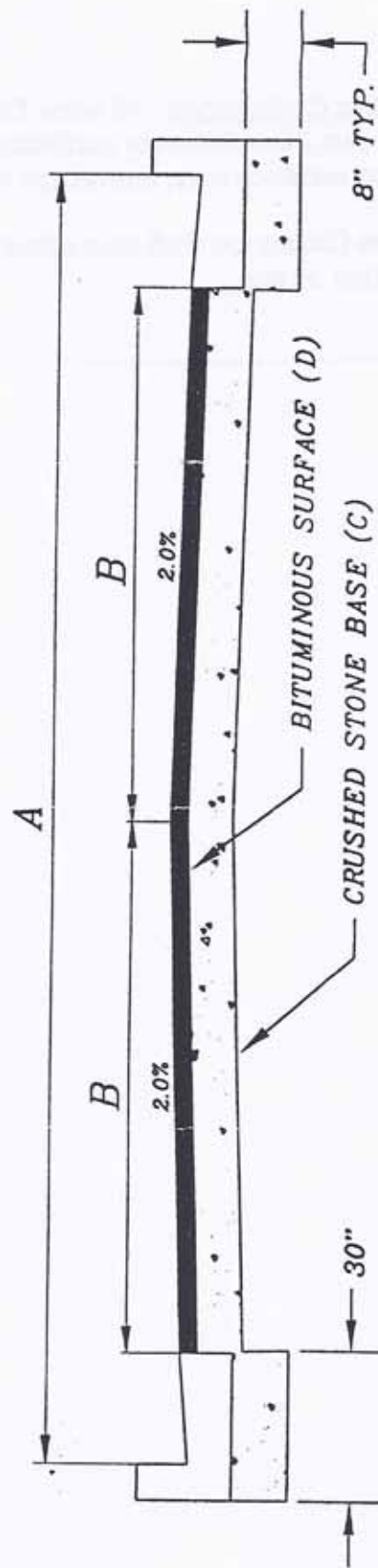
Section 1.13 Interpretation of Ordinance.

- I Abrogation and More Restrictive Requirements. It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, rules, regulations or permits previously adopted or issued pursuant to law. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.
- II Interpretation. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.
- III Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 1.13(V)

- IV **Repeal of Conflicting Ordinances.** All other Ordinances or parts of Ordinances of the Town inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.
- V **Effective Date.** This Ordinance shall take effect upon passage and publication as provided by law.

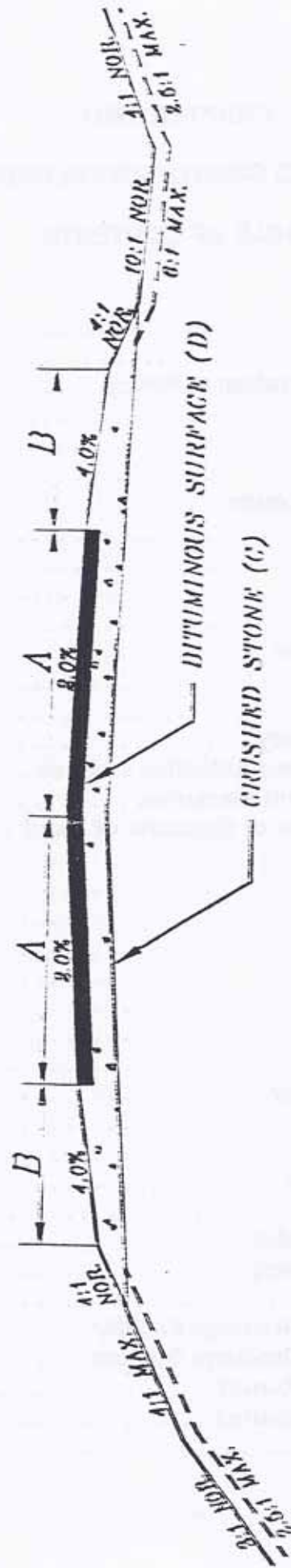
History Note: Adopted _____



TYPE ROAD	A	B	C	D
COLLECTOR ROAD	40' 18"	8"	3"	3"
LOCAL ROAD	36' 16"	8"	3"	3"

STANDARD URBAN CROSS SECTION

FIG. 1



TYPE ROAD	A	B	C	D
COLLECTOR ROAD	12'	10'	8"	3"
LOCAL ROAD	11'	8'	8"	3"

STANDARD RURAL CROSS SECTION

FIG. 2