

Chapter 1

Subdivision Regulations

14-1-1	Introduction and Purpose
14-1-2	Definitions
14-1-3	General Provisions
14-1-4	Condominium Developments
14-1-5	Procedure for Submitting Subdivisions
14-1-6	Technical Requirements for Preliminary Plats
14-1-7	Replat
14-1-8	Minor Subdivisions
14-1-9	Design Standards—Streets
14-1-10	Design Standards—Block Design
14-1-11	Design Standards—Lots
14-1-12	Drainage System
14-1-13	Extra-Size or Off-Site Improvements
14-1-14	Non-Residential Subdivisions
14-1-15	Requirements and Design Standards for Public Improvements
14-1-16	Easements
14-1-17	Grading
14-1-18	General Park and Public Land Dedication Requirements
14-1-19	Administrative and Other Fees
14-1-20	Variations and Exceptions
14-1-21	Enforcement, Penalties and Remedies

Sec. 14-1-1 Introduction and Purpose.

- (a) **Introduction.** In accordance with the authority granted by Section 236.45 of the Wisconsin Statutes and for the purposes listed in Section 236.01 and 236.45 of the Wisconsin Statutes, the Village Board of the Village of La Farge does hereby ordain as follows:
- (1) The provisions of this Chapter shall be held to be minimum requirements adopted to promote the health, safety, morals, comfort, prosperity and general welfare of the Village.
 - (2) This Chapter shall not repeal, impair or modify private covenants or public ordinances, except that it shall apply whenever it imposes stricter restrictions on land use.

- (b) **Purpose.** The purpose of this Chapter is to promote the public health, safety, convenience and general welfare. The regulations are designed to lessen congestion in the streets; to foster the orderly layout and use of land; to insure safety from fire, flooding, panic and other dangers; to provide optimum light and air; to discourage overcrowding of the land; to lessen concentration of population; to facilitate adequate provision of 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 Village 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 and providing for the most appropriate use of land in the Village.

State Law Reference: Chapter 236, Wis. Stats.

Sec. 14-1-2 Definitions.

- (a) The following definitions shall be applicable in this Chapter.
- (1) **Alley.** A public right-of-way which normally affords a secondary means of vehicular access to abutting property.
 - (2) **Arterial Street.** A street which provides for the movement of relatively heavy traffic to, from or within the Village. It has a secondary function of providing access to abutting land.
 - (3) **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 or water bodies.
 - (4) **Collector Street.** A street which collects and distributes internal traffic within an urban area such as a residential neighborhood, between arterial and local streets. It provides access to abutting property.
 - (5) **Commission.** The Plan Commission created by the Village Board pursuant to Section 62.23 of the Wisconsin Statutes, if one is created.
 - (6) **Comprehensive Development Plan.** A comprehensive plan prepared by the Village indicating the general locations recommended for the various functional classes of land use, places and structures, and for the general physical development of the Village and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.
 - (7) **Cul-de-sac.** A short street having but one (1) end open to traffic and the other end being permanently terminated in a vehicular turnaround.
 - (8) **Division of Land.** Where the title or any part thereof is transferred by the execution of a land contract, an option to purchase, an offer to purchase and acceptance, a deed, or a certified survey, and a division occurs where any of the above transactions

change the title from a joint tenancy to a tenancy in common or from tenancy in common to joint tenancy.

- (9) **Easement.** The area of land set aside or over or through which a liberty, 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.
- (10) **Extraterritorial Plat Approval Jurisdiction.** The unincorporated area within one and one-half (1-1/2) miles of a fourth-class city or a village and within three (3) miles of all other cities.
- (11) **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. Said plat must conform to all State laws.
- (12) **Frontage Street.** A minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.
- (13) **Improvement, Public.** Any sanitary sewer, storm sewer, open channel, water main, roadway, park, parkway, public access, sidewalk, pedestrian way, planting strip or other facility for which the Village may ultimately assume the responsibility for maintenance and operation.
- (14) **Local Street.** A street of little or no continuity designed to provide access to abutting property and leading into collector streets.
- (15) **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 Chapter and any applicable zoning ordinance.
- (16) **Lot, Area.** The area contained within the exterior boundaries of a lot excluding streets, easements and land under navigable bodies of water.
- (17) **Lot, Corner.** A lot abutting intersecting streets at their intersection.
- (18) **Lot, Reversed Corner.** A corner lot which is oriented so that it has its rear lot line coincident with or parallel to the side lot line of the interior lot immediately to its rear.
- (19) **Lot, Through.** A lot having a pair of opposite lot lines along two (2) more or less parallel public streets and which is not a corner lot. On a "through lot," both street lines shall be deemed front lot lines.
- (20) **Lot Lines.** The peripheral boundaries of a lot as defined herein.
- (21) **Lot Width.** The width of a parcel of land measured along the front building line.
- (22) **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.
- (23) **Marginal Access Street.** A street which is parallel to and adjacent to major thoroughfares and which provides access to abutting properties and protection from traffic on the major street.
- (24) **Minor Street.** A street used, or intended to be used, primarily for access to abutting properties.

- (25) **Minor Subdivision.** The division of land by the owner or subdivider resulting in the creation of not more than four (4) parcels or building sites.
- (26) **Owner.** Includes the plural as well as the singular and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or combination of these.
- (27) **Pedestrian Pathway.** A public way, usually running at right angles to streets, which is intended for the convenience of pedestrians only; it may also provide public right-of-way for utilities.
- (28) **Plat.** The map, drawing or chart on which the subdivider's plat of subdivision is presented to the Village for approval.
- (29) **Preliminary Plat.** The preliminary plat map, drawing or chart indicating the proposed layout of the subdivision to be submitted to the Village Board for their consideration as to compliance with the Comprehensive Development Plan and these regulations along with required supporting data.
- (30) **Protective Covenants.** Contracts entered into between private parties which constitute a restriction on the use of all private property within a subdivision for the benefit of the property owners and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.
- (31) **Replat.** The process of changing, or a map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat.
- (32) **Shorelands.** Those lands within the following distances: one thousand (1,000) feet from the high-water elevation of navigable lakes, ponds and flowages or three hundred (300) feet from the high-water elevation of navigable streams or to the landward side of the floodplain, whichever is greater.
- (33) **Subdivider.** Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor subdivision or replat.
- (34) **Subdivision.** The division of a lot, outlot, parcel, or tract of land by the owner thereof or his agent for the purpose of transfer of ownership or building development where the act of division creates five (5) or more parcels or building sites of one and one-half (1-1/2) acres or less in area, or where the act of division creates five (5) or more parcels or building sites by successive division within a period of five (5) years, whether done by the original owner or a successor owner.
- (35) **Wetlands.** Those lands which are partially or wholly covered by marshland flora and generally covered with shallow standing water or lands which are wet and spongy due to high-water table.
- (36) **Wisconsin Administrative Code.** The rules of administrative agencies having rule-making authority in Wisconsin, published in a loose-leaf, continual revision system, as directed by Section 35.93 and Chapter 227 of the Wisconsin Statutes, including subsequent amendments to those rules.

Sec. 14-1-3 General Provisions.

- (a) **Compliance.** No person shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, land division or a replat as defined herein; no such subdivision, land division or replat shall be entitled to record; and no street shall be laid out or improvements made to land without compliance with all requirements of this Chapter and the following:
- (1) The provisions of Ch. 236 and Sec. 80.08, Wis. Stats.
 - (2) The rules of the Division of Health contained in Wis. Adm. Code for Subdivisions H 85 not served by public sewer.
 - (3) The rules of the Division of Highways, Wisconsin Department of Transportation contained in Wis. Adm. Code for Subdivisions Hy 33, which abut a state trunk highway or connecting street.
 - (4) The rules of the Wisconsin Department of Natural Resources contained in Wis. Adm. Code for Floodplain Management Program.
 - (5) Comprehensive plans or components of such plans prepared by state, regional, county or municipal agencies duly adopted by the Village Board.
 - (6) All applicable local and county regulations, including zoning, sanitary, building and official mapping ordinances.
- (b) **Jurisdiction.** Jurisdiction of these regulations shall include all lands within the corporate limits of the Village of La Farge as well as the unincorporated area within one and one-half (1-1/2) miles of the corporate limits as provided in Sec. 236.10 and 62.32, Wis. Stats. The provisions of this Chapter, as they apply to divisions of tracts of land into less than five (5) parcels, shall not apply to:
- (1) Transfers of interests in land by will or pursuant to court order;
 - (2) Leases for a term not to exceed ten (10) years, mortgages or easements;
 - (3) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this Chapter or other applicable laws or ordinances.
- (c) **Certified Survey.** Any division of land other than a subdivision as defined in Sec. 236.02(8), Wis. Stats., shall be surveyed and a certified survey map prepared as provided in Sec. 236.34, Wis. Stats.
- (d) **Permits.** No building permit shall be issued by the Village authorizing the building on or improvement of any parcel of land not on record as of the effective date of this Chapter until the provisions and requirements of this Chapter have been met.
- (e) **Applicability to Condominiums.** This Chapter is expressly applicable to condominium developments within the Village's jurisdiction, pursuant to Sec. 703.27(1), Wis. Stats. For purposes of this Chapter, 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.

Sec. 14-1-4 Condominium Developments.

(a) **Purpose.**

- (1) The Village Board hereby finds that certain issues arise in condominium developments that require limited applicability of this Chapter 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.
- (2) The factor that makes this Chapter 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 Village of La Farge 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.~~
- (3) Thus, the Village 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:
 - a. Additional population density.
 - b. Possibility of use of particular land in a manner unsuitable to the land's characteristics.
 - c. Additional demands upon Village area parks, recreation areas, utility facilities and schools.
 - d. Additional traffic and street use.

(b) **Portions of Chapter Applicable to Condominium Developments.** The following Sections of this Chapter shall apply to condominium developments:

- (1) Sections 14-1-5 through 14-1-6 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 14-1-6 shall not apply, since condominiums have separate technical standards set forth in Chapter 703, Wis. Stats.
- (2) Section 14-1-15.
- (3) Sections 14-1-9 through 14-1-17.
- (4) Section 14-1-18.

(c) **Exceptions.** This Section shall not apply to the following condominiums:

- (1) Any condominium plat recorded prior to the effective date of this Chapter.
- (2) Any conversion of a structure or structures in existence on the effective date of this Chapter to a condominium after the effective date of this Chapter.

