

## **CHAPTER 12 SUBDIVISIONS**

### **SECTION 12.0100....INTRODUCTION**

#### **12.0101....AUTHORITY**

These regulations are adopted under the authority granted by Section 62.23 and Section 236.45 of the Wisconsin Statutes.

#### **12.0102....PURPOSE**

The purpose of this Chapter is to regulate and control the division of land within the corporate limits of the City of Hartford, Washington County, Wisconsin (herein, the "City") and within the extraterritorial plat approval jurisdiction of the City in order to promote the public health, safety, morals, prosperity, aesthetics and general welfare of the City.

#### **12.0103....INTENT**

It is the general intent of this Chapter to regulate the division of land within the City and environs so as to:

- a) Obtain the Wise Use, conservation, protection, and proper development of the soil, water, wetland, woodland, and wildlife resources and attain a proper adjustment of land use and development to the supporting and sustaining natural resources base;
- b) Lessen Congestion in the streets and on the highways;
- c) Further the Orderly layout and appropriate use of land;
- d) Provide for Safety from fire, panic and other dangers;
- e) Provide Adequate Light and Air;
- f) Facilitate Adequate Provision for housing, transportation, water supply, storm water, waste water, schools, parks, playgrounds, and other public facilities and services;
- g) Secure Safety from flooding, water pollution, disease, and other hazards;
- h) Prevent Flood Damage to persons and properties and minimize expenditures for flood relief and flood control projects;
- i) Prevent and Control Erosion, sedimentation, and other pollution of surface and subsurface waters;
- j) Preserve Natural Vegetation and Cover and promote the natural beauty of the City;
- k) Restrict Building Sites on areas covered by poor soils, or in other areas poorly suited for development;
- l) Facilitate the Further Division of larger tracts into smaller parcels of land;
- m) Ensure Adequate legal description and proper survey monumentation of subdivided land;
- n) Provide for the Administration and enforcement of this Chapter;
- o) Provide Penalties for its violation; and,
- p) Implement those City, County, watershed, or regional comprehensive plans or other components adopted by the City, and in general to facilitate enforcement of City development standards as set forth in any plans, plan components, codes or ordinances adopted by the City.

#### **12.0104....ABROGATION AND GREATER RESTRICTIONS**

It is not intended by this Chapter to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, rules, regulations or permits previously adopted or issued, however, where this Chapter imposes greater restrictions, the provisions of this Chapter shall govern.

#### **12.0105....INTERPRETATION**

In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements and shall be liberally construed in favor of the City and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

#### **12.0106....SEVERABILITY AND NON-LIABILITY**

If any section, provision or portion of this Chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby. The City does not guarantee, warrant, or represent that only those soils listed as being unsuited for specific uses are the only such unsuited soils within the City's plat approval jurisdiction and thereby asserts that there is no liability on the part of the City, its agencies, or employees for sanitation problems or structural damages that may occur as a result of reliance upon, and conformance with, this Chapter.

#### **12.0107....REPEAL**

All other Chapters or ordinances or parts of Chapters and ordinances of the City code inconsistent or conflicting with this Chapter, to the extent of the inconsistency only, are hereby repealed.

#### **12.0108....TITLE**

This Chapter of the City Codes and Ordinances shall be known as, referred to, or cited as "**CHAPTER 12-LAND DIVISION ORDINANCE, CITY OF HARTFORD, WASHINGTON COUNTY, WISCONSIN.**"

#### **12.0109....EFFECTIVE DATE**

This Chapter shall be effective after a public hearing, adoption by the City Common Council, and publication or posting as provided by law.

#### **12.0110....AMENDMENT**

Before the adoption of any amendment to this Chapter the Common Council shall receive the recommendation of the Plan Commission and shall hold a public hearing thereon. Notice of the hearing shall be given by publication of a Class 2 Notice. (CREATED 9/24/02—ORDINANCE NO. E-494)

## **SECTION 12.0200....GENERAL PROVISIONS**

### **12.0201....JURISDICTION**

Jurisdiction of this Chapter shall include all lands within the limits of the City of Hartford, Washington County, Wisconsin and within the City's extraterritorial plat approval jurisdiction. The provisions of this Chapter shall not apply to:

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

### **12.0202....COMPLIANCE**

**Subdivisions** - No person, firm or corporation shall divide any land located within the corporate limits of the City of Hartford which shall result in a subdivision as defined herein without complying with the provisions of Chapter 236, Wisconsin Statutes. In addition, the following requirements shall be adhered to:

- 1) Rules of the Wisconsin Department of Natural Resources relating to water quality and wetland development.
- 2) Rules of the Wisconsin Department of Transportation relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the subdivider abuts on a state trunk highway or connecting street.
- 3) Duly Adopted Comprehensive (or Master) Plan, or comprehensive plan component of the City.
- 4) Where applicable, the Washington County Flood and Shoreland Zoning Ordinance and all other applicable county ordinances.
- 5) The City's Zoning Ordinance and supplements and amendments thereto, and all other applicable City codes, chapters or ordinances.
- 6) The requirements of the City Departments as determined during the review of the subdivision.
- 7) The City subscribes to the policy that urbanizing land should be located in a compact manner within an existing city or village where transportation routes and services will minimize the impact of commuting automobile traffic on City residents and where the full range of urban services and facilities will be available. Within a recognized urban service area, those subdivisions that could provide adequate public facilities and public services would be favored. Subdivisions shall conform to the following policies:
  - a) To preserve and enhance the existing cities and villages and encourage compact balanced growth shared by and in association with all the region's cities and villages.
  - b) To encourage the development of balanced compact communities in Washington and Dodge Counties with appropriate commercial, public services, industrial, employment, residential and open space land uses meeting the needs of present and future residents of those communities.
  - c) To direct new growth to those areas capable of providing a full range of urban services and facilities.
  - d) To prevent scattered and noncontiguous development without discouraging new and desirable development.

- e) To insure that new development will not be detrimental to the physical, social and economic well-being of residents of the City or the County.
  - f) To insure that new development will be organized and timed so as to permit urban services and facilities to be provided as economically and efficiently as possible.
  - g) To discourage new developments in those areas that are premature in terms of planning and timing for the provision of adequate public services and facilities.
  - h) To preserve high quality agricultural lands for that purpose when located in an area designated for preservation.
  - i) To prohibit development in areas or forms where substantial problems will result from excessive automobile traffic volume.
  - j) To favor land use intensities and patterns that is supportive of alternative modes of transportation.
- 8) A preliminary plat or final plat of any subdivision shall not be approved unless the Plan Commission and the Common Council determine that adequate public facilities and public services are available to support and service the area of the proposed subdivision, except as provided hereinafter for certain land divisions and subdivisions located within the extraterritorial plat approval jurisdiction. In considering the questions of adequacy of public facilities and public services as set forth above, the Plan Commission and Common Council shall consider but not be limited to:
- a) The nature, extent and size of the proposed subdivision and its impact in terms of the estimated increase in population expected to result;
  - b) The present or projected state of development likely to result when said subdivision is developed with projected densities as anticipated by adopted area Master Plans and currently approved subdivisions in the immediate vicinity of the proposed subdivision; and
  - c) The avoidance of expenditures of public funds necessitated by the proposed subdivision which are not in adopted capital or operating budgets. For subdivisions in the City, the applicant shall furnish data requested by the City Engineer, Hartford Electric, Water Utility Manager, and Director of Planning and Zoning who will coordinate statements of adequacy for transportation, electric service, storm sewer, sanitary sewer, water service, fire and police protection, parks, open space, and recreation and school facilities for the Plan Commission and the Common Council. For subdivisions in the extraterritorial area where the City has a Comprehensive Zoning Ordinance with the Town in which the proposed subdivision or land division resides, the applicant shall include with the application for subdivision approval, a statement evaluating and demonstrating compliance with the provisions of this section to be reviewed by City departments and forwarded with appropriate comments to the Plan Commission and Common Council. Public facilities and public services may be determined adequate for a proposed subdivision when the following conditions are found to exist:
    - i) The proposed subdivision shall be deemed adequately accessible via roads and public transportation facilities if any of the following conditions are present:
      - (1) Existing roads are adequate to accommodate the traffic that would be generated by the subject subdivision in addition to existing traffic and are publicly maintained all weather roads; or
      - (2) Such additional roads or road improvements necessary in combination with existing roads to accommodate the additional traffic that would be generated by the subject subdivision are budgeted in the current adopted budget for construction with public or private financing; or

- (3) In its determination of the adequacy of transportation to accommodate traffic, the Plan Commission and Common Council shall consider the recommendation of the Department of Transportation, the applicable levels of traffic service, peak hour use and average use, and any other information presented.
- ii) The proposed subdivision shall be determined to have adequate storm sewer when the City Engineer certifies to the Plan Commission and the Common Council that adequate funds, either public or private, are available to assure the installation of storm sewers meeting the standards of the Hartford Public Works Committee or, in the event of other units of government, standards that are comparable to those established by the Hartford Public Works Committee for a storm sewer and drainage facilities.
  - iii) The proposed subdivision shall be determined to have adequate sanitary sewerage facilities if located within an area in which main line interceptor sewer service is presently available, under construction, or designated by the Common Council for extension of sewer service within the current capital budget year and funds are specifically provided for such extension either from public or private financing. In its determination of the adequacy of sewerage service, the Plan Commission and Common Council shall consider the recommendation of the City Engineer, the capacity of trunk lines and sewerage treatment facilities and any other information presented.
  - iv) The proposed subdivision shall be deemed to have adequate water service if the following conditions are met:
    - (1) It is located within the urban service area prescribed by the Common Council, and
    - (2) It is contiguous to an arterial transmission water main of adequate capacity for the increased supply necessary or if the water distribution system that is needed is under construction or scheduled by the Common Council for installation within the current budget year and funds, either private or public, are available for such program. In its determination of the adequacy of water service, the Plan Commission and Common Council shall consider the recommendation of the Hartford Water Utility, the capacity of distribution lines, water sources, water storage facilities and any other information presented.
  - v) The proposed subdivision shall be deemed to have adequate fire protection and police service when it can be demonstrated that police or fire services are so situated that adequate and timely service can be provided so as not to involve danger or injury to health, safety or general welfare to the future residents of the proposed subdivision. In its determination of the adequacy of police and fire services, the Plan Commission and the Common Council shall consider the recommendations of the Hartford Police and Fire Departments.
  - vi) The proposed subdivision shall be deemed to have adequate parks, open space and recreation when it can be demonstrated that the future residents of the proposed subdivision will have such park, open space and recreation services and facilities available to them as are established by the standards in the most recently adopted plan for Park and Open Spaces by the City.
  - vii) The proposed subdivision shall be deemed to have adequate school facilities when the school district in which such proposed subdivision will be located upon its development, provides information that adequate classroom space is either available within the normal walk-in service area or that adequate transportation as

normally provided by the school district can be provided to elementary through high schools that have sufficient classroom space to provide for the anticipated school age children in the proposed subdivision. If the School District fails to comment, school facilities shall be presumed to be adequate.

Where the City determines that one or more public facilities or public services are not adequate for the full development proposed, but that a portion of the area could be served adequately, or careful phasing of the development could result in all public facilities or public services being adequate, conditional approval may include only such portions, may specify phasing of the development, or may require a development or annexation agreement to insure future provision of required public facilities and services.

**Land Divisions** - No person, firm or corporation shall divide any land located within the corporate limits of the City or within its extraterritorial plat approval jurisdiction which shall result in a land division as defined herein without filing for approval by the City Clerk and recording a certified survey map meeting all of the applicable requirements of the Hartford Municipal Code, Wisconsin Statutes, and Wisconsin Administrative Code.

**Land Divisions or Subdivisions in Extraterritorial Plat Approval Jurisdiction** - The Plan Commission may recommend, and the Common Council may approve, the subdividing of lands in the extraterritorial plat approval jurisdiction into parcels less than 35 acres in size when the City has a Comprehensive Zoning Ordinance with the Town in which the proposed subdivision or land division resides, based on the requirements of the applicable Comprehensive Zoning Ordinance and the applicable Intermunicipal Agreement. The City shall not consider any subdivision or land division which did not have prior approval by the approving authorities for the Town(s). The City may require any conditions in the approval of a subdivision or land division, including the use of restrictive covenants and the creation of homeowner's associations.

(SECTION 12.0202 REPEALED AND RECREATED 11/11/03—ORDINANCE E-535; AMENDED 4/10/12—ORDINANCE NO. 1286)

### **12.0203...DEDICATION AND RESERVATION OF LANDS**

- a) **Streets, Highways and Drainageways**. Whenever a tract of land to be divided within either the City or its plat approval jurisdiction encompasses all or any part of an arterial or collector street, drainageway which has been designated on a City, County, or regional comprehensive plan or comprehensive plan component adopted by the City, said public way shall be made a part of the plat and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan or map and as set forth in Section 12.0700 of this Chapter.
- b) **Parks and Playgrounds**. Whenever a tract of land to be divided within the City or within its plat approval jurisdiction encompasses all or any part of a park, parkway, or playground which has been designated on a City, County, or regional comprehensive plan or comprehensive plan component adopted by the City, said park, parkway, or playground shall be made a part of the plat and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan and in accordance with the procedures set forth in subsection 12.0709 of this Chapter. Where the subdivider proposes a park, playground or open court, the City may require that any such park, playground or open court be privately owned and held in joint ownership by and maintained for the benefit of the owners of lots within the subdivision.

## **12.0204....IMPROVEMENTS**

Before approval of any Final Plat or Replatting of all or any phase of a subdivision or Final Certified Survey Map of lands which are or proposed to be located within the City, the subdivider shall install and/or relocate all street and utility improvements for the lands within such Final Plat or Certified Survey Map as hereinafter required. Such improvements shall be made on at least a phase of the subdivision to the satisfaction of the City Engineer within 24 months from the date of Preliminary Plat or CSM approval or such approval will be considered null and void. If for some physical reason the required improvements cannot be made on at least a phase of the subdivision within the prescribed 24 month period, the City Common Council may extend the period and may require a letter of credit or cash bond in an amount equal to 120 percent of the cost of completing such improvements as estimated by the City Engineer, as a guarantee that the required improvements will be made for the Final Plat or Certified Survey Map within a reasonable period prescribed by and to the satisfaction of the City Common Council. Any such letter of credit or cash bond shall remain in the custody of the City. In no event shall the provision of a letter of credit or cash bond for completion of required improvements remove the burden of such completion from the subdivider. (AMENDED 10/6/92--ORDINANCE NO. E-219)

In addition:

- a) Contractors and Subcontractors retained by the subdivider to construct street and utility improvements on street rights-of-way proposed for public ownership and use, must do so in accordance with City specifications.
- b) Survey Monuments. Before approval of any Final Plat or Final Certified Survey Map, the subdivider shall install or reinstall survey monuments and pipes placed in accordance with the requirements of Chapter 236 of Wisconsin Statutes.
- c) Governmental Units and other public agencies to which these contract provisions apply may file, in lieu of said contract, a letter from officers authorized to act on their behalf agreeing to comply with the provisions of this section.

## **12.0205....VARIANCES**

Where, in the judgment of the City Common Council it would be inappropriate to apply literally the provisions of Sections 12.0700 and 12.0800 of this Chapter because exceptional or undue hardship would result, the Common Council, upon recommendation of the City Plan Commission, may waive or modify any requirement to the extent deemed just and proper. No variance to the provisions of this Chapter shall be granted, however, unless the Common Council makes a specific finding based on documented evidence that all of the following facts and conditions exist and so indicates in the minutes of its proceedings:

- a) Exceptional Circumstances. There may be exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this chapter would result in severe hardship. Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that this Chapter should be changed.
- b) Preservation of Property Rights. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.
- c) Absence of Detriment. The variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Chapter or the public interest.

## **12.0206....LAND SUITABILITY**

No land shall be divided or subdivided for residential use which is determined to be unsuitable for such use by the City for reason of flooding, inadequate drainage, adverse soil conditions, rock formation, unfavorable topography, or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed land division or of the City. Determination of suitability shall be based upon the following:

- a) Floodlands. No lot of 5,000 square feet or less in area shall include floodlands. All lots more than 5,000 square feet in area shall contain not less than 5,000 square feet of land which is at an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood, or where such data is not available, five (5) feet above the maximum flood of record.
- b) Lands Zoned as Lowland Conservancy. No lot of 5,000 square feet or less in area shall include lands zoned or designated as lowland conservancy. All lots more than 5,000 square feet in area shall contain not less than 5,000 square feet of land area which is not delineated as "lowland conservancy".
- c) Lots Made, Altered, or Filled entirely with material other than earth shall not be divided into residential building sites.
- d) Lots Made, Altered, or Filled entirely with earth within the preceding seven (7) years shall not be served by on-site soil absorption sanitary sewage disposal systems.
- e) Lots Proposed to be Served by conventional on-site soil absorption sanitary sewage disposal systems shall have not less than 10,000 square feet in slopes of less than 20 percent.
- f) Lots Proposed to be Served by non-conventional on-site soil absorption sanitary sewage disposal systems shall have not less than 20,000 square feet in slopes of less than 12 percent.
- g) Lands having Bedrock or Groundwater within five (5) feet of the natural undisturbed surface shall not be used for residential building sites to be served by conventional on-site soil absorption sanitary sewage disposal systems.
- h) The Soil Types shown on Table 1, identified by both their alphabetical and numerical symbols used by the U.S. Department of Agriculture, Soil Conservation Service and Southeastern Wisconsin Regional Planning Commission, respectively are soils which have very severe or severe limitations for the use of on-site soil absorption sanitary sewage disposal systems and may only be included in residential building sites where public sanitary sewerage facilities are not available if such building sites contain not less than 20,000 square feet of other soils which are rated suitable for building construction and installation of an on-site soil absorption sanitary sewage disposal system.
- i) Lands Artificially Drained by drainage tile or ditch systems for the purpose of lowering the water table shall not be used for residential building sites to be served by on-site soil absorption sanitary sewage disposal system.

The City Common Council, upon recommendation of the City Plan Commission, in applying the provisions of this action, shall in writing recite the particular facts upon which it concludes that land is unsuitable for residential use and shall afford the subdivider an opportunity to present evidence in rebuttal to such finding of unsuitability if he so desires. Thereafter the Common Council may affirm, modify, or withdraw its determination of unsuitability.



## **12.0207....VIOLATIONS**

Any person causing his or her final plat, certified survey map, or condominium plat to be recorded without submitting such plat for approval as required by this Chapter or Wisconsin Statutes Chapter 236 or who fails to present the same for recording within the time prescribed after approval shall forfeit an amount as contained in Chapter 42 of the Municipal Code. (AMENDED 11/11/03—ORDINANCE NO. E-535)

Injunction. The Common Council may institute appropriate action to enjoin construction in violation of this Chapter or Wisconsin Statutes Chapter 236 within the City or its extraterritorial plat review jurisdiction.