Sec. 14-1-5 Procedure for Submitting Subdivisions.

- (a) **Preliminary Meetings.** Before filing a preliminary plat, or certified survey, the subdivider is encouraged to consult with the Village Board for advice regarding general subdivision requirements. The subdivider shall also submit a location map showing the relationship of the proposed subdivision to traffic arteries and existing community facilities. This consultation is neither formal nor mandatory but is intended to inform the subdivider of the purpose and objectives of these regulations, the comprehensive plan, comprehensive plan components and duly adopted plan implementation devices of the Village and to otherwise assist the subdivider in planning his development. In so doing, both the subdivider and planning agency may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and community. The subdivider will gain a better understanding of the subsequent required procedures.
- (b) **Preliminary Plat Review Within the Village.**
- (1) **Submission.** Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat and a letter of application. The Preliminary Plat shall be prepared in accordance with this Chapter, and the subdivider shall file an adequate number of copies of the Plat and the application as required by this Section with the Village Clerk at least ten (10) days prior to the meeting of the Village Board at which action is desired. The Village Clerk shall submit a copy of the preliminary plat to the Village Engineer for review and written report of their recommendations and reactions to the proposed plat.
 - (2) **Public Improvements, Plans and Specifications.** Simultaneously with the filing of the preliminary plat of map, the owner shall file with the Village Clerk fifteen (15) complete sets of preliminary plans and specifications for the construction of any public improvements required by this Chapter.
 - (3) **Property Owners Association.** The Village Board may require submission of a draft of the legal instruments and rules for proposed property owners associations when the subdivider proposes that common property within a subdivision would be either owned or maintained by such an organization of property owners.
 - (4) **Affidavit.** The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this Chapter.
 - (5) **Supplementary Data to be Filed with Preliminary Plat.** The following shall also be filed with the preliminary plat:
 - a. A statement of the proposed use of lots stating type of residential buildings with number of proposed dwelling units; types of business or industry so as to reveal the effect of the development on traffic, fire hazards and congestion of population; and
 - b. If any zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions; and

- c. Where the subdivider owns property adjacent to that which is being proposed for the subdivision, the Village Board may require that the subdivider submit a preliminary plat of the remainder of the property so as to show the possible relationships between the proposed subdivision and future subdivision. In any event, all subdivisions must be shown to relate well with existing or potential adjacent subdivisions.
- (6) **Referral to Other Agencies.** The developer shall, within two (2) days after filing, transmit four (4) copies to the County Planning Agency, two (2) copies to the Director of the Planning Function in the Wisconsin Department of Local Affairs and Development, additional copies to the Director of the Planning Function for retransmission of two (2) copies each to the Wisconsin Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street and the Wisconsin Department of Health and Social Services if the subdivision is not served by the public sewer and provision for such service has not been made, and an adequate number of copies to the Village Board. The County Planning Agency, the Wisconsin Department of Local Affairs and Development, the Wisconsin Department of Transportation and the Wisconsin Department of Health and Social Services shall be hereinafter referred to as objecting agencies.
 - (7) **Drafting Standards.** The subdivider shall submit to the Village Clerk and to those agencies having the authority to object to plats under provisions in Chapter 236 of the Wisconsin Statutes copies of a preliminary plat (or certified survey) based upon an accurate exterior boundary survey by a registered land surveyor which shall show clearly the proposed subdivision at a scale of not more than one (1) inch per one hundred (100) feet having two (2) foot contour intervals, shall identify the improvements (grading, tree planting, paving, installation of facilities and dedications of land), easements which the subdivider proposes to make and shall indicate by accompanying letter when the improvements will be provided. Any proposed restrictive covenants for the land involved shall be submitted.
- (c) **Preliminary Plat Approval Within the Village.**
 - (1) The Village Board shall, within sixty (60) days of the date the preliminary plat was filed with the Village Clerk, approve, approve conditionally or reject such plat and shall state, in writing, any conditions of approval or reasons for rejection, unless the time is extended by written agreement by the subdivider. Failure of the Village Board to act within sixty (60) days or extension thereof shall constitute an approval of the preliminary plat, unless other authorized agencies object to the plat. The Village Clerk shall communicate to the subdivider the action of the Village Board. If the plat or map is approved, the Village Clerk shall endorse it for the Village Board.
 - (2) 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 (6) months of preliminary plat approval and conforms substantially to the preliminary plat layout as indicated in Section 236.11(1)(b) of the Wisconsin Statutes, 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 Village Board at the time of its submission.

- (3) Should the subdivider desire to amend the preliminary plat as approved, he may resubmit the amended plat which shall follow the same procedure, except for the hearing and fee, unless the amendment is, in the opinion of the Village Board, of such scope as to constitute a new plat, in which such case it shall be refiled.

(d) **Final Plat Review.**

- (1) The subdivider shall prepare a Final Plat and a letter of application in accordance with this Chapter and shall file copies of the Plat and the application with the Village Clerk at least ten (10) days prior to the meeting of the Village Board at which action is desired. The owner or subdivider shall file six (6) copies of the final plat not later than twelve (12) months after the date of approval of the preliminary plat; otherwise, the preliminary plat and final plat will be considered void unless an extension is requested in writing by the subdivider and for good cause granted by the Village. The owner or subdivider shall also submit at this time a current certified abstract of title or registered property report and such other evidence as the Village Attorney may require showing title or control in the applicant. The Village Clerk shall forward a copy of the final plat to the Plan Commission for its recommendation.
- (2) The Village Clerk shall, within two (2) days after filing, transmit four (4) copies to the County Planning Agency, two (2) copies to the Director of the Planning Function in the Wisconsin Department of Local Affairs and Development, additional copies to the Director of the Planning Function for retransmission of two (2) copies each to the Wisconsin Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street and the Wisconsin Department of Health and Social Services if the subdivision is not served by a public sewer and provision for service has not been made, and the original Final Plat and adequate copies to the Village Board. The County Planning Agency, the Wisconsin Department of Local Affairs and Development, the Wisconsin Department of Transportation, and the Wisconsin Department of Health and Social Services shall be hereinafter referred to as objecting agencies.
- (3) The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable ordinances and state laws and shall be submitted for certification of those agencies having the authority to object to the plat as provided by Section 236.12(2).
- (4) Simultaneously with the filing of the final plat or map, the owner shall file with the Village Clerk six (6) copies of the final plans and specifications of public improvements required by this Chapter.
- (5) The Village Clerk shall refer two (2) copies of the final plat to the Village Board, one (1) copy to the Engineer, and a copy each to the telephone and power and other utility companies. The abstract of title or registered property report shall be referred to the

attorney for his examination and report. The Village Clerk shall also refer the final plans and specifications of public improvements to the Village Engineer for review. The recommendations of the Village Engineer shall be made within thirty (30) days of the filing of the final plat. The Village Engineer shall examine the plat or map and final plans and specifications of public improvements for technical details and, if he finds them satisfactory, shall so certify in writing to the Village Board. If the plat or map or the plans and specifications are not satisfactory, the Village Engineer shall return them to the owner and so advise the Village Board.

- (6) The Village Board shall examine the Final Plat as to its conformance with the approved Preliminary Plat, any conditions of approval of the Preliminary Plat, this Chapter and all ordinances, rules, regulations, comprehensive plans and comprehensive plan components which may affect it.
- (e) **Partial Platting.** The Final Plat may, if permitted by the Village Board, constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record at the time.
- (f) **Final Plat Approval.**
 - (1) The objecting agencies shall, within twenty (20) days of the date of receiving their copies of the Final Plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are not objections, they shall so certify on the face of the copy of the Plat and shall return that copy to the Village Board. If an objecting agency fails to act within twenty (20) days, it shall be deemed to have no objection to the Plat.
 - (2) If the Final Plat is not submitted within twelve (12) months of the last-required approval of the Preliminary Plat, the Village Board may refuse to approve the Final Plat.
 - (3) The Village Board shall, within sixty (60) days of the date of filing the original Final Plat with the Village 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 forwarded to the subdivider. The Village Board may not inscribe its approval on the Final Plat unless the Village 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 twenty (20) days or, if filed, have been met.
 - (4) Failure of the Village Board to act within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.
 - (5) After the Final Plat has been approved by the Village Board and required improvements either installed or a contract and sureties insuring their installation is filed, the Village Clerk shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Plat returned to the subdivider for recording with the county register of deeds. The register of deeds cannot record the Plat unless it is offered within thirty (30) days from the date of last approval.

- (6) The subdivider shall file ten (10) copies of the Final Plat with the Village Clerk for distribution to the approving agencies and other affected agencies for their files.
- (g) **Engineering Fee.** The subdivider shall pay a fee equal to the actual cost to the Village for all engineering work incurred by the Village in connection with the plat or certified survey map.
- (h) **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 Village in connection with the plat or certified survey map.
- (i) **Recording of Plats or Certified Surveys.** Plats and certified surveys, approved by the Village Board of the Village of La Farge, must be recorded together with the adopting resolution, with the County Register of Deeds within thirty (30) days of the date of the last resolution of preliminary 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 Village until recorded with the Register of Deeds. The volume, page, and document numbers of the recording, shall be filed with the Village Clerk and Building Inspector prior to issuance of any permits. The subdivider shall file six (6) certified copies of the approved land division with the Village Clerk.

Sec. 14-1-6 Technical Requirements for Preliminary Plats.

- (a) **General.** A preliminary plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and the plat prepared on tracing cloth or paper of good quality at a scale of not more than one hundred (100) feet to the inch and shall show correctly on its face the following information:
- (1) **Title** under which the proposed subdivision is to be recorded.
 - (2) **Location** of the proposed subdivision by government lot, quarter section, township, range, county and state.
 - (3) **Date, Scale and North Point.**
 - (4) **Names and Addresses** of the owner, subdivider and land surveyor preparing the plat.
 - (5) **Entire Area** contiguous to the proposed plat owned or controlled by the subdivider shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development. The Village Board may waive this requirement where it is unnecessary to fulfill the purposes and intent of this Chapter and under hardship would result from strict application thereof.
- (b) **Plat Data.** All preliminary plats shall show the following:
- (1) **Exact Length and Bearing** of the exterior boundaries of the proposed subdivision referenced to a corner established in the U.S. Public Land Survey and the total acreage encompassed thereby.
 - (2) **Locations of all Existing Property Boundary Lines**, structures, drives, streams and water courses, marshes, rock outcrops, wooded areas, railroad tracks and other significant features within the tract being subdivided or immediately adjacent thereto.