Severability. If any portion of this Ordinance shall be deemed to be invalid it shall not affect the validity of any other section. (SECTION 12.0207 AMENDED 11/26/02—ORDINANCE NO. E-504)

## **12.0208....PENALTIES**

Any person, firm or corporation who violates or fails to comply with the provision of this Chapter shall, upon conviction thereof, forfeit an amount within a range as shown in Chapter 42 of the Municipal Code, plus the costs of prosecution for each offense and the penalty for default of payment of such forfeiture and costs shall be imprisonment in the County jail until payment thereof, but not exceeding six (6) months. Each day a violation exists or continues shall constitute a separate offense. Violations and concomitant penalties shall include: (AMENDED 6/11/96--ORDINANCE NO. E-335)

- a) Recordation improperly made carries penalties as provided in Section 236.30 of Wisconsin Statutes.
- b) Conveyance of lots in unrecorded plats carries penalties as provided for in Section 236.31 of Wisconsin Statutes.
- c) Monuments disturbed or not placed carries penalties as provided for in Section 236.32 of Wisconsin Statutes.

In addition, an assessor's plat as set forth in Section 70.27 of the Wisconsin Statutes may be ordered by the City Common Council at the expense of the subdivider when a subdivision as defined herein is created by successive divisions.

## **12.0209....APPEALS**

Any person aggrieved by an objection to a plat or failure to approve a Plat, Certified Survey Map, or Condominium Plat may appeal such objection or failure to approve as provided in Section 236.13 (5) of Wisconsin Statutes, within 30 days of notification of the rejection of the Plat, Certified Survey Map, or Condominium Plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action.

## **SECTION 12.0300....LAND DIVISION PROCEDURE**

### **Section 12.0301....PRE-PRELIMINARY PLAT**

Prior to the filing of an application for the approval of a Preliminary Plat, the subdivider shall consult with the City Plan Commission and its staff (and, where applicable, the County Land Use Department Staff) in order to obtain their review, advice and assistance in the preparation of a Preliminary Plat. Such consultation shall be termed the Pre-Preliminary Plat stage of the land division procedure and include the following steps:

- a) The subdivider shall prepare a conceptual development scheme or sketch plan at a scale of 1"=100' for all the contiguous lands in which he has legal or equitable interest;
- b) Such sketch plan shall include enough information to set forth the proposed development potential of the parcel to the satisfaction of the City Plan Commission, and include at least the following:
  1. Topographic mapping at not less than ten (10) foot contour interval; except that if in the judgment of the Plan Commission more detail topographic data is required to make a recommendation to the Common Council, or where more detailed topography mapping is available, topography at not less than two (2) foot intervals may be required prior to Plan Commission action;
  2. Soil characteristics or interpretations secured from detail soil maps prepared by the USDA - Soil Conservation Service (SCS);
  3. The limits of woodland cover and wetlands on the entire parcel;
  4. Location of lakes, ponds, streams, "Kettles", standing water and designated floodplain(s) on the parcel;
  5. Areas of steep or severe slope conditions (over 10%), high water table conditions, and potential drainage and erosion problems;
  6. Existing and proposed access from parcel to adjacent streets, roads, or properties;
  7. Proposed street location and width;
  8. Proposed lots including size to the nearest 100 square feet; and
  9. Any other pertinent information useful to the subdivider and Plan Commission in their determination of developability of the parcel;
  10. Location of existing utility system and easements. (CREATED 10/6/92--ORDINANCE NO. E-219)
- c) Following review of the sketch plan, the Plan Commission shall either reject the sketch plan giving reasons for such rejection or approve the sketch plan and make necessary and appropriate recommendations to the subdivider regarding Preliminary Platting. Such review and approval of the sketch plan shall constitute conceptual approval of the sketch plan only and shall not be deemed an approval of the layout and design of the proposed subdivision plat. If, however, the Preliminary Plat is submitted within 12 months of Pre-Preliminary Plat approval and the design conforms substantially to such Pre-Preliminary Plat, the Preliminary Plat shall be entitled to design approval unless new or contradictory data is made available during the preliminary platting process.
- d) Through the Pre-Preliminary Plat Procedure it is expected that the subdivider and Plan Commission (and County Land Use Department) staff will reach mutual conclusions regarding the general design and objectives of the proposed development and its possible effects on the neighborhood, City (and County) at minimum cost. The subdivider will also gain a better understanding of the subsequent required procedures and the entire process may be expedited.

## **12.0302....PRELIMINARY PLAT REVIEW AND APPROVAL**

Before submitting a Final Plat for approval, the subdivider shall prepare and submit a Preliminary Plat along with a letter of application in accordance with Section 12.0400 of this Chapter and the following procedure:

- a) The Subdivider shall file one original vellum or mylar and 25 copies of the Proposed Preliminary Plat and the application with the City Clerk at least 25 days and not more than 60 days prior to the Plan Commission meeting at which action is desired. (AMENDED 5/28/96- - ORDINANCE NO. E-333)
- b) The Preliminary Plat shall cover the entire area owned or controlled by the subdivider even through only a small portion thereof is proposed for development at the time. The Plan Commission may waive this requirement where it is unnecessary to fulfill the purpose of the ordinance and undue hardship would result from strict application thereof.
- c) At the time of application for Preliminary Plat approval the subdivider shall pay applicable fees as set forth in Section 12.1000 of this Chapter and petition for any necessary rezoning of the lands in question.
- d) The City Clerk shall, within two (2) normal work days after filing, transmit the following:
  - 1) Four (4) copies of the proposed Preliminary Plat to the County Land Use Department.
  - 2) Two (2) copies to the Director of the Planning Function in the State Department of Administration,
    - a) Two (2) copies to the Director of the State Planning Function for transmission to the State Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street,
    - b) Two (2) copies to the State Department of Natural Resources if public sewers and/or floodlands are contained within the proposed subdivision,
  - 3) One (1) copy to each utility,
  - 4) One (1) copy to the Southeastern Wisconsin Regional Planning Commission,
  - 5) One (1) copy each to the school district board and to the City Recreation Commission,
  - 6) Seven (7) copies for the City Plan Commission and Common Council,
  - 7) Two (2) copies to the City Engineer, and
  - 8) One (1) copy to be retained by the City Clerk.
- e) The State Department of Development, the State Department of Transportation, and the State Department of Natural Resources shall hereafter be referred to as "objecting" agencies. The Common Council shall be referred to as an "approving" agency and within the City's plat approval jurisdiction the Town of Hartford and the Washington County Board are also referred to as "approving" agencies.
- f) The Objecting Agencies shall, within 22 days of date of receiving their copies of the proposed Preliminary Plat from the City Clerk, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy of the proposed Preliminary Plat and shall return that copy to the City Clerk. If an objecting agency fails to act within 22 days, it shall be deemed to have no objection to the Plat.
- g) The Preliminary Plat shall then be reviewed by the City Plan Commission for conformance with this Chapter and all codes, chapters, ordinances, rules, regulations, comprehensive plans and comprehensive plan components of the City relating to the Plat, a public hearing held for any necessary rezoning, and its recommendations in regard to the Preliminary Plat and rezoning transmitted to the Common Council.
- h) The Common Council, with or without the recommendations of the Plan Commission and the objecting or approving agencies shall, within 90 days of the date of filing of a Preliminary

Plat with the City Clerk, approve, approve conditionally, or reject such Plat unless the time is extended by mutual written agreement with the subdivider. One (1) copy of the Preliminary Plat shall thereupon be returned to the subdivider with the date and action endorsed thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejection shall accompany the Plat. At least one copy each of the Preliminary Plat and letter shall also be placed in the City's permanent file.

- i) Failure of the Common Council to act on the proposed Preliminary Plat within 90 days from the date of filing of the Plat with the City Clerk, the time having not been extended as set forth herein and no unsatisfied objections having been filed, shall constitute approval of the Preliminary Plat.
- j) Approval or Conditional Approval of a proposed Preliminary Plat shall not constitute approval of the Final Plat or approval of any necessary rezoning, but rather shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of improvement plans and the Final Plat which will be subject to further consideration by the Plan Commission and Common Council at the time of their submission. If, however, the Final Plat is submitted within 24 months of Preliminary Plat approval and conforms substantially to the approved Preliminary Plat layout, the Final Plat shall be entitled to approval with respect to such layout. In any event, approval or conditional approval of a Preliminary Plat expires 24 months after the last required Preliminary Plat approval is granted, unless as permitted by Section 12.0303 e), a Final Plat of at least one phase of the approved Preliminary Plat is submitted within such 24 month period. In addition, with respect to a phased Final Plat, said 24 month period shall be renewed and measured from the last preceding Final Plat phase approval. After expiration of said 24 month period the subdivider has the option of resubmitting the original Preliminary Plat for approval or submitting a newly designed Preliminary Plat in accordance with subsection 12.0302 of this Chapter. Only that area to be platted will be subject to rezoning and only at the time of submission of such Final Plat.

(SECTION 12.0302 REPEALED AND RECREATED 11/11/03—ORDINANCE NO. E-535)

### **12.0303....FINAL PLAT REVIEW AND APPROVAL**

Within 24 months from the date of approval of the Preliminary Plat the subdivider shall prepare and submit a Final Plat, a letter of application, and if necessary, a request for rezoning of the property encompassed within the proposed Final Plat, all in accordance with Section 12.0400 of this Chapter and the following procedures:

- a) Partial Platting. If 10 or more acres in area, the approved Preliminary Plat may be final platted in phases with each phase encompassing at least 5 acres or 15 percent of the area of the approved Preliminary Plat, whichever is larger. (AMENDED 9/24/02—ORDINANCE NO. E-495)
- b) The subdivider shall file one original vellum or mylar and 20 copies of the proposed Final Plat and the application with the City Clerk at least 25 days and not more than 60 days prior to the meeting of the Plan Commission at which action is desired. (AMENDED 5/28/96--ORDINANCE NO. E-333)
- c) At the time of application for the Final Plat approval, the subdivider shall pay all applicable fees as set forth in Section 12.1000 of this Chapter. If the subdivider elects to Final Plat in phases, the Plan Commission shall require a timetable of completion of development of the entire property included in the Preliminary Plat at/or prior to the time of submittal of the first phase of the Final Plat. (See Subsection 12.0303 e)

- d) The City Clerk shall, within two (2) normal work days after filing, transmit four (4) copies to the County Land Use Department; two (2) copies to the Director of the Planning Function in the State Department of Development; sufficient additional copies to the Director of the Planning Function for retransmission of two (2) copies each to the State Department of Transportation--if the subdivision abuts or adjoins a state trunk highway or a connecting street, and the State Department of Natural Resources--if public sewers and/or floodlands are contained within the proposed subdivision; one (1) copy each to the Southeastern Wisconsin Regional Planning Commission and the Washington County Park and Plan Commission; three (3) copies to the City Engineer; three (3) copies to the City Plan Commission; and, the original and one (1) copy of the Final Plat to the City Clerk.
- e) The Objecting and Approving Agencies shall, within 22 days of the date of receiving their copies of the proposed Final Plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy on the proposed Final Plat and shall return that copy to the City Clerk. If an objecting and approving agency fails to act within 22 days, it shall be deemed to have no objection to the Plat.
- f) The Plan Commission 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 codes, chapters, ordinances, rules, regulations, comprehensive plans and comprehensive plan components which may affect it, the proposed zoning classifications, and shall within 40 days from the date of filing with the City Clerk, recommend approval, conditional approval or rejection of the Final Plat and any necessary rezoning to the Common Council.
- g) The Common Council shall, after recommendation by the Plan Commission, take action to approve or reject any necessary rezoning of the property included on the Final Plat.
- h) The Common Council shall, within 60 days of the date of filing the original Proposed Final Plat with the City Clerk, approve or reject such plat and the rezoning of the lands included in the Plat unless the time is extended by mutual written agreement with the subdivider. If the proposed Final 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 Common Council may not inscribe its approval of the Final Plat unless the City Clerk certifies on the face of the Final Plat that the copies were forwarded to objecting and approving agencies as required herein, the date thereof, and that no objections have been filed within 22 days, or if filed, have been met.
- i) Failure of the Common Council to take action on the Final Plat within 60 days from the date of filing the proposed Plat with the City Clerk, the time having not been extended and no unsatisfied objections having been filed, shall constitute approval of the Final Plat.
- j) Recordation. After the Final Plat has been approved by the Common Council, all applicable fees paid, and required improvements either installed or a cash bond or irrevocable letter of credit insuring their installation is filed with the City, the City Clerk shall cause the certificate inscribed upon the Final Plat attesting to such approval to be duly executed and the Final Plat returned to the subdivider for recording with the County Register of Deeds. The Register of Deeds shall not record the Final Plat unless it is offered within 30 days from the date of the last approval.
- k) Copies. The subdivider shall file one (1) reproducible film (Mylar) copy and six (6) print copies of the approved Final Plat with the City Clerk for distribution to the City Engineer, Building Inspector, Assessor and other affected departments for their files. Also, one (1) certified copy of the Final Plat, as recorded by the County Register of Deeds, shall be filed with the City Clerk by the subdivider.

(SECTION 12.0303 AMENDED 4/10/12—ORDINANCE NO. 1286)

## **12.0304....MINOR LAND DIVISION REVIEW AND APPROVAL** (Also see Appendix)

When it is proposed to divide land into at least two (2) but not more than four (4) parcels or building sites any one of which is less than 10 acres in size within any consecutive five (5) year period; or, when it is proposed to create by land division not more than four (4) parcels or building sites within a recorded subdivision plat without changing the exterior boundaries of a block, lot or outlot; (thus not constituting a "Subdivision" as defined in Section 12.1100 of this Chapter), such division of land shall constitute a Minor Land Division and the subdivider shall subdivide by use of a Certified Survey Map as follows:

- a) If the proposed minor Land Division includes within its boundaries proposed street, drainage, or utility improvements which will ultimately become the jurisdiction of the City, the subdivider, the Plan Commission and Common Council shall proceed as set forth in subsections 12.0301 and 12.0302 of this Chapter (also see Section 12.0204), except that the Preliminary Certified Survey Map shall be prepared as set forth in Section 12.0600.
- b) If the proposed minor Land Division does not include such improvements the subdivider, the Plan Commission and the Common Council shall be required to follow the procedure set forth in this Section.
- c) If a Certified Survey Map is used as the map document to convey land or combine parcels pursuant to Section 12.0201 of this ordinance, such Certified Survey Map may be executed by the Plan Commission Chairman, City Engineer and other City Officials without necessity for Plan Commission or Common Council review.
- d) Following applicable preliminary approval of such minor Land Division, and public hearing regarding any necessary rezoning of lands in question, the subdivider shall prepare a Final Certified Survey Map in accordance with Section 12.0600 and shall file fifteen (15) copies of the Final Certified Survey Map and a letter of application and any required fees with the City Clerk at least 25 days prior to the Plan Commission meeting at which action is desired.
- e) The City Clerk shall, within two (2) normal work days after filing, transmit copies of the Final Certified Survey Map and letter of application to the Plan Commission, City Engineer, and to all agencies and persons entitled to a copy according to Wisconsin Statutes for their review and recommendations concerning matters within their jurisdiction.
- f) Recommendation of such persons or agencies shall be transmitted to the City Clerk within 15 days from the date of receipt of the Final Certified Survey Map which shall then be reviewed by the Plan Commission for conformance with this Chapter and all ordinances, rules, regulations, comprehensive plans, and comprehensive plan components.
- g) The City Plan Commission shall, within 30 days from the date of filing of the Final Certified Survey Map, recommend approval, conditional approval or rejection of the Map and any necessary rezoning, and shall transmit the Map along with its recommendations to the Common Council.
- h) The Common Council shall take action to approve, approve conditionally, or reject such Final Certified Survey Map along with any necessary rezoning of the property within 60 days from the date of filing of said Map with the City Clerk unless the time is extended by mutual written agreement with the subdivider. If the Map is rejected, the reason shall be stated in the minutes of the meeting at which such action is taken and a written statement forwarded to the subdivider. If the Map is approved, the Common Council shall direct the City Clerk to so certify on the face of the original Map. If the Map is submitted within 24 months of the approval of a required Preliminary Certified Survey Map and conforms to such approved Preliminary Certified Survey Map, the Final Certified Survey Map shall be entitled to approval.

- i) Failure of the Common Council to take appropriate action on the Final Certified Survey Map within 60 days from the date of first filing with the City Clerk shall constitute approval by the Common Council.
- j) Recordation. After the Final Certified Survey Map has been approved by the Common Council all applicable fees paid, and any required improvements either installed or a cash bond or irrevocable letter of credit insuring their installation is filed with the City, and City Clerk shall cause the certificate inscribed upon the Map attesting to such approval to be duly executed and the final Certified Survey Map recorded with the County Register of Deeds. The Register of Deeds shall not record the Map unless it is offered within 30 days from the date of the last approval.
- k) Copies. Six (6) copies of the Final Certified Survey Map shall be retained by the City Clerk for distribution to the City Engineer, Building Inspector, Assessor and other affected departments and agencies for their files. Also, one certified copy of the Final Certified Survey Map, as recorded, shall be retained by the City Clerk for the City files.

### **12.0305...REPLAT REVIEW AND APPROVAL**

When it is proposed to replat a recorded land division, or part thereof, so as to change the exterior boundaries of a recorded land division, or part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded Plat as provided in Chapter 236 of the Wisconsin Statutes. The subdivider, or person wishing to replat shall then proceed as specified in subsections 12.0301 through 12.0303 of this Chapter. The City Clerk shall schedule a public hearing before the City Plan Commission when a proposed Preliminary Plat of a replat of lands within the City's jurisdiction 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 300 feet of the exterior boundaries of the proposed replat.