- (3) **Location, Right-of-Way Width and Names** of all existing streets, alleys or other public ways, easements, railroad and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.
- (4) **Location and Names of any Adjacent Subdivisions**, parks and cemeteries and owners of record of abutting unplatted lands.
- (5) **Type, Width and Elevation** of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto, together with any legally established centerline elevations.
- (6) **Location, Size and Invert Elevation** of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catchbasins, hydrants, electric and communication facilities, whether overhead or underground 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 the direction and distance from the tract, size and invert elevations.
- (7) **Corporate Limit Lines** within the exterior boundaries of the plat or immediately adjacent thereto.
- (8) **Existing Zoning** on and adjacent to the proposed subdivision.
- (9) **Contours** within the exterior boundaries of the plat and extending to the centerline of adjacent public streets to National Map Accuracy Standards based upon Mean Seal Level Datum at vertical intervals of not more than two (2) feet. At least two (2) permanent bench marks shall be located in the immediate vicinity of the plat; the location of the bench marks shall be indicated on the plat, together with their elevations referenced to Mean Sea Level Datum and the monumentation of the bench marks clearly and completely described. Where, in the judgment of the Village Board, undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used.
- (10) **High-Water Elevation** of all ponds, streams, lakes, flowages and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom.
- (11) **Water Elevation** of all ponds, streams, lakes, flowages and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom at the date of the survey.
- (12) **Floodland and Shoreland Boundaries** and the contour line lying a vertical distance of two (2) feet above the elevation of the one hundred (100) year recurrence interval flood or, where such data is not available, two (2) feet above the elevation of the maximum flood of record within the exterior boundaries of the plat or within one hundred (100) feet therefrom.
- (13) **Soil Types** and their boundaries, as shown on the operational soil survey maps prepared by the U.S. Department of Agriculture, Soil Conservation Service.
- (14) **Location and Results of Percolation Tests** within the exterior boundaries of the plat conducted in accordance with Section H 85.06 of the Wisconsin Administrative Code where the subdivision will not be served by public sanitary sewer service.

- (15) **Location, Width and Names** of all proposed streets and public rights-of-way such as alleys and easements.
 - (16) **Approximate Dimensions of All Lots** together with proposed lot and block numbers.
 - (17) **Location and Approximate Dimensions** of any sites to be reserved or dedicated for parks, playgrounds, drainageways or other public use or which are to be used for group housing, shopping centers, church sites or other nonpublic uses not requiring lotting.
 - (18) **Approximate Radii of all Curves.**
 - (19) **Any Proposed Lake and Stream Access** with a small drawing clearly indicating the location of the proposed subdivision in relation to access.
 - (20) **Any Proposed Lake and Stream** improvement or relocation, and notice of application for approval by the Division of Environmental Protection, Department of Natural Resources, when applicable.
 - (21) **Where the Village Board** finds that it requires additional information relative to a particular problem presented by a proposed development in order to review the preliminary plat, it shall have the authority to request in writing such information from the subdivider.
- (c) **Submission.** The subdivider may consult with the Village Board regarding the requirements for minor subdivisional certified surveys before submission of the final map. Following consultation, a copy of the final map in the form of a certified survey map shall be submitted to the Village.
- (d) **Proposed Layout.** The Village Board may require a proposed subdivision layout of all or part of the contiguously owned land even though division is not planned at the time.
- (e) **Certified Survey.** The following procedures shall be followed with certified surveys:
- (1) Pursuant to Section 14-1-8, the subdivider shall cause a certified survey map to be prepared in accordance with Section 236.34, Wis. Stats., and Section 14-1- this Chapter and submit ten (10) copies to the Village Clerk. The map shall be reviewed by the Village Board for conformance with this Chapter and all ordinances, rules, regulations, comprehensive plans and comprehensive plan components which affect it. The Village Board shall approve, approve conditionally or reject such map within sixty (60) days from the date of filing of the map unless the time is extended by agreement with the subdivider. If the map is rejected, the reason shall be stated in the minutes of the meeting and a written statement forwarded to the subdivider.
 - (2) The subdivider shall record the map with the applicable county register of deeds within thirty (30) days of its approval by the Village Board and any other approving agencies. Failure to do so shall necessitate reapproval of the map by the Village Board.
- (f) **Requirements.** To the extent reasonably practicable, the certified survey/minor subdivision plat shall comply with the provisions of this Chapter relating to general requirements, design standards and required improvements. Conveyance by metes and bounds shall be prohibited where the lot(s) involved is less than one and one-half (1-1/2) acres or three hundred (300) feet in width.

Sec. 14-1-7 Replat.

- (a) When it is proposed to replat a recorded subdivision, or part thereof, so as to change the boundaries of a recorded subdivision, or part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded Plat as provided in Sections 236.40 through 236.44 of the Wisconsin Statutes. The subdivider, or person wishing to replat, shall then proceed as specified in Subsections (a) through (f) of Section 14-1-5.
- (b) The Village Clerk shall schedule a public hearing before the Village Board when a Preliminary Plat of a replat of lands within the Village is filed, and shall cause notices of the proposed Replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed Replat and to the owners of all properties within two hundred (200) feet of the exterior boundaries of the proposed Replat.

Sec. 14-1-8 Minor Subdivisions.

When it is proposed to divide land into two (2) parcels or building sites, any one (1) of which is less than five (5) acres, or when it is proposed to divide a block, lot or outlot into not more than four (4) parcels or building sites within a recorded subdivision plat without changing the exterior boundaries of the block, lot or outlot, the subdivider shall subdivide by use of a certified survey map, prepared in accordance with Section 236.34, Wis. Stats., and Section 14-1-6(e) herein.

Sec. 14-1-9 Design Standards—Streets.

- (a) **Compliance with Statutes.** In laying out a subdivision, the owner shall conform to the provisions of Chapter 236, Wis. Stats., and all applicable code sections. In all cases where the requirements of this Chapter are different from the requirements of Chapter 236, the more restrictive provision shall apply.
- (b) **Dedication.** The subdivider shall dedicate land and improve streets as provided in this Chapter. Streets shall be located with due regard for topographical conditions, natural features, existing and proposed streets, utilities and land uses and public convenience and safety. Streets shall conform to the official map of the Village.
- (c) **Sufficient Frontage.** All lots shall have sufficient frontage on a public street to allow access by emergency and service motor vehicles.
- (d) **Compliance with Comprehensive Plan.** The arrangement, character, extent, width, grade and location of all streets shall conform to the Village's Comprehensive Development Plan and to this Chapter 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.

- (e) **Areas Not Covered by Official Map.** In areas not covered by the Comprehensive Plan, 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.
- (f) **Street Classifications.** Streets shall be classified as indicated below.
- (1) **Arterial Streets.** Arterial streets shall be arranged to provide through traffic for a heavy volume of vehicles.
 - (2) **Collector Streets.** Collector streets shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the major street and highway system and shall be properly related to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the major streets into which they feed.
 - (3) **Minor Streets.** Minor streets shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems and to require the minimum street area necessary to provide safe and convenient access to abutting property.
 - (4) **Proposed Streets.** 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 Village Board, such extension is not necessary or desirable for the coordination of the layout of the subdivision or land division or for the advantageous development of the adjacent tracts.
 - (5) **Reserve Strips.** Reserve strips shall not be provided on any plat to control access to streets or alleys, except where control of such strips is placed with the Village under conditions approved by the Village Board.
 - (6) **Alleys.** Alleys may be provided in commercial and industrial districts for off-street loading and service access, but shall not be approved in non-multiple family residential districts. Dead-end alleys shall not be approved and alleys shall not connect to a major thoroughfare.
- (g) **Extraterritorial Streets.** Streets located in the extraterritorial plat jurisdiction of the Village of La Farge must also comply with the minimum town road standards of Section 86.26, Wis. Stats.
- (h) **Continuation.** Streets shall be laid out to provide for possible continuation wherever topographic and other physical conditions permit. Provision shall be made so that 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 be extended 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 Village Board such

extension is not necessary or desirable 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 five hundred (500) feet in length will be approved when necessitated by the topography.

- (i) **Minor Streets.** Minor streets shall be so laid out so as to discourage their use by through traffic.
- (j) **Number of Intersections.** The number of intersections of minor streets with major streets shall be reduced to the practical minimum consistent with circulation needs and safety requirements.
- (k) **Frontage Roads.** Where a subdivision abuts or contains an existing or proposed arterial highway, the Village Board may require a frontage road, nonaccess reservation along the rear of the property contiguous to such highway or such other treatment as may be necessary to ensure safe, efficient traffic flow and adequate protection of residential properties.
- (l) **Arterial Street and Highway Protection.** Whenever the proposed subdivision contains or is adjacent to a major street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reverse frontage, with screen planting contained in a nonaccess reservation along the rear property line, or by the use of frontage streets.
- (m) **Private Streets.** Private streets shall not be approved nor shall public improvements be approved for any private street; all streets shall be dedicated for public use.
- (n) **Visibility.** Streets shall afford maximum visibility and safety and shall intersect at right angles where practicable.
- (o) **Tangents.** A tangent at least one hundred (100) feet long shall be required between reverse curves on arterial and collector streets.
- (p) **Street Grades.**
 - (1) Unless necessitated by exceptional topography subject to the approval of the Village Board, the maximum centerline grade of any street or public way shall not exceed the following:
 - Arterial streets: six percent (6%).
 - Collector streets: eight percent (8%).
 - Minor streets, alleys and frontage streets: ten percent (10%).
 - Pedestrian ways: twelve percent (12%) unless steps of acceptable design are provided.The grade of any street shall in no case exceed twelve percent (12%) or be less than one-half (1/2) of one percent (1%).
 - (2) Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and general leveling of the topography. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to fifteen (15) times the algebraic difference in the rates of grade for major streets and one-half (1/2) this minimum for all other streets.

- (q) **Radii of Curvature.** When a continuous street centerline deflects at any one (1) point by more than ten (10) degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

Arterial streets and highways: five hundred (500) feet.

Collector streets: three hundred (300) feet.

Minor streets: one hundred (100) feet.

- (r) **Vertical Curves.** All changes in street grades shall be connected by vertical curves of a minimum length in feet equivalent to thirty (30) times the algebraic difference in grade for major thoroughfares and twenty (20) times this algebraic difference for all other streets.

- (s) **Half Streets.** Where a half street is adjacent to the subdivision, the other half street shall be dedicated by the subdivider.

- (t) **Intersections.**

- (1) Property lines at street intersections of major thoroughfares shall be rounded with a radius of fifteen (15) feet or of a greater radius where the Village Board considers it necessary.
- (2) Provisions of the Zoning Code with respect to Traffic Visibility at street intersections shall also apply here.
- (3) Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.
- (4) Number of streets converging at one (1) intersection shall be reduced to a minimum, preferably not more than two (2).

- (u) **Alleys.**

- (1) Alleys shall be provided in all commercial and industrial districts, except that the Village Board may waive this requirement where other definite and assured provisions are made for service access, such as off-street loading and parking, consistent with and adequate for the uses proposed. No alleys shall connect with a major thoroughfare. Alleys in residential areas other than those zoned for multiple-family use shall not be permitted. The width of alleys shall be no less than twenty-four (24) feet.
- (2) Dead-end alleys are prohibited.

- (v) **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 Village Board.

- (w) **Street Design Standards.**

- (1) **Standards.** The minimum right-of-way and roadway width of all proposed streets and alleys shall be as specified in Section 14-1-15.
- (2) **Cul-de-sacs.** Cul-de-sac streets designed to have one (1) end permanently closed shall not exceed five hundred (500) feet in length. All cul-de-sac streets designed to have one (1) end permanently closed shall terminate in a circular turnaround having

- a minimum right-of-way radius of sixty (60) feet and a minimum inside curb radius of forty (40) feet.
- (3) **Temporary Dead-ends or Cul-de-sacs.** All temporary dead-ends shall have a maximum length of eight hundred (800) feet and a temporary cul-de-sac shall have a minimum right-of-way radius of sixty (60) feet and a minimum inside curb radius of forty (40) feet.
- (x) **Limited Access Highway and Railroad Right-of-way Treatment.** Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:
- (1) **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 at least thirty (30) feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. ~~This strip shall be 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 limited access highway or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad for the appropriate use of the land between such streets and highway or railroad, but not less than one hundred fifty (150) feet.
- (3) **Streets Parallel to a Limited Access Highway.** Streets parallel to a limited access highway or railroad right-of-way, when intersecting a major street and highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of two hundred fifty (250) feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
- (4) **Minor Streets.** Minor streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of minor streets immediately adjacent to arterial streets and highways and to railroad rights-of-way shall be avoided in residential areas.

Sec. 14-1-10 Design Standards—Block Design.

- (a) **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 one thousand two hundred (1,200) feet nor have less than sufficient width to provide for two (2) tiers of lots of appropriate depth between street lines. As a general rule, blocks shall not be less than five hundred (500) feet in length. Blocks shall

- be so designated as to provide two (2) tiers of lots, unless it adjoins a railroad, major thoroughfare, river or park where it may have a single tier of lots.
- (b) **Pedestrian Pathways.** Pedestrian pathways, not less than twelve (12) feet wide, may be required by the Village Board through the center of a block more than nine hundred (900) feet long, where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.
 - (c) **Trees.** The Village Board may require that certain species of trees be planted on both sides of all streets. Street trees when planted shall not be less than sixty (60) feet apart with a minimum of one (1) per lot. They should preferably be placed six (6) to twenty (20) feet inside the property line rather than in the boulevard. The minimum size and type to be planted shall conform to the provisions of applicable ordinances.

Sec. 14-1-11 Design Standards—Lots.

- (a) Size, shape and orientation of lots shall be appropriate for the location of topography of the subdivision and for the type of development contemplated, provided that no lot shall be smaller in area than the minimum lot size for the appropriate zone as established by the Zoning Code.
- (b) Lot dimensions and setbacks shall conform to the requirements of the Zoning Code for the appropriate district in which the property is located.
- (c) Depth and width of properties reserved or laid out for commercial or industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated, as required by the Zoning Code.
- (d) Residential lots fronting on major streets and highways shall be platted with extra depth or design or alleviate the effect of major street traffic on residential occupancy.
- (e) Corner lots for residential use shall have extra width to permit building setback from both streets, as required by the Zoning Code.
- (f) Every lot shall abut or face a public street. Lots outside the corporate limits may abut or face a private street, if permitted by the Village Board.
- (g) Side lot lines shall be substantially at right angles to or radial to abutting street lines.
- (h) In case a tract is divided into parcels of more than one and one-half (1-1/2) acres in areas, such parcels shall be so arranged to permit redividing into parcels in accordance with this Chapter and with the Zoning Code.
- (i) Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- (j) In the subdividing of any land, regard shall be shown for all natural features, such as tree growth, water courses, historic spots or similar conditions which, if preserved, will add attractiveness and stability to the proposed development.

- (k) All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, or a plan shown as to future use rather than allowed to remain as unusable parcels.
- (l) In the case where a proposed plat is adjacent to a limited access highway, other major highway or thoroughfare, there shall be no direct vehicular access from individual lots to such streets and roads. In the platting of small tracts of land fronting on limited access highways or thoroughfares where there is no other alternative, a temporary entrance may be granted; as neighboring land becomes subdivided and more preferable access arrangements become possible, such temporary access permits shall become void.

Sec. 14-1-12 Drainage System.

- (a) **Drainage System Required.** A drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of the surface water of the subdivision and the drainage area of which it is a part. A final plat shall not be approved until the subdivider shall submit plans, profiles and specifications as specified in this Section, which have been prepared by a registered professional engineer and approved by the Village Engineer.
- (b) **Drainage System Plans.**
 - (1) The subdivider shall submit to the Village Engineer and Village Board a 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 any 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 Village Engineer.
 - (4) Material and construction specifications for all drainage projects (i.e., pipe, culverts, seed, sod, etc.) shall be in compliance with specifications provided by the Village Board or Village Engineer.

- (c) **Grading.** 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.
 - (2) Block grading shall be completed by one (1) 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 lot line.
 - c. Draining across rear or side lot lines may be permitted provided that drainage onto adjoining properties is skillfully controlled.
- (d) **Drainage System Requirements.** The subdivider shall install all the storm drainage facilities indicated on the plans required in Subsection (a) of this Section.
- (1) **Street Drainage.** All streets shall be provided with an adequate storm drainage system. 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 Village to provide for the future maintenance of said system. Easements shall be a minimum of twenty (20) feet, but the Village may require larger easements if more area is needed due to topography, size of watercourse, etc.
- (e) **Protection of Drainage Systems.** The subdivider shall adequately protect all ditches to the satisfaction of the Village 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 [1%] shall be seeded; those with grades up to four percent [4%] shall be sodded and those with grades over four percent [4%] shall be paved.)
- (f) **Drainage Easements.** Where a land division is traversed by a watercourse, drainageway, channel or stream:
- (1) There shall be provided a storm water easement or drainage right-of-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, drainageway, 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 right-of-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; or

- (3) Wherever possible, drainage shall be maintained in an easement by an open channel with landscaped banks and adequate width for maximum potential volume flow. In all cases, such easements shall be of a minimum width established at the high water mark or, in the absence of such specification, not less than thirty (30) feet.
- (g) **Dedication of Drainageways.** Whenever a parcel is to be subdivided or consolidated and embraces any part of a drainageway identified on a Village Comprehensive Storm Water Management Plan, master plan and/or official map or any portion thereof, such part of said existing or proposed public drainageway shall be platted and dedicated by the subdivider as an easement or right-of-way in the location and at the size indicated along with all other streets and public ways in the land division. Whenever any parcel is to be subdivided or consolidated and is part of a drainage district established under the authority of Chapter 88, Wis. Stats., the subdivider shall petition the Circuit Court to transfer the jurisdiction of that portion of the drainage district being subdivided or consolidated to the Village in accordance with Chapter 88.83, Wis. Stats.
- (h) **Dedication/Preservation of Storm Water Management Facilities.** The subdivider shall dedicate sufficient land area for the storage of storm water to meet the needs to be created by the proposed land development and in accordance with the standards for on-site detention and as determined by the Village Engineer. Whenever a proposed storm water management facility (e.g., detention or retention basin) shown on the Comprehensive Storm Water Management Plan, master plan and/or official map is located, in whole or in part, within the proposed land division, ground areas for providing the required storage capacity in such proposed public facility shall be dedicated to the public to the requirements of the master plan and/or official map. Storage areas necessary to serve areas outside the land division shall be held in reserve for a period of five (5) years from the date of final plat approval for future dedication to the Village or other appropriate agency.
- (i) **Storm Drainage Facilities.** The subdivider, at his cost, shall install all drainage facilities identified in the Erosion Control Plan or determined by the Village Engineer as being necessary for the management of all lands and roadways within the development. In addition, drainage capacity through the development from other areas shall be provided in accordance with a Comprehensive Surface Water Management Study, if applicable. All required storm drainage facilities shall be constructed and operational prior to acceptance of any dedications and/or public improvements served by the storm drainage facilities.
- (j) **Minor Drainage System.** The subdivider shall install all minor drainage system components necessary to reduce inconvenience and damages from frequent storms. Minor drainage components shall include all inlets, piping, gutters, channels, ditching, pumping and other facilities designed to accommodate the post-development runoff resulting from a five (5) year, twenty-four (24) hour rainfall [ten (10) year, twenty-four (24) hour rainfall for commercial zoning district] event as determined in the most current edition of the Soils Conservation Service Technical Release 55 (TR 55). Temporary accumulations of storm runoff from ponding or flowing water, in or near minor system components, shall be permitted providing such accumulations do not allow the water to flow across the crown of the street from one (1) side to the other. For arterial streets and streets located in

commercial districts, ponding within normal traffic lanes [ten (10) feet on each side of the centerline of the street] is prohibited. In drainageways and drainageway easements, accumulations of water shall not inundate beyond the limits of the drainageway or drainageway easement. Cross-street drainage channels (valley gutters) shall not be permitted except on cul-de-sac or permanent dead-end streets serving less than ten (10) dwelling units and where the minimum grade in the valley gutter and street gutter between the valley gutter and the next downstream drainage inlet is not less than one percent (1.00%).