### **12.0306...CONDOMINIUM PLAT PROCEDURE**

Condominium projects shall be reviewed on the basis of a condominium plat prepared pursuant to Wis. Stat. Chapter 703 and other applicable statutes, as well as these subdivision regulations, as a plat or certified survey map for the land development of the property. Major subdivision procedures in 12.0301 thru 12.0303 shall apply to review of all condominium plats. (CREATED 11/11/03—ORDINANCE E-535)

## **SECTION 12.0400....PRELIMINARY PLAT DATA AND PREPARATION**

### **12.0401....GENERAL**

A Preliminary Plat shall be required for all subdivisions as defined herein and shall be based upon a survey by a registered land surveyor and the plat shall be prepared on tracing cloth, reproducible drafting film, or paper of good quality at a map scale of not more than 100 feet to the inch and shall show correctly on its face the following information:

- a) Title or name under which the proposed subdivision is to be recorded;
- b) Proper location of the proposed subdivision by: government lot, quarter-section, section, township, range, county and state;
- c) General location sketch at a scale of 2000 feet to the inch showing the location of the subdivision within the U.S. Public Land Survey section;
- d) Date, Graphic Scale and North Point;
- e) Names and Addresses of the owner, subdivider, land surveyor and any other professional staff involved in preparing the plat;
- f) The Entire Area contiguous to the proposed plat in which the subdivider has a legal or equitable interest if such area is less than 100 acres in size, even though only a portion of said area is proposed for immediate development. If the "legal or equitable" contiguous ownership is 100 acres or more in size, the Preliminary Plat may include only that area of such land which is proposed to be developed immediately, provided that area has been included in an approved Pre-Preliminary sketch plan; the land area is at least 65 acres in size; and, the remnant unplatted parcel is not less than 36 acres in size. The Plan Commission may modify these requirements where it is determined unnecessary to fulfill the purposes and intent of this Chapter and undue hardship would result from strict application thereof.

### **12.0402...PLAT DATA**

All preliminary plats shall show the following:

- a) Length and Bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in U.S. Public Land Survey, and the total acreage encompassed thereby;
- b) Existing and Proposed Contours at vertical intervals of not more than two (2) feet where the slope of the ground surface is less than ten (10) percent, and of not more than four (4) feet where the slope of the ground surface is ten (10) percent or more. Elevations shall be marked on such contours based on National Geodesic Datum of 1929 (mean sea level);
- c) Water Elevations of adjoining lakes and streams at the date of the survey and approximate high and low water elevations, all referred to mean sea level (1929) datum;
- d) Floodplain Limits and the contour line lying a vertical distance of two (2) feet above the elevation of the 100-year recurrence interval flood, or where such data is not available, the limits of and the contour line lying a vertical distance of five (5) feet above the elevation of the maximum flood of record;
- e) 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;
- f) Type, Width and Elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations, all to mean sea level (1929) datum;



- g) Location and Names of any Adjacent Subdivisions, parks and cemeteries, and owners of record of abutting unplatted lands;
- h) Location, Size and Invert Elevation of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, electric power and telephone poles, and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sanitary or storm sewers or water mains are located on or immediately adjacent to the lands being platted, the nearest such sewers or water mains which might feasibly be extended to serve such lands shall be indicated by their direction and distance from the nearest exterior boundary of the plat and their size, and invert elevations;
- i) Locations of All Existing Property Boundary Lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other similar significant natural or man-made features within the tract being subdivided or immediately adjacent thereto;
- j) Location, Width and Suggested Names of all proposed streets and public rights-of-way such as alleys and easements;
- k) Approximate Dimensions of All Lots together with proposed lot and block numbers, and acreage of each lot;
- l) Location and Approximate Dimensions and Size of any sites to be reserved or dedicated for parks, playgrounds, drainageways, schools, or other public use or which are to be used for group housing, shopping centers, church sites, or other private uses not requiring division into lots;
- m) Approximate Proposed Street Grades or approximate slope in percent;
- n) Existing Zoning on and adjacent to the proposed subdivision;
- o) Any Proposed Lake and Stream Access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access;
- p) Any Proposed Lake and Stream improvement or relocation;
- q) Location of Soil Boring Tests, where required by Section H65.06 (2) of the Wisconsin Administrative Code, made to a depth of six (6) feet, unless bedrock is at a lesser depth. The number of such tests shall be adequate to portray the character of the soil and the depths of bedrock and groundwater from the natural undisturbed surface. To accomplish this purpose, a minimum of one per three (3) acres shall be made initially. Two (2) copies of all tests results shall accompany the Preliminary Plat;
- r) Location of Soil Percolation Tests where required by Section H65.06 (3) of the Wisconsin Administrative Code, taken at the location and depth in which soil absorption waste disposal systems are proposed to be installed. The number of such tests initially made shall not be less than one test per three (3) acres or one test per lot, whichever is greater. Two (2) copies of all test results shall accompany the Preliminary Plat;
- s) Special Restrictions required by the Plan Commission such as those relating to points or areas of access control along public ways, provision of planting screen areas, areas of fill or earth moving restriction, or areas of land clearance restrictions.

#### **12.0403....ADDITIONAL DATA REQUIREMENTS**

- a) Street Plans and Profiles. As a part of Preliminary Plat preparation, the plans and profiles of all streets and public ways shall be submitted to the City Engineer showing existing ground surface, proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall be based upon mean sea level (1929) datum, and plans and profiles shall meet the approval of the City Engineer.

- b) Testing. As a part of Preliminary Plat preparation the Plan Commission may require the subdivider to provide that additional borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to groundwater table, where the subdivision will not be served by public sanitary sewer service, the provisions of Chapter H65 of the Wisconsin Administrative Code shall be complied with; and the appropriate data submitted with the Preliminary Plat.
- c) Soil and Water Conservation. The City Engineer, upon determining from a review of the Preliminary Plat that the soils, slope, vegetation, and drainage characteristics of the site are such as to require substantial cutting, clearing, grading, and other earth-moving operations in the development of the subdivision or otherwise entail a severe erosion and sedimentation control plans and specifications. Such plans shall generally follow the guidelines and standards set forth in the publication, Minimizing Erosion in Urbanizing Areas, as prepared by the U.S. Department of Agriculture, Soil Conservation Service, 1972, or its sequel, and shall be in accordance with standards set forth in Section 12.0814 of this Chapter.
- d) Covenants. As a part of Preliminary Plat preparation the Plan Commission may require inclusion and submission of a draft of protective covenants or deed restrictions whereby the subdivider intends to regulate land use, density, environmental protection, and street and highway access in the proposed subdivision and otherwise protect the proposed development.

#### **12.0404...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.

#### **12.0405...FEES**

The subdivider shall pay all fees applicable to the proposed Preliminary Plat to the City Clerk at the time the Preliminary Plat is first submitted for Plan Commission review and approval, and an amount as set forth in Section 12.1000 of this Chapter.

## **SECTION 12.0500....FINAL PLAT DATA AND PREPARATION**

### **12.0501...GENERAL**

A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of Chapter 236 of the Wisconsin Statutes.

### **12.0502...ADDITIONAL DATA REQUIREMENTS**

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

- a) Exact Street Width along the line of an obliquely intersecting street;
- b) Railroad Rights-of-Way within and abutting the plat;
- c) Minimum Setback or Building Lines required by the City or County rules, regulations, or ordinances;
- d) Utility and drainage easements;
- e) All Lands Dedicated for Public Use, reserved for future public acquisition, or reserved for the common use of property owners within the Plat;
- f) Special Restrictions required by the Plan Commission such as those relating to points or areas of access control along public ways, provision of planting screen areas, areas of fill or earth moving restrictions, or areas of land clearance restrictions.

### **12.0503...SURVEYING AND MONUMENTING**

All final plats shall meet all the surveying and monumenting requirements of Section 236.15 of the Wisconsin Statutes.

### **12.0504...SURVEY ACCURACY**

The City Engineer shall examine all Final Plats within the City's jurisdiction and where appropriate, make checks for the accuracy and closure of survey, accuracy of topographic data, the proper kind and location of monuments, and the legibility and completeness of the drawing. In addition:

- a) Maximum Error of Closure before adjustment of the survey of the exterior boundaries of the subdivision shall not exceed, in horizontal distance or position, the ratio of one part in ten thousand (1:10,000), nor in azimuth, four seconds of arc per interior angle. If field measurements exceed this maximum, new field measurements shall be made until a satisfactory closure of the field measurements has been obtained. The survey of the exterior boundary shall be adjusted to form a closed geometric figure.
- b) All Street, Block and Lot Dimensions shall be computed as closed geometric figures based upon the control provided by the closed exterior boundary survey. If field checks disclose an error for any interior line of the Plat greater than the ratio of one part in three thousand (1:3,000), or an error in measured angle greater than one minute of arc for any angle where the shorter side forming the angle is 300 feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than 300 feet in length, the error shall not exceed the value of one minute multiplied by the quotient of 300 divided by the length of the shorter side; however, such error shall not in any case exceed five (5) minutes of arc.

- c) Where the Plat is Located within or adjacent to a U.S. Public Land Survey one-quarter Section the corners of which have been relocated, monumented, and coordinated by the City, County, or the Southeastern Wisconsin Regional Planning Commission, the tie required by Section 236.20 (3)(b) of the Wisconsin Statutes shall be expressed in terms of grid bearing and distance; and the material and Wisconsin State plane coordinates of the monument marking the relocated section or quarter corner to which the plat is tied shall be indicated on the Plat. The grid bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision.
- d) Where the Plat is Located within a U.S. Public Land Survey one-quarter Section the corners of which have not been relocated, monumented and coordinated by the City, the County, or the Southeastern Wisconsin Regional Planning Commission, both ends of each property boundary line shall be tied to the nearest one-quarter corner and as required by Section 236 of Wisconsin Statutes.
- e) The Common Council shall receive the results of the City Engineer's examination prior to approving the Final Plat.

#### **12.0505...STATE PLANE COORDINATE SYSTEM**

Where the Plat is located within, or immediately adjacent to a U.S. Public Land Survey one-quarter section the corners of which have been relocated, monumented, and coordinated by the City, the County, or the Southeastern Wisconsin Regional Planning Commission, the Plat shall be tied directly to one of the section or quarter corners so relocated, monumented, and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinates of the monument marking the relocated section or quarter corner to which the Plat is tied shall be indicated on the Plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone, and adjusted to the County's control survey.

#### **12.0506...CERTIFICATES**

All final plats shall provide all the certificates required by Section 236.21 of the Wisconsin Statutes; and, in addition, the surveyor shall certify that he has fully complied with all the provisions of this Chapter.

#### **12.0507...PROTECTIVE COVENANTS**

Any Protective covenants required by Section 12.0403 shall be filed with the Final Plat.

#### **12.0508...FEES**

The subdivider shall pay all fees applicable to the proposed Final Plat to the City Clerk at the time the Final Plat is first submitted for Plan Commission review and approval or as otherwise applicable, and in amounts as set forth in Section 12.1000 of this Chapter.

## **SECTION 12.0600...CERTIFIED SURVEY MAP DATA AND INFORMATION**

### **12.0601...GENERAL**

A Final Certified Survey Map prepared by a registered land surveyor shall be required for all Minor Land Divisions as defined herein. It shall comply in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. When required as set forth in subsection 12.0304 of this Chapter a Preliminary Certified Survey Map shall also be prepared as set forth in this Section. The design and improvements relating to a Minor Land Division shall also comply with the design standards and improvement requirements set forth in Sections 12.0700 and 12.0800 of this Chapter.

### **12.0602...ADDITIONAL REQUIRED DATA**

Both Preliminary and Final Certified Survey Maps shall show correctly on their face, in addition to the information required by Section 236.34 of the Wisconsin Statutes, the following:

- a) All Existing Buildings, watercourses, drainage ditches, and other features pertinent to proper land division;
- b) Minimum Setback or Building Lines required by City Ordinances and exact size of lot;
- c) Utility and drainage easements;
- d) All Lands Dedicated for Public Use or reserved for future acquisition;
- e) Date of the Certified Survey Map;
- f) Graphic Scale and North Point;
- g) Name and Address of the owner, subdivider, and surveyor;
- h) Location of Soil Boring and Soil Percolation Tests conducted in accordance with Section H65.06 of the Wisconsin Administrative Code. The written results of such test shall be submitted along with the Certified Survey Map;
- i) All Proposed streets, roads, or highways within 200 feet of the boundaries of the parcels created by the Minor Land Division; and, in addition;
- j) A required Preliminary Certified Survey Map shall include existing and proposed contours as set forth in Subsection 12.0402 (b).

### **12.0603...STATE PLANE COORDINATE SYSTEM**

- a) Where the Certified Survey Map is located within or adjacent to a U.S. Public Land Survey one-quarter section the corners of which have been relocated, monumented, and coordinated by the City, the County, or the Southeastern Wisconsin Regional Planning Commission, the Certified Survey Map shall be tied directly to one of the section or quarter corners as set forth in Subsection 12.0505.
- b) Where the Certified Survey Map is located within or adjacent to a U.S. Public Land Survey one-quarter section the corners of which have not been relocated, monumented, and coordinated by the City, the County, or the Southeastern Wisconsin Regional Planning Commission, both ends of each property boundary line shall be tied to the nearest one-quarter corner and as required by Chapter 236 of Wisconsin Statutes.

### **12.0604...CERTIFICATES**

The surveyor shall certify on the face of the Certified Survey Map that he has fully complied with all the provisions of this Chapter. The Plan Commission and Common Council, shall each

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

**12.0605...RECORDATION AND FEES**

The Certified Survey Map shall be recorded by the City Clerk with the County Register of Deeds only after the certificates of the Plan Commission and Common Council and the surveyor are placed on the face of the Certified Survey Map and after all applicable fees have been paid in accordance with Section 12.1000 of this Chapter.

## **SECTION 12.0700....DESIGN STANDARDS**

### **12.0701...STREET ARRANGEMENT**

In any new Land Division the street layout shall conform to the arrangement, width and location indicated on the official map, County jurisdictional highway system plan, comprehensive plan or plan component, or precise neighborhood unit development plan of the City of Hartford, Washington County, Wisconsin. In addition, streets shall be constructed in conformance with the adopted construction standards of the City. In areas for which such plans have not been completed, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, to existing or planned utilities, and to the most advantageous development of adjoining areas. The Land Division shall be designed so as to provide each lot with satisfactory access to a public street without thereby causing undue conflict with existing or anticipated traffic flow on such streets. In addition:

- a) Arterial Streets, as hereafter defined, shall be arranged so as to provide ready access to centers of employment, centers of governmental activities, community shopping areas, community recreation, and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.
- b) Collector Streets, as hereafter defined, 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 the mass transportation system, to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the major streets to which they connect.
- c) Minor Streets, as hereafter defined, shall be arranged to conform to the topography, to discourage use by through traffic, where applicable to permit the design of efficient storm drainage, utility systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.
- d) 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 Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts. Where an existing dedicated or platted half-street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider.
- e) Arterial Street and Highway Protection. Whenever the proposed Land Division contains or is adjacent to an arterial street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a non-access reservation along the rear property line, and/or by the use of frontage streets.
- f) Streams or Lake Shores shall have a minimum of 60 feet of public access platted to the low water mark at intervals of not more than one-half mile as required by Section 236.16 (3) of the Wisconsin Statutes.
- g) 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 City under conditions approved by the Plan Commission and Common Council.

- h) Alleys may be provided in commercial and industrial areas for off-street loading and service access unless otherwise required by the Plan Commission, but shall not be approved in residential districts. Dead-end alleys shall not be approved, and alleys shall not connect directly to an arterial street or highway.
- i) Street Names: The Director of Planning and Community Development shall be responsible for assigning street names. Existing street names shall be projected wherever possible. New street names will largely reflect the community's wish to honor important aspects of local, state and national history. Other bases for street names may include: topographical, geographical and geologic features unique to the street or development area; other prominent Hartford citizens' last names, whose prominence shall date from 75 or more years ago; other names which fall into one of the categories suggested by Mr. Palmer; other events or last names of persons of state or national importance from 50 or more years ago; more recent last names or events provided it can be unequivocally demonstrated that their prominence is unlikely to be transitory.

The Director of Planning and Community Development shall establish and maintain a map grouping names suggested by Herman D. Palmer into geographic areas, in order that street names shall often provide information as to their general location in the community. Street names shall not duplicate or be similar to existing street names elsewhere in the City or in areas adjacent to the City.

The Director of Planning and Community Development shall confer with appropriate emergency service and other personnel to assure that new street names are unlikely to cause emergency response problems, and that input shall take precedence over the process which follows.

The process of street naming shall be initiated by the developer prior to submittal of a preliminary plat:

- a) No later than 21 days prior to submittal of the preliminary plat, or certified survey map, the developer shall review the Palmer list and the Director of Planning and Community Development's name grouping map. The developer shall select street names for each proposed street in accordance with this list, and subsequent plats and documents shall reflect same.
- b) If the developer fails to meet the above timetable, the Director of Planning and Community Development shall, no later than 14 days prior to the indicated date of preliminary plat or CSM submittal, provide the developer with a list containing three name alternatives for each street. From the list provided by the Director of Planning and Community Development, the developer shall select the street names, and provide this information to the Director of Planning and Community Development no less than 7 days prior to preliminary plat/document submittal, and subsequent plats and documents shall reflect same.
- c) If the developer fails to meet the timetable following receipt of the Director of Planning and Community Development's list, the Director of Planning and Community Development shall select from the list of three alternatives the name or names which in his opinion best reflects the intent of this policy.

In the event that a proposed street name is not, in the Director of Planning and Community Development's opinion, in conformance with this policy, the Director of Planning and Community Development shall assign an appropriate name. (SECTION 12.0701(i) REPEALED AND RECREATED 6/28/94--ORDINANCE NO. E-264; AMENDED 11/28/95--ORDINANCE NO. E-311)



## **12.0702...LIMITED ACCESS HIGHWAY AND RAILROAD RIGHT-OF-WAY TREATMENT**

Whenever the proposed Land Division contains or is adjacent to a limited access highway or railroad right-of-way, the land division design shall provide for the following:

- a) When Lots Within the Proposed Land Division back upon or side upon the right-of-way of an existing or proposed limited access highway or a railroad, a planting strip at least 30 feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth or width. This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees and shrubs, vehicular public access across and the building of structures hereon prohibited."
- b) Commercial and Industrial Properties 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 150 feet.
- c) Streets Parallel to a Limited Access Highway or railroad right-of-way, when intersecting an arterial street or highway or a collector street which crosses said railroad or highway, shall be located at a minimum distance of 250 feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
- d) 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.