- (k) **Major Drainage System.** The subdivider shall install all major drainage system components necessary to reduce inconvenience and damages from infrequent storms. Major system components shall include large channels and drainageways, streets, easements and other paths and shall be capable of accommodating post-development runoff in excess of that accommodated by minor system components resulting from twenty-four (24) hour rainfall events for storms with return frequencies greater than two (2) years up to and including the one hundred (100) year return event (as identified in TR 55). Runoff resulting from a one hundred (100) year, twenty-four (24) hour rainfall event shall be contained within the street right-of-way.
- (l) **Drainage Piping Systems.**
- (1) Unless otherwise approved by the Village Engineer, all drainage piping of twelve (12) inches diameter and greater in street rights-of-way shall be constructed of Class Three (3) reinforced concrete pipe. Piping materials outside of rights-of-way shall be subject to approval of the Village Engineer. All storm sewer outlets shall be equipped with steel bar or iron pipe debris gates.
 - (2) Agricultural drain tiles which are disturbed during construction shall be restored, reconnected or connected to public storm drainage facilities.
- (m) **Open Channel Systems.**
- (1) Where open channels are utilized in either the minor or major drainage system, they shall be designed so as to minimize maintenance requirements and maximize safety. Drainage easements (in lieu of dedications) shall be utilized to accommodate open channels provided adequate access by the Village for maintenance of drainage capacity. Side slopes shall not exceed a four-to-one (4:1) slope. Drainageways where subject to high ground water, continuous flows, or other conditions as determined by the Village Engineer that would hamper maintenance operations due to consistently wet conditions, shall have a paved concrete invert of not less than eight (8) feet wide and side slopes to a point one (1) foot above the channel invert.
 - (2) In areas where invert paving is not required, the drainageway bottom shall be grass. If the drainageway has a bare soil bottom or the natural grasses in the drainageway are disturbed due to development operations, the drainageway bottom shall be sodded and securely staked to one (1) foot above the elevation of inundation resulting from a predevelopment five (5) year, twenty-four (24) hour storm event. Other disturbed areas shall be seeded and prepared in accordance with the Village's Erosion Control

requirements. Velocities for grass-lined channels shall not exceed those presented in the Village's Surface Water Management Study, if one is adopted.

- (n) **Standards for On-Site Detention Storage.** When the subdivider employs on-site detention to control erosion and sedimentation, reduce the post-development peak runoff rate or temporarily store storm water runoff due to inadequate downstream drainage facilities. The detention (storage) facilities shall be subject to regulation in accordance with the following standards:
- (1) Where on-site detention is temporarily employed for erosion and sedimentation control, the detention facilities shall safety contain the predevelopment runoff from a five (5) year storm event of twenty-four (24) hour duration.
 - (2) Where on-site detention is permanently employed to reduce the post-development peak runoff, the detention facility shall safety contain the post-development runoff from a twenty-five (25) year storm event of twenty-four (24) hour duration within the limits of the facility.
 - (3) Post-development peak runoff rates shall be limited to pre-development levels, up to and including twenty-five (25) year return period storms.
 - (4) All detention facilities shall safety contain or pass the runoff from any storm of any duration which exceeds the maximum storm required to be contained up to the one hundred (100) year storm event of twenty-four (24) hour duration.
 - (5) All permanent detention facilities shall safety contain the runoff from the one hundred (100) year storm event of twenty-four (24) hour duration on both public and, if necessary, private properties without inundating any building at the ground elevation, the travel lanes of any arterial street, the center ten (10) feet of any collector street or the top of the curb on any local street.
 - (6) Determination of on-site detention volumes shall be computed by procedures established by the United States Soil Conservation Service in the most current edition of its technical publication entitled "Urban Hydrology for Small Watersheds, TR-55," and as accepted and approved by the Village Engineer.
 - (7) The storage of storm water runoff shall not encroach on any public park (except parks designed with detention facilities) or any private lands outside the land division unless an easement providing for such storage has been approved and recorded for said lands.
 - (8) All detention facilities shall be designed with the safety of the general public and any considerations for ease of maintenance as top proprieties.
 - (9) Any wet detention facilities shall include riprap to not less than two (2) feet above the normal pool elevation for protection from wave action.
 - (10) The sides of all detention facilities shall have a maximum slope ratio of four to one (4:1) (horizontal to vertical), with flatter slopes being required where determined practical by the Village Engineer.
 - (11) The Village Board, upon recommendation by the Village Engineer, may require the installation of fencing or other such security measures in detention facilities with excessively long down times or permanent water features, or other features requiring additional security for safety reasons.

- (12) The maximum depth of a detention pond shall be two (2) feet and shall be protected, if required by the Village, by fencing according to specifications by the Village Engineer.

Sec. 14-1-13 Extra-Size or Off-Site Improvements.

- (a) **Design Capacity.** All improvements shall be installed to satisfy the service requirements for the service or drainage area in which the subdivision is located and the improvements shall be of sufficient capacity to handle the expected development of the overall service or drainage area involved.
- (b) **Extra-Size Improvements.** Where improvements in excess of the size needed to serve just the proposed subdivision are required, the subdivider shall pay for the total cost of improvements he is required to install to serve his subdivision. The additional costs which result from the extra-size improvement shall be paid for by the Village. Thus, when conditions within the whole drainage area will require an eighteen (18) inch sanitary sewer, for example, and a twelve (12) inch sewer will adequately serve the subdivision involved, the subdivider shall construct the eighteen (18) inch utility and bill the Village for the difference in material costs between a twelve (12) inch and eighteen (18) inch sewer pipe.
- (c) **Off-Site Extensions.** When streets or utilities are not available at the boundary of the proposed subdivision, the Village, or its duly authorized representative, shall require, as a prerequisite to approval of a final plat, assurances that such improvement extensions shall be provided as follows:
- (1) Extensions of utilities onto the property involved shall be adequate to serve the total development requirements of the service or drainage area. Utilities leaving the property shall be constructed in such a manner as to make their extension practical for servicing the adjacent areas of the service or drainage area.
 - (2) If the Village, or its duly authorized representative, find that extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a governmental expense until some future time, the developer shall be required, if he wishes to proceed with the development, to obtain necessary easements or rights-of-way and construct and pay for such extensions. Such improvements shall be available for connections by subdividers of adjoining land and the subdivider may contract with adjacent property owners and/or subdividers of adjacent land for reimbursement of the oversize and/or off-site improvements constructed.
- (d) Where sanitary sewer lift stations and force mains are required to lift sewage to the gravity system, the subdivider shall have plans, profiles and specifications prepared for the installation of such facilities. The installation, inspection, supervision and engineering fees for lift stations and/or force mains shall be paid for by the subdivider unless otherwise determined and agreed upon the Village Board.

Sec. 14-1-14 Non-Residential Subdivisions.

(a) **General.**

- (1) If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provisions as the Village may require.
- (2) A non-residential subdivision shall also be subject to all the requirements of site plan approval set forth in the Zoning Code. A non-residential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the Village and shall conform to the proposed land use standards established by the Comprehensive Plan, Official Map and Zoning Ordinance.

(b) **Standards.** In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Village 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 following principles and standards shall be observed:

- (1) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- (2) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- (3) Special requirements may be imposed by the Village with respect to street, curb, gutter and sidewalk design and construction.
- (4) Special requirements may be imposed by the Village with respect to the installation of public utilities, including water, 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.

Sec. 14-1-15 Requirements and Design Standards for Public Improvements.

(a) **General Requirement.**

- (1) In accordance with the authority granted by Sec. 236.13, Wis. Stats., the Village of La Farge hereby requires that, as a condition of Final Plat or certified survey approval, the subdivider agree to make and install all public improvements required by this Chapter and that the subdivider shall provide the Village with security to ensure that the subdivider will make the required improvements. As a further condition of approval, the Village Board hereby requires that the subdivider be

- responsible for the cost of any necessary alterations of any existing utilities which, by virtue of the platting or certified survey map, fall within the public right-of-way.
- (2) As a condition for the acceptance of dedication of public rights-of-way, the Village requires that the public ways have been previously provided with all necessary facilities constructed to Village specifications, including, but not limited to, sewerage, storm drainage, water mains and services, grading and improvement of the streets and other public ways, sidewalks, street signing, street lighting and such other facilities required by the Village Board.
 - (3) The following required improvements shall be installed in accordance with the standards of this Chapter and any additional engineering standards and specifications which have been adopted by the Village Board and filed with the Village Clerk. Where standards and specifications have not been adopted, the improvements shall be made in accordance with good engineering practices.
- (b) **Guarantee for Installation of Required Improvements.**
- (1) **Payment for Installation of Improvements.** The required improvements to be furnished and installed by the subdivider, which are listed and described in this Chapter. The Village will install streets and curb and gutter and the abutting property owner will be assessed for the cost of the curb and gutter. For any project to be considered where there will be Village financial involvement, the plat must be approved by November 1st of the year preceding the beginning of construction in order to comply with budget process requirements; provided, however, that in the case of an improvement, the cost of which would by general policy be assessed only in part to the improved property and the remaining cost paid out of general tax levy, provision may be made for payment of a portion of the cost by the subdivider and the remaining portion of the cost by the Village. If any improvement installed within the subdivision will be of substantial benefit to land beyond the boundaries of the subdivision, provision may be made for causing a portion of the cost of the improvement, representing the benefit to such land, to be assessed against the same and in such case the subdivider will be required only to pay for such portion of the whole cost of said improvement as will represent the benefit to the property within the subdivision.
 - (2) **Required Agreement Providing for Proper Installation of Improvements.**
 - a. 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 Village requiring the subdivider to furnish and construct said improvements at his sole cost and in accordance with plans and specifications and usual contract conditions, which shall include provision for supervision of details of construction

by the Village Engineer and grant to the Engineer authority to correlate the work to be done under said contract by any subcontractors authorized to proceed thereunder and with any other work being done or contracted by the Village in the vicinity.

- b. The agreement shall require the subdivider to make an escrow deposit or in lieu thereof to furnish a performance bond or irrevocable letter of credit, the amount of the deposit and the penal amount of the bond to be equal to one hundred twenty-five percent (125%) the Engineer's estimate of the total cost of the improvements to be furnished under the contract, including the cost of inspection.
- c. 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 or bond 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 complete within the specified period, all amounts held under performance bond shall be turned over and delivered to the Village and applied to the cost of the required improvements. Any balance remaining after such improvements have been made shall be returned to the owner or subdivider. The Village Board, at its option, may extend the bond period for an additional period not to exceed two (2) years.
- d. The time for completion of the work and the several parts thereof shall be determined by the Village Board upon recommendation of the Engineer after consultation with the subdivider.
- e. The subdivider shall pay the Village for all costs incurred by the Village for review and inspection of the subdivision. This would include preparation and review of plans and specifications by the Engineer, Planner and Attorney, as well as other costs of a similar nature.

(c) **Procedure.**

- (1) **Construction Plans and Specifications.** Construction plans for the required improvements conforming in all respects with the standards of the Village Engineer and the ordinances of the Village shall be prepared at the subdivider's expense by professional engineer who is registered in the State of Wisconsin, and said plans shall contain his seal. Such plans, together with the quantities of construction items, shall be submitted to the Village Engineer for his approval and for his estimate of the total cost of the required improvements; upon approval they shall become a part of the contract required. Simultaneously with the filing of the preliminary plat with the Village Clerk or as soon thereafter as practicable, copies of the construction plans and specifications shall be furnished for the following public improvements:
 - a. **Street Plans and Profiles** showing existing and proposed grades, elevations and cross sections of required improvements.
 - b. **Sanitary Sewer** plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities.

- c. *Storm Sewer and Open Channel* plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials of required facilities.
 - d. *Water Main plans and profiles showing the locations, sizes, elevations and materials of required facilities.*
 - e. *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.
 - f. *Planting Plans* showing the locations, age, caliper, species and time of planting of any required grasses, vines, shrubs and trees.
 - g. *Additional* special plans or information as required by Village officials.
- (2) **Action by the Village Engineer.** The Village Engineer shall review or cause to be reviewed the plans and specifications for conformance with the requirements of this Code of Ordinances and other pertinent Village design standards recommended by the Village Engineer and approved by the Village Board. If he rejects the plans and specifications, he shall notify the owner, who shall modify the plans or specifications or both accordingly. When the plans and specifications are corrected, the Village Engineer shall approve the plans and specifications for transmittal to the Village Board. The Village Board shall approve the plans and specifications before the improvements are installed.
- (3) **Construction and Inspection.**
- a. Prior to starting any of the work covered by the plans approved above, written authorization to start the work shall be obtained from the Village Engineer upon receipt of all necessary permits and in accordance with the construction methods of this Chapter.
 - b. Construction of all improvements required by this Chapter shall be completed within two (2) years from the date of approval of the preliminary plat by the Village Board, unless good cause can be shown for the Village Board to grant an extension.
 - c. During the course of construction, the Village Engineer shall make such inspections as he deems necessary to insure compliance with the plans and specifications as approved. The owner shall pay the actual cost incurred by the Village for such inspections. This fee shall be the actual cost to the Village of inspectors, engineers and other parties necessary to insure satisfactory work.
- (4) **"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 a map showing the actual location of all valves, manholes, stubs, sewers and water mains and such other facilities as the Village Engineer shall require. This map shall be in black pencil on tracing paper and shall bear the signature and seal of a professional engineer registered in Wisconsin. The presentation of the map shall be a condition of final acceptance of the improvements and release of the surety bond assuring their completion.

- (d) **Street, Alley and Sidewalk Improvements.** The developer shall construct streets and sidewalks as outlines on the approved plans based on the requirements of this Code of Ordinances:
- (1) **Grading.** With the submittal of the final plat, the subdivider shall furnish drawings which indicate the existing and proposed grades of streets and alleys shown on the plat. Proposed grades will be reviewed by the Village Engineer for conformance with Village standards and good engineering practice. Street grades require the approval of the Village Board after receipt of the Village Engineer's recommendations. After approval of the street grades, the subdivider shall grade the full width of the right-of-way of the streets and alleys proposed to be dedicated, including the vision clearance triangle on corner lots. 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. The bed for the roadways in the street rights-of-way shall be graded to subgrade elevation. The Village Engineer shall approve all grading within rights-of-way and said grading shall extend for a sufficient distance beyond the right-of-way to insure that the established grade will be preserved. Where electric and other communications or utilities facilities are to be installed underground, the utility easements shall be graded to within six (6) inches of the final grade by the subdivider, 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.
 - (2) **Street and Sidewalk Construction.**
 - a. After sanitary sewer, storm sewer and water utilities have been installed, the subdivider shall construct and dedicate as part of the subdivision, streets, curbs and gutters and sidewalks including those adjacent to platted lots in existing street rights-of-way abutting the plat. The subdivider shall surface roadways to the widths prescribed by the Village Board on recommendation of the Village Engineer. Construction shall be to Village standard specifications for street improvements.
 - b. The Village Board shall have the option of not requiring the construction of sidewalks within street rights-of-way in cases where it determines, after consultation with the Village Engineer, that sidewalks are not necessary because of low density land use and low pedestrian volumes or for access to schools and bus routes or for continuity of existing sidewalk or bicycle route systems or because of a cul-de-sac or loop street pattern. Consideration shall also be given to the pattern of development of adjoining lands and to the possibility of damage to trees.
 - c. Dedicated walkways shall be improved by the subdivider to a grade and width approved by the Village Engineer and with surfacing as required by the Village Board based on the location and the amount and character of use. The subdivider shall submit standard drawings indicating the existing and proposed grades.
 - (3) **Completion of Street and Sidewalk Construction.**
 - a. Prior to any building permits being issued on lands adjacent to streets and/or sidewalks, all street and sidewalk construction shall be completed by the subdivider, approved by the Village Engineer and accepted by the Village Board.

question as well as providing all sanitary sewer work within the subdivision. The cost of providing and installing sewer pipe of sizes larger or at a greater depth than required to serve the area shall be borne by the Village, as agreed upon between the land owner and the Village Board prior to approval of the preliminary plat or certified survey map, pursuant to this Chapter. The size, type and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and standard specifications approved by the Village.

- (g) **Water Supply System Design Standards.** There shall be provided a water supply system in conformity with the master plan of the water system as approved by the Village Board. The subdivider shall construct water mains in such a manner as to make adequate water service available to each lot within the subdivision. If municipal water service is not available, the subdivider shall make provision for adequate private water systems as specified in applicable ordinances. The Village may require the installation of water laterals to the street lot line. The size, type and installation of all public water mains proposed to be constructed shall be in accordance with plans and standard specifications approved by the Village.
- (h) **Storm Water Drainage Facilities.** Pursuant to Section 14-1-12, the subdivider shall provide storm water drainage facilities which may include curb and gutter, catch basins and inlets, storm sewers, road ditches and open channels, as may be required. All such facilities are to be of adequate size and grade to hydraulically accommodate the twenty-five (25) year storm. Storm drainage facilities shall be so designed as to present no hazard to life or property, and the size, type and installation of all storm water drains and sewers proposed to be constructed shall be in accordance with the plans and specifications approved by the Village Engineer. The subdivider shall pay all costs of all storm sewer work.
- (i) **Other Utilities.** The subdividers shall cause gas, electrical power and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision. No such electrical or telephone service shall be located on overhead poles along the front lot lines unless otherwise allowed due to exceptional topography or other physical barrier. Plans indicating the proposed location of all gas, electrical power and telephone distribution and transmission lines required to service the plat shall be approved by the Village Board and such map shall be filed with the Village Clerk.
- (j) **Street Lamps.** The subdivider shall install 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 may be required by the Village Board.
- (k) **Street Signs.** The subdivider shall install at the intersections of all streets proposed to be dedicated a street sign of a design specified by the Village Board.
- (l) **Material Standards.** All improvements constructed under this Chapter shall be of the standards, where applicable, established by the State Highway Commission's "Standard Specifications for Roads and Bridges." Where the Highway Commission's specifications do not apply, the standards shall be as approved by the Village Engineer.

- (m) **Improvements Complete Prior to Approval of Final Plat.** Improvements within a subdivision which have been completed prior to application for approval of the final plat or execution of the contract for installation of the required improvements shall be accepted as equivalent improvements in compliance with the requirements only if the Village Engineer shall certify that he is satisfied that the existing improvements conform to applicable standards.
- (n) **Acceptance of Improvements.** The dedication of any improvements, utilities, streets, parks, easements, rights-of-way or other lands or rights to the Village or the public shall not be considered accepted by the Village for public ownership until such time as the required public improvements within the intended dedication or necessary because of the intended dedication have been completed and accepted by the Village Board by adoption of a resolution accepting such dedication. Improvements shall be dedicated to the Village free and clear of any encumbrances. The subdivider shall be responsible for and liable for the maintenance, safety and operation of all required public improvements until such time as the improvements are accepted by the Village Board by resolution. In the event the Village must take measures to maintain, operate or make safe a public improvement existing or required as a result of the land division but which has not yet been accepted by the Village, the costs of such measures shall hereby be determined to be Village-incurred costs to be reimbursed to the Village by the subdivider in accordance with the provisions of this Chapter.
- (o) **Inspection and Certification of Improvements.**
- (1) After any of the following increments of the required improvements have been installed and completed, the subdivider shall notify the Village Engineer, in writing, that the work is complete and ready for final inspection, shall file reproducible record drawings of the completed improvements and shall file lien waivers or affidavits, in a form acceptable to the Village Engineer and approved by the Village Attorney, evidencing that there are no claims, actions or demands for damages, based upon contract or tort arising out of or in any way related to the project and that no moneys are owned to any surveyor, mechanic, contractor, subcontractor, materialman or laborer after all required improvements have been installed. Acceptance of the improvements may be requested in the following increments:
 - a. Sewer mains and services (either storm or sanitary).
 - b. Water mains and services.
 - c. Streets comprised of all grading, gravel, curb and gutter, culverts and paving.
 - d. Other miscellaneous appurtenances to the above increments such as sidewalks, bikeways, street lighting, street signing, etc.
 - (2) The Village Clerk shall certify that there are no unpaid taxes or unpaid special assessments on any of the lands included in the area of acceptance and shall prepare a final billing for engineer, inspection and legal fees and submit it to the subdivider for payment. The Village Engineer shall conduct any necessary final inspections of the improvements and forward a report to the Village Clerk recommending either approval or disapproval. When the engineering, inspection, taxes, special assessments

- b. The Village Engineer 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 (i.e., cement, asphalt). The issuance of a waiver shall be at the discretion of the Village Engineer and shall be based upon the written request of the subdivider.
- c. The subdivider requesting a waiver shall present such information and documentation required by the Village Board. The waiver shall be in written form and shall detail which improvement requirements are temporarily waived and for what period of time.
- (4) **Curb and Gutter.** When required by the Village Board, 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 Village Board or its designee. Wherever possible, provision shall be made at the time of construction for driveway access curb cuts.
- (e) **Construction Standards.** All streets and highways constructed in the Village or to be dedicated to the Village shall fully comply with the following construction standards:
 - (1) **Right-of-Way and Pavement Width.** The minimum right-of-way and roadway width of all proposed streets and alleys shall be as specified by the comprehensive plan, comprehensive plan component or official map or, if no width is specified therein, the minimum widths shall be as specified below. Cross-sections for freeways and parkways should be based upon detailed engineering studies.

Street Type	Right-of-Way Minimum Width	Minimum Radius of Curvature
Arterial Highway	120 feet	300 feet
Minor Street	66 feet	100 feet

- (2) **Roadway Ditches.** Where curb and gutter is not required by the Village for rural cross-section streets, the minimum ditch slope shall be fifty one hundredths percent (0.50%).
- (3) **Roadway Base Thickness.**
 - a. Residential streets shall have a minimum roadway base thickness of six (6) 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 level.
 - b. On commercial, arterial or other heavy-use streets, as determined by the Village Engineer, a base course of eight (8) 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 (1-1/2) inches and no greater than ten percent (10%) by weight passing a No. 200 sieve or No. 3 crushed rock approximately six (6) inches in depth and one (1) or more layers of fine aggregate, either three-fourths (3/4) inch crushed gravel, well-graded with no

- greater than ten percent (10%) passing a No. 200 sieve, or three-fourths (3/4) inch traffic-bound crushed rock.
- c. In the case of commercial, arterial or other heavy-use roads, the Village Board may, in the alternative to the above standards, have the Village Engineer provide specifications for such roads after researching the site(s) and conducting a soil analysis.
 - d. In any case, the Village Board shall have the sole discretion in determining the use and construction classification to be adhered to.
 - e. In all cases, the base course shall be compacted to the extent necessary to produce a condition so that there will be no appreciable displacement of material laterally and longitudinally under traffic and shall conform to line, grades and shape shown on the approved plans, profiles and cross sections.
- (4) **Roadway Sub-Base.** Stable and nonorganic sub-base material is required. Unstable and organic material must be subcut, removed and replaced with a suitable granular of breaker-run material approved by the Village Engineer.
 - (5) **Pavement Thickness.** Residential streets shall have a minimum of two and one-half (2-1/2) inches thick compacted bituminous concrete pavement, placed in two (2) layers - a binder course and one and one-half (1-1/2) inches thick and a surface course of one (1) inch. On commercial, arterial or other heavy-use streets, there shall be a minimum of three and one-half (3-1/2) inches of bituminous concrete pavement, placed in two (2) layers - a binder course of two (2) inches thick and a surface course of one and one-half (1-1/2) inches thick. In the case of commercial, arterial or other heavy-use roads, the Village Board may, in the alternative to the above standards, have the Village Engineer provide specifications for paving such roads after researching the site(s) and conducting a soil analysis. In any case, the Village Board shall have the sole discretion in determining the use and construction classification to be adhered to.
 - (6) **Roadway Culverts and Bridges.** Roadway culverts and bridges shall be constructed as directed by the Village Engineer and sized utilizing the methods listed in Chapter 13, entitled "Drainage", of the "Facilities Development Manual" of the Wisconsin Department of Transportation. All roadway culverts shall be provided with concrete or metal apron endwalls.
 - (7) **Driveway Culverts.** Driveway culverts shall be sized by the Village Engineer (if appropriate). The culverts shall be placed in the ditch line at elevations that will assure proper drainage, be provided with concrete, metal or landscape timber endwalls, and shall comply with the provisions of Title 6, Chapter 3.
- (f) **Sanitary Sewerage System Design Standards.** There shall be provided a sanitary sewerage system in conformity with the master plan of sewers as approved by the Village Board and/or sewerage district. The subdivider shall install adequate sanitary sewer facilities and connect them to sewer mains subject to specifications and inspection of the Village Engineer. 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

and legal fees have been paid and when the necessary lien waivers and affidavits have been filed, the report of the Village Engineer, together with the recommendation of the Village Clerk, shall be forwarded to the Village Board for approval and acceptance of the improvements and dedications.

Sec. 14-1-16 Easements.

- (a) **Utility Easements.** The Village Board, on the recommendation of appropriate agencies of the Village, shall require utility easements for poles, wire, conduits, storm and sanitary sewers, gas, water and head mains or other utility lines. It is the interest of this Chapter 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) **Drainage Easements.** Where a subdivision is traversed by a watercourse, drainage way, channel or stream:
 - (1) There shall be provided a storm water easement or drainage right-of-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 right-of-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 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 thirty (30) feet.
- (c) **Easement Locations.** Such easements shall be at least twelve (12) feet wide and may run across lots or alongside of rear lot lines. Such easements should preferably be located along rear lot lines. Evidence shall be furnished the Village Board that easements and any easement provisions to be incorporated in the plat or in deeds have been reviewed by the individual utility companies or the organization responsible for furnishing the services involved.

Sec. 14-1-17 Grading.

The subdivider shall grade each land division in order to establish street, block and lot grades in proper relation to each other and to topography as follows:

(a) **Master Site-Grading Plan.**

- (1) A master site-grading plan shall be prepared by the subdivider for all new subdivisions. This plan shall be prepared in accordance with the requirements and standards of the Village.
- (2) The master site-grading plan shall show existing and proposed elevations of all lot corners, control points and building locations. The plan shall also indicate all overland storm drainage in and adjacent to the subdivision. The cost of the preparation of such a plan shall be paid for by the subdivider.
- (3) After approval or modification of these plans by the Village Engineer, the full width of the right-of-way of the proposed streets within the subdivision and the entire subdivision lot area shall be graded in accordance with the master site-grade plan. The owners of the subdivision lots shall adhere to those plans.
- (4) Upon completion of all street and subdivision grading, the grades shall be checked and certified by the Village Engineer to determine that the completed grading work is in accordance with the master site-grading plan.
- (5) The cost of all required grading work, supervision, certification, inspection and engineering fees shall be paid for by the subdivider.

(b) **Right-of-Way Grading.** 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.

(c) **Block Grading.** Block grading shall be completed by one (1) or more of the following methods:

- (1) Regrading along the side or rear lot lines which provides for drainage to the public drainage facilities, provided any ditches or swales are in public drainage easements, provided that a deed restriction is adopted which prohibits alteration of the grades within five (5) feet of any property line from the grades shown on the master site grading plan.
- (2) Parts of all lots may be graded to provide for drainage to a ditch or to a swale.

(d) **Miscellaneous Grading Requirements.**

- (1) Lot grading shall be completed so that water drains away from each building site toward public drainage facilities at a grade approved by the Village Engineer and provisions shall be made to prevent drainage onto properties adjacent to the land division unless to a public drainage facility.
- (2) Grading activities shall not result in slopes greater than three to one (3:1) on public lands or lands subject to public access.
- (3) The topsoil stripped for grading shall not be removed from the site unless identified in the Erosion Control Plan approved by the Village Engineer 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 Village releasing the one (1) year guarantee provision on public improvements in the streets adjacent to the lots on which the topsoil is stockpiled.

- (4) Such grading shall not result in detriment to any existing developed lands, either within or outside of the corporate limits.
- (e) **Drainage Flows.** The subdivider shall cause to be set upon the master grading plan arrows indicating the directions of drainage flows for each property line not fronting on a street on all parcels and along each street as will result from the grading of the site, the construction of the required public improvements, or which are existing drainage flows and will remain. The arrows indicating the directions of flows shall be appropriately weighted so as to differentiate between the minor and major [one hundred (100) year event] drainage components. The arrows shall be accompanied on the master grading plan with the following note:

Arrows indicate the direction of drainage flows in various components resulting from site grading and the construction of required public improvements. The drainage flow components located in easements shall be maintained and preserved by the property owner unless approved by the Village Engineer.

Sec. 14-1-18 General Park and Public Land Dedication Requirements.

- (a) **Dedication Requirement.** In order that adequate open spaces and sites for public uses may be property 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 a certified survey or subdivision development, each subdivider shall be required to dedicate land or fees in lieu of land for park or other public uses.
- (b) **General Design.** In the design of a subdivision, land division, planned unit development or certified survey, provision shall be made for suitable sites of adequate area for schools, parks, playgrounds, open spaces, drainage-ways and other public purposes. Such sites are to be shown on the Preliminary Plat and Final Plat, and shall comply with the Village Master Plan or component of said Plan. Consideration 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.
- (c) **Dedication of Parks, Playgrounds, Recreation and Open Spaces.** The subdivider shall dedicate sufficient land area to provide adequate park, playground, recreation and open space to meet the needs to be created by and to be provided for the land division, subdivision or comprehensive development. The minimum dedication shall be one (1) acre per fifteen (15) single-family lots or fifteen (15) residential units.
- (d) **Fees in Lieu of Land.**
- (1) Where, in the sole discretion of the Village Board, there is no land suitable for parks within the proposed land division or the dedication of land would not be compatible with the Village's comprehensive development or park plan, the minimum size under

Subsection (d) cannot be met, or Village officials determine that a cash contribution would better serve the public interest, the Village Board shall require the subdivider to contribute a park and recreation development fee in lieu of land. The fees collected shall be held in a nonlapsing fund to be used for purchase, development, improvement and maintenance of parks, playgrounds, open spaces and other recreational sites and facilities. The total fee shall be computed on the basis of the maximum residential use of each parcel permitted in the particular zoning district under the Zoning Code. For each proposed residential development, the fee shall be One Hundred Fifty Dollars (\$150.00) for each residential unit. The fee shall be paid to the Village at the time of final plat or certified survey approval. This fee shall be annually adjusted by the Village Clerk by adding to the base fee the Consumer Price Index (CPI) cost on March 1st of that year for each possible dwelling unit within the plat/land division allowed by the Zoning Code.