## **12.0703...STREETS AND OTHER PUBLIC WAY DESIGN STANDARDS**

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, official map, neighborhood development plan, or county jurisdictional highway system plan; or, as set forth in Table 2 whichever is larger. Arterial street sections are for standard arterial streets only. Cross-sections for freeways, expressways and parkways should be based upon detailed engineering studies. In addition:

- a) Cul-de-sac Streets designed to have one end permanently closed shall not, as a general rule exceed 600 feet in length as measured from the point of radius of the turnaround to the nearest intersecting street and in no case shall more than 40 dwelling units abut and have direct access to a cul-de-sac street. All cul-de-sac streets designed to have one end permanently closed shall terminate in a circular turnaround as set forth in Table 2 unless topography or other features of the landscape make such a design impossible, in which case the Plan Commission shall specifically require the type of turnaround practical. All standard cul-de-sacs shall include an "island court" in the center which shall be landscaped and maintained by the abutting homeowners or an established homeowners association and set forth on the individual property deeds.
- b) Temporary Termination of streets at the boundary of a land division or phase of land division intended to be extended at a later date and where three (3) or more dwelling units have driveway access to such streets shall, at the discretion of the Plan Commission, be accomplished with a widened boulevard turnaround designed in accordance with City standards, or by construction of a temporary "T" turnaround within the street right-of-way

having a "cross-bar" length of 64 feet and width of 24 feet. Temporary or semi-permanent turnarounds must be connected and extended when the adjoining property is developed.

- c) Street Grades. Unless necessitated by exceptional topography as determined by the Plan Commission, the maximum centerline grade of any street or public way shall preferably not exceed the following:
- 1) Arterial streets and alleys: six (6) percent.
  - 2) Collector streets: eight (8) percent.
  - 3) Minor streets, cul-de-sacs, and frontage streets: ten (10) percent.
  - 4) Pedestrian ways: twelve (12) percent unless steps of acceptable design are provided.

In addition, the grade of any street shall not exceed twelve (12) percent or in no case shall be less than five tenths (0.5) of one percent. Street grades shall be established wherever practicable so as to minimize 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 15 times the algebraic difference in the rates of grade for arterial and collector streets, and one-half (1/2) this minimum for all other streets.

- d) Radii of Curvature. When a continuous street centerline deflects at any one point by more than 18 degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:
- 1) Arterial streets and highways: 500 feet.
  - 2) Collector streets: 300 feet.
  - 3) Minor streets: 100 feet.
- A tangent at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.

## **12.0704...STREET INTERSECTION DESIGN**

Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit. In addition:

- a) The Number of Streets Converging at one intersection shall be reduced to a minimum, preferably not more than two.
- b) The Number of Intersections along arterial streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections shall not be less than 1,200 feet.
- c) Minor and Collector Street shall not necessarily continue across arterial streets. If the distance between the centerline intersections of any street with any other intersecting street is less than 250 feet measured along the centerline of the intersecting street, then the location shall be so adjusted that the distance is increased or the adjoinment across the intersecting street is continuous and a jog is avoided.
- d) On All Streets Where sidewalks are required, ramps or openings to accommodate handicapped individuals or vehicles shall be provided in accordance with Section 66.616 of Wisconsin Statutes.
- e) The Platting of Half-Streets shall not be permitted except where it is necessary to complete a half-street existing on the effective date of this Chapter.

## **12.0705...BLOCK DESIGN**

The widths, lengths, and shapes of blocks shall be suited to the planned use of the land, zoning requirements, need for convenient access, control and safety of street traffic; and the limitations and opportunities of topography. In addition:

- a) The Length of Blocks in residential areas shall not as a general rule be less than 600 feet nor more than 1,600 feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.
- b) Pedestrian Ways of not less than 20 feet in width may be required near the center and entirely across any block over 1,000 feet in length where deemed essential by the Plan Commission to provide adequate pedestrian circulation or access to schools, parks, shopping centers, churches or transportation facilities.
- c) The width of Blocks shall be enough to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic. Width of lots or parcels reserved or designated for commercial, industrial, or institutional use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.
- d) All Electric Power and Communication lines shall, where practical, be placed on mid-block easements of not less than ten (10) feet in width on the property line, and as required by the respective utility company, and where possible along rear lot lines.

## **12.0706...LOT DESIGN**

The size, shape, and orientation of lots shall be appropriate for the location of the land division and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the building contemplated. In addition:

- a) Side Lot Lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face unless impractical to do so. Lot lines shall follow municipal boundary lines rather than cross them.
- b) Double Frontage or "Through" Lots shall be prohibited except where necessary to provide separation of residential development from arterial traffic or to overcome specific disadvantages of topography and orientation.
- c) Access. Every lot shall front or abut for a distance of at least 40 feet on a public street.
- d) Area and Dimension of all lots created in the City of Hartford shall conform to the requirements of the Zoning Code. All lots created in the City's extraterritorial plat review jurisdiction shall be at least 35 acres in size unless the City has a Comprehensive Zoning Ordinance with the Town in which the proposed subdivision or land division resides. Those building sites not served by a public sanitary sewage system or other approved system shall be sufficient to permit the use of an "on-site" soil absorption sewage disposal system designed in accordance with the Wisconsin Administrative Code. (AMENDED 4/9/02--ORDINANCE NO. E-481; 5/13/03--ORDINANCE NO. E-526; 11/11/03--ORDINANCE E-535; 6/10/12—ORDINANCE NO. 1286)
- e) Excessive Depth of Lots in relation to width shall be avoided and a proportion of two to one (2:1) shall be considered a maximum depth to width ratio under normal conditions. Lots shall normally be rectangular in shape and lots having more than five (5) sides shall be avoided. Depth of lots or parcels designated for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated.

- f) The Width of Lots within the interior of a block shall conform to the requirements of the City, or applicable Town or County ordinance, and in no case shall a lot have a minimum width at the building setback line of less than that which is required by the applicable zoning ordinance.
- g) In any Plat Abutting a Lake or Stream; lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed land division and the water's edge shall be dedicated to the public or made a part of the adjacent lot or parcel.

**12.0707...BUILDING SETBACK LINES**

Building setback lines appropriate to the location and type of development contemplated, which are more restrictive than the regulation of the zoning district in which the plat is locate due to topographic conditions, traffic visibility, Flora, or natural features may be required by the Plan Commission.

**12.0708...EASEMENTS**

- a) The Plan Commission may require utility easements of widths deemed adequate for the intended purpose on rear lot lines and on side lot lines or across lots where necessary or advisable for electric power and communication wires and conduits; storm and sanitary sewers; and water and other utility lines.
- b) Where a land division is traversed by a watercourse, drainageway, channel or stream, an adequate drainageway easement shall be provided as may be required by the Plan Commission. The location, width, alignment and improvement of such drainageway easement shall be subject to the approval of the City Engineer and parallel streets or parkways may be required in connection therewith. Where necessary, storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. These design details are subject to review and approval by the City Engineer.
- c) Where natural drainage channels, water impoundment areas, and wetlands are encompassed in whole or in part within the proposed land division the Plan Commission may require easements to be placed on the plat which will protect and ensure the viability of such natural resources and/or their aesthetic value.

**12.0709...PUBLIC SITES AND OPEN SPACES**

In the design of the plat, due consideration shall be given to the reservation of suitable sites of adequate area for future schools, parks, playgrounds, drainageways and other public purposes. If designated on the City comprehensive plan, comprehensive plan component, official map, or component neighborhood development plan, such areas shall be made a part of the plat as stipulated in Section 12.0203 of this Chapter. If not so designated, consideration shall be given in the location of such sites to the preservation of scenic, cultural, scientific, and historic sites; wooded areas; wetlands, floodlands, marshes, streams, lakes, and ponds; and steep topography, ground depression and ravines.

Accordingly, each subdivider of land within he City's jurisdiction shall, at the discretion and direction of the Plan Commission, either reserve public sites and open-space lands designated on the City's comprehensive plan or plan component and pay a public site fee; or, where no public sites or open-space lands are directly involved, pay a public site fee; or, dedicate public sites and open-space lands designated on the City's Comprehensive plan or plan component. The Plan

Commission shall, at the time of reviewing the Preliminary Plat or Preliminary Certified Survey Map, select one of the following options and record such selection in the minutes of the meeting at which the Preliminary Plat or Preliminary Certified Survey Map is presented to the Plan Commission for approval:

- a) Reservation of Site Option. Whenever a proposed school site, playground, park, or other public open-space land designated on the City's comprehensive plan, land use plan, neighborhood unit development plan, or other comprehensive plan component is encompassed, all or in part, within a tract of land to be subdivided, the proposed public lands shall be made a part of the plat and reserved at the time of final plat approval for a period not to exceed one (1) year, unless extended by mutual agreement, for acquisition at undeveloped land prices based on a land appraisal by the public agency having jurisdiction and the subdivider shall pay a public site fee at the time of application for final plat approval at the rate and according to the procedures set forth in Section 12.0709 (b) of this Chapter. If the land is not acquired within the one (1) year period or the time extended by mutual agreement as set forth herein, the land will be released from reservation by the Common Council to the owner.
- b) Public Site Fee Option. If the proposed land division does not encompass a proposed school site, public park, parkway, or other open-space lands, or if the Plan Commission requires the reservation of land as set forth in Section 12.0709 (a) of this Chapter, a fee for the acquisition of public sites to serve the future inhabitants of the proposed land division shall be paid to the City Clerk at the time of approval of and prior to certification of such approval of a Final Plat or CSM of said land thereof in the following amounts: For acquisition and improvement of parks and other open-space--as determined in Chapter 42 of the Municipal Code per additional one and two-family dwelling unit and three or more bedroom apartment, and a fee as determined in Chapter 42 of the Municipal Code per additional one and two-bedroom apartment. If the proposer requests and the Plan Commission concurs, payment of the fee may, at the City's option, be postponed until building permits are sought, provided that the amount(s) paid shall be the then current fee. Public site fees collected by the City Clerk under the provisions of this Chapter for park and open space uses shall be placed in a non-lapsing special fund(s) for purposes as set forth herein within a designated neighborhood or other designated area and shall be separate from the general fund of the City, and said special fund(s) shall be used exclusively for the purposes set forth herein within each specifically designated neighborhood of the City. (AMENDED 12/17/91--ORDINANCE NO. E-199; AMENDED 5/14/96--ORDINANCE NO. E-327)
- c) Dedication of Site Option. Whenever a proposed school site, playground, park, or other public open-space land designated on the City's comprehensive plan, land use plan, neighborhood unit development plan, or other comprehensive plan component is encompassed, all or in part, within a tract of land to be subdivided, the public lands shall be made a part of the plat and shall be dedicated to the public by the subdivider at the rate of: One (1) acre of park or open space land for each 25 proposed or potential dwelling units. Any such proposed public lands in excess of the rate established herein shall be reserved for a period not to exceed one (1) year, unless extended by mutual agreement, for the public agency having jurisdiction. If the lands in excess of the established rate are not acquired within the three-year period or the time extended by mutual agreement as set forth herein, the land will be released from reservation by the Common Council to the owner.

## **SECTION 12.0800...REQUIRED IMPROVEMENTS**

### **12.0801...SURVEY MONUMENTS**

The subdivider shall install survey monuments placed in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and as may be required by the City Engineer/Surveyor. The Common Council may waive the placement of lot corner monuments until the submittal of the Final Plat.

### **12.0802...GRADING**

After the installation of survey control points by the subdivider and establishment of street grades by the City Engineer, and unless otherwise stipulated by the Plan Commission, the subdivider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with plans and standard specifications approved by the City Engineer. The subdivider shall grade the roadbeds in the street rights-of-way to subgrade. Any necessary cut and filled lands outside of street right-of-way shall be graded to a maximum slope of 25 percent or the soils angle of repose, whichever is the lesser. All graded lands, with the exception of roadbeds of streets, shall be treated for sediment and erosion control purposes as set forth in Section 12.0905 of this Chapter.

### **12.0803...SURFACING**

After the installation of all utility and storm water drainage improvements, the subdivider shall surface all roadways in streets proposed to be dedicated to the widths prescribed by this Chapter and the other comprehensive plan components of the City. Said surfacing shall be done in accordance with plans and standard specifications approved by the City Engineer and in conformance with the adopted street construction standards of the City. The cost of surfacing in excess of 48 feet in width that is not required to serve the needs of the land division shall be borne by the City or other unit or agency of government having jurisdiction.

### **12.0804...CURB AND GUTTER**

In all land divisions the Common Council may require, at the time of final platting, the subdivider to construct concrete curbs and gutters in accordance with plans and standard specifications approved by the Common Council. Wherever possible, provision shall be made at the time of construction for driveway access curb cuts. The cost of installation of all inside curbs and gutters for dual roadway pavements on the established arterial street and highway system for the City shall be borne by the City or other unit or agencies of government having jurisdiction.

### **12.0805...RURAL STREET SECTIONS**

When permanent rural street sections have been approved by the Plan Commission and Common Council, the subdivider shall finish grade all shoulders and road ditches, install all necessary culverts at intersections and, if required, surface ditch inverts or otherwise prevent erosion and sedimentation in accordance with plans and standard specifications approved by the City Engineer and as set forth in Section 12.0905 of this Chapter and in the adopted City Design and Construction Standards.

## **12.0806...SIDEWALKS**

- a) In all land divisions the Common Council may require the subdivider to construct concrete sidewalks on one or both sides of all streets which serve other than single-family development. The construction of all sidewalks shall be in accordance with plans and standard specifications approved by the City Engineer.
- b) In addition, wider than standard sidewalks may be required by the Common Council in the vicinity of schools, certain commercial areas and other places of public assemblage, and the Common Council may require the construction of sidewalks in locations other than required under the preceding provisions of this Chapter if such walks are necessary in their opinion, for safe and adequate pedestrian circulation.

## **12.0807...PRIVATE SEWERAGE DISPOSAL SYSTEMS**

When it is proposed to establish a private sanitary sewerage system to serve two (2) or more lots, the subdivider shall construct sanitary sewerage facilities in accordance with County Health Department requirements and in such a manner as to make adequate sanitary sewerage service available to each lot within the land division consideration shall be given to the eventual provision of public utilities.

## **12.0808...STORMWATER FACILITIES**

The subdivider shall design and construct stormwater facilities adequate to serve the land division, which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches, culverts, open channels, and/or water retention or detention structures and settling basins. All such facilities shall be designed in accordance with the requirements of Chapter 15 of the Hartford Municipal Code, and the Standardized Development Specifications Manual, latest edition.

Where construction of stormwater facilities within a land division requires oversizing of facilities to accommodate areas beyond the boundaries of the land division, the City may construct the facilities and special assess the cost of constructing said facilities proportionately based upon the flow generated by the subdivision compared to the flow generated by areas in the drainage basin discharging through the land division, provided that plans are submitted and approved by the Common Council by September 1 of the year prior to installation. (SECTION 12.0808 REPEALED AND RECREATED 10/14/97-- ORDINANCE NO. E-384)

## **12.0809...WATER SUPPLY FACILITIES**

When it is proposed to establish a private water supply and distribution system to serve two (2) or more lots, the subdivider shall cause such water supply and distribution facilities to be installed in such a manner as to make adequate water service available to each lot within the land division.

## **12.0810...OTHER UTILITIES**

The subdivider shall cause electrical power and telephone and other communication facilities and, where possible, natural gas to be installed in such a manner as to make adequate service available to each lot in the land division. Electrical or telephone service shall not be located on overhead poles unless otherwise allowed by the Plan Commission due to exceptional topography

or other physical barrier. Plans indicating the proposed location of all gas, electrical power, communication cable and telephone distribution and transmission lines required to service the plat shall be approved by the City Engineer. It shall be the subdivider's responsibility to provide for the relocation of any existing utility systems as required by the Plan Commission. Once installed, it shall be the responsibility of the subdivider to complete or cause the completion of the restoration of any lands disturbed by such installation to the satisfaction of the City Engineer. (AMENDED 10/6/92--ORDINANCE NO. E-219)

### **12.0811...STREET LAMPS**

The City shall install, and the developer shall pay for, street lamps of a design compatible with the neighborhood and type of development proposed along all streets proposed to be dedicated. Spacing requirements of light fixtures, their technical specifications and design shall be determined by the Utility Director. (SECTION 12.0811 AMENDED 9/27/94--ORDINANCE NO. E-272; AMENDED 9/26/95--ORDINANCE NO. E-308)

### **12.0812...STREET SIGNS**

The City shall install, and the developer shall pay for the installation of initial signs at the intersection of all streets proposed to be dedicated. (AMENDED 8/23/94--ORDINANCE NO. E-269)

### **12.0813...PLANTING SCREENS**

The Plan Commission may require a planting screen between conflicting land uses, and/or to provide visual and sound screening along arterial streets or highways. Such plantings shall be placed by the subdivider within a designated planting easement of adequate width, but not less than thirty (30) feet, and shall conform to plans required as a part of the Preliminary Plat submittal, which plans shall be of sufficient accuracy and detail for review by the Plan Commission.

### **12.0814...BERM SPECIFICATIONS**

Where berms are proposed for visual screening or planting screens as required by Chapter 12 or 13 of this Code, the berm shall be in conformance with the following specifications:

- a) The berm shall not exceed 4-1/2 feet in height (unless otherwise approved by the Plan Commission), shall be located at least 5 feet from any side or rear lot line, and 5 feet from any street right-of-way. Setback requirements may be waived in the case of a joint berm construction.
- b) All berms shall be constructed such that the width of the base of the berm shall be no less than 3 times the vertical height.
- c) A cover growth of approved plant material or mulching containing no noxious weeds shall be established over the entire berm. All berms shall have landscape plantings spaced randomly to help visually break up the continuous line.
- d) Erosion control plans shall be submitted to the City Engineer for review and approval prior to consideration by the Plan Commission. (SECTION 12.0814 CREATED 11/28/95--ORDINANCE NO. E-309)



**12.0815...STREET TREES**

- a) General. In subdivisions platted after the adoption of this section, the City shall require the planting of trees in the street right-of-way as a portion of the public improvements called for in the developer's agreement. The subdivider shall prepare a street tree plan for all rights-of-way within the subdivision. The type of tree shall be selected by the developer from an approved list, as indicated in the subdivider's agreement and approved by the City Forester.
- b) Timing of Street Tree Installation. In subdivisions covered by this provision, street trees shall be required to be installed concurrent with the installation of sidewalks. The number of trees shall be determined by the spacing criteria established in Section 12.0814 (c)(1). Installation shall follow specifications provided in Chapter 19 of the Municipal Code. In the event that street trees are not planted by the property owner after notice, the City shall cause the street trees to be installed, and the charges therefore shall constitute a special assessment charge under Wisconsin Statute 66.60 (16).
- c) Criteria for Street Tree Installation. 1) The City shall require all sites to be planted fully stocked as indicated on the table below, based on sizes and the established list of acceptable trees.

Tree Size	Small	Medium	Large
Spacing	20'	30'	40'
Minimum Terrace Width	3'	3-5'	5+'

- 2) The exact location of each tree shall be in accordance with the subdivider's street tree plan, and shall either be established by the City Forester or approved by the City Forester.
- 3) Initial planting and replacement of