- (2) The Village Board may, in its sole discretion, permit the subdivider to satisfy the requirements of this Section by combining a land dedication with a fee payment. If a land dedication of twenty-five percent (25%) of the required dedication is made, the subdivider shall also contribute an amount equal to seventy-five percent (75%) of the required per unit fee in lieu of land. If a land dedication of fifty percent (50%) of the required dedication is made, the subdivider shall also contribute an amount equal to fifty percent (50%) of the required per unit fee in lieu of land. If a land dedication of seventy-five percent (75%) of the required dedication is made, the subdivider shall also contribute an amount equal to twenty-five percent (25%) of the required per unit fee in lieu of land.
- (3) The Village shall place any fee collected pursuant to the provisions of this Section in a separate account to be used at the discretion of the Village Board in any community park, for developing adequate parks, playgrounds, recreation and open spaces.
- (e) **Limitations.** A subdivider shall not be required to dedicate more than one-third (1/3) of the total area of the plat to meet the objectives of this Section.
- (f) **Suitability of Lands.** The Village Board shall have sole authority to determine the suitability and adequacy of park lands proposed for dedication. Drainageways, wetlands or areas reserved for streets shall not be considered as satisfying land dedication requirements.
- (g) **Access to Dedicated Land.** All dedicated land shall have frontage on a public street and shall have unrestricted public access.
- (h) **Utility Extensions.** The subdivider shall install or provide for installation of water and sanitary sewer lines to the property line of all dedicated land, where such services are to be provided to the adjacent properties.
- (i) **Development of Park Area.**
 - (1) When parklands are dedicated to the Village, the subdivider is required to:
 - a. Properly grade and contour for proper drainage;
 - b. Provide surface contour suitable for anticipated use of area as approved by the Village Engineer; and

- c. Cover areas to be seeded with a minimum of four (4) inches of quality topsoil, seed as specified by the Village Engineer and mulched, as specified in the standard "Specifications for Road and Bridge Construction Section 627 and 629". The topsoil furnished for the park site shall consist of the natural loam, sandy loam, silt loam, silty clay loam or clay loam humusbearing soils adapted to the sustenance of plant life, and such topsoil shall be neither excessively acid nor excessively alkaline. Fine grading and seeding must occur within one (1) year following issuance of the first building permit within that land division unless otherwise authorized by the Village. The improved area shall not be deemed officially accepted until a uniform grass cover to a two (2) inch height has been established. It shall be the responsibility of the subdivider to maintain the area until the Village accepts the dedication.
- (2) It shall be the responsibility of the Village to maintain the dedicated areas upon their dedication and acceptance by the Village.
- (3) A neighborhood park area shall be provided by the subdivider with a standard residential water service unless located directly adjacent to a fire hydrant. A community park area shall be provided by the developer with a minimum six (6) inch water service or at least one (1) fire hydrant, and at least one (1) four (4) inch sanitary sewer lateral, all located at the street property line.
- (4) The Village Board may require certification of compliance with this Article by the subdivider. The cost of such report shall be paid by the subdivider.
- (5) If the subdivider fails to satisfy the requirements of this Section, the Village Board may contract 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.
- (6) The subdivider shall pay all costs of public improvements in the public streets adjacent to or within all public and/or park lands.

Sec. 14-1-19 Administrative and Other Fees.

- (a) **General.** The subdivider shall pay the Village of La Farge all fees as hereinafter required and at the times specified before being entitled to recording of a plat or certified survey map. At the time of submission of a plat or certified survey, the Village Board, at its sole discretion, may require the subdivider to make a good faith deposit with the Village Clerk to cover, in all or part, the expenses anticipated to be incurred by the Village because of the land division. Unused portions of such fund may be refunded to the subdivider.
- (b) **Engineering Fee.** The subdivider shall pay a fee equal to the actual cost to the Village for all engineering work incurred by the Village in connection with the plat or certified survey map, including inspections required by the Village pursuant to Section 14-1-52(d). The subdivider shall pay a fee equal to the actual cost to the Village for such engineering

work and inspection as the Village Board and/or Village Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Village or any other governmental authority. Engineering work shall include the preparation of construction plans, standard specifications and administration of the engineering work.

- (c) **Administrative Fee.** The subdivider shall pay a fee to the Village equal to the cost of any legal, administrative or fiscal work which may be undertaken by the Village of connection with the plat or certified survey map.
- (d) **Concept Plan.** There shall be no fee for the Village's review of a concept or sketch plan of a proposed land division. However, such reviews shall be conducted only as staff time permits.
- (e) **Preliminary Plat.**
 - (1) A subdivider who submits a Preliminary Plat to the Village Board shall file said Preliminary Plat with the Village Clerk and shall deposit with the Village Clerk a fee to cover the costs of reviewing said application. The fee for a Preliminary Plat shall be Fifty Dollars (\$50.00) for up to and including six (6) lots plus Five Dollars (\$5.00) per each additional lot over six (6). If the plat is rejected, no part of the fee shall be returned to the petitioner.
 - (2) A reapplication fee of Twenty-five Dollars (\$25.00) shall be paid to the Village Clerk at the time of reapplication for approval or amendment of any Preliminary Plat which has previously been reviewed.
- (f) **Final Plat Review Fee.**
 - (1) The subdivider shall pay a fee of Twenty Dollars (\$20.00) per lot within the Final Plat to the Village Clerk at the time of first application for Final Plat approval of said plat to assist in defraying the cost of review.
 - (2) A reapplication fee of Ten Dollars (\$10.00) shall be paid to the Village Clerk at the time of a reapplication for approval or amendment of any Final Plat which has previously been reviewed.
- (g) **Certified Survey.**
 - (1) The subdivider shall pay an application fee of Fifty Dollars (\$50.00) for each certified survey.
 - (2) Should the subdivider submit an amended or revised Certified Survey, the resubmittal fee shall be Fifty Dollars (\$50.00) for each amended or revised Certified Survey.
- (h) **Objecting Agency Review Fees.** The subdivider shall transmit all fees required for state agency review at the time of application. Said review fees shall be retransmitted to the proper state review agency by the developer. Said fees shall be applicable, where appropriate, to review fees required by the Wisconsin Department of Development, Wisconsin Department of Transportation, Wisconsin Department of Industry, Labor and Human Relations and the Wisconsin Department of Natural Resources.
- (i) **Public Site Fee.** If the subdivision does not contain lands to be dedicated as required in this Chapter, the Village Clerk shall require a fee pursuant to Section 14-1-18 for the

acquisition and development of public sites to serve the future inhabitants of the proposed subdivision.

- (j) **Assessments.** All outstanding assessments due to the Village shall be due prior to the signing of the Final Plat or Certified Survey by the Village.
- (k) **Cost Determination.** The subdivider of land divisions within the Village shall reimburse the Village for its actual cost of design, inspection, testing, construction and associated legal and real estate fees incurred in connection with the preliminary plat, final plat, replat or certified survey. The Village's costs shall be determined as follows:
- (1) The cost of Village employees' time engaged in any way with the land division based on the hourly rate paid to the employee multiplied by a factor determined by the Village Clerk to represent the Village's cost for expenses, benefits, insurance, sick leave, holidays, vacation and similar benefits.
 - (2) The cost of Village equipment employed.
 - (3) The cost of mileage reimbursed to Village employees which is attributed to the land division.
 - (4) The actual costs of Village materials incorporated into the work, including transportation costs plus a restocking and/or handling fee not to exceed ten percent (10%) of the cost of the materials.
 - (5) All consultant fees, including but not limited to legal and engineering fees, at the invoiced amount plus administrative costs. Unless the amount totals less than Fifty Dollars (\$50.00), the Village shall bill the subdivider monthly for expenses incurred by the Village. Statements outstanding for more than thirty (30) days shall accrue interest at the rate of one and one-half (1-1/2%) per month. Bills outstanding for more than ninety (90) days shall be forwarded to the subdivider's surety agency for payment. Amounts less than Fifty Dollars (\$50.00) shall be held for billing by the Village until amounts total more than Fifty Dollars (\$50.00) or until the conclusion of project activities.

Sec. 14-1-20 Variations and Exceptions.

- (a) Where, in the judgment of the Village Board, it would be inappropriate to apply literally the provisions of this Chapter because of the proposed subdivision being located outside of the corporate limits or because exceptional or undue hardship would result, the Village 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 is filed for consideration, stating fully all facts relied upon by the petitioner, and shall be supplemented with maps, plans or other additional data which may aid the Village Board in the analysis of the proposed project. The plans for such development shall include such covenants, restrictions or other legal provisions necessary to guarantee the full achievement of the plan.

- (b) The Village Board shall not grant variations or exceptions to the regulations of this Chapter unless it shall make findings based upon the evidence presented to it in each specific case that:
 - (1) The granting of the variation 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;
 - (2) The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property;
 - (3) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- (c) Such relief shall be granted without detriment to the public good, without impairing the intent and purpose of this Chapter or the desirable general development of the community in accordance with the Comprehensive Plan or zoning Code, if applicable, of the Village. A majority vote of the entire membership of the Village Board shall be required to grant any modification of this Chapter, and the reasons shall be entered in the minutes of the Board.
- (d) The Village Board may waive the placing of monuments, required under Section 236.15(b), (c) and (d), Wis. Stats., for a reasonable time on condition that the subdivider execute a surety bond to insure the placing of such monuments within the time required.

Sec. 14-1-21 Enforcement, Penalties and Remedies.

- (a) **Violations.** It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this Chapter or the Wisconsin Statutes and no person shall be issued a building permit by the Village authorizing the building on, or improvement of, any subdivision, land division or replat with the jurisdiction of this Chapter not of record as of the effective date of this Code until the provisions and requirements of this Chapter have been fully met. The Village may institute appropriate action or proceedings to enjoin violations of this Chapter or the applicable Wisconsin Statutes.
- (b)
 - (1) Any person, firm or corporation who fails to comply with the provisions of this Chapter shall, upon conviction thereof, forfeit no less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) and the costs of prosecution for each violation, and in default of payment of such forfeiture costs shall be imprisoned in the County Jail until payment thereof, but not exceeding thirty (30) days. Each day a violation exists or continues shall constitute a separate offense.
 - (2) Recordation improperly made has penalties provided in Sec. 236.30, Wis. Stats.
 - (3) Conveyance of lots in unrecorded plats has penalties provided for in Sec. 236.31, Wis. Stats.

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- (4) Monuments disturbed or not placed have penalties as provided for in Sec. 236.32, Wis. Stats.
 - (5) Assessor's plat made under Section 70.27 of the Wisconsin Statutes may be ordered by the Village at the expense of the subdivider when a subdivision is created by successive divisions.
- (c) **Appeals.** Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Sections 236.13(5) and 62.23(7)(e)10 to 15 of the Wisconsin Statutes, within thirty (30) days of notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds that the action of the approving or objecting agency is arbitrary, unreasonable or discriminatory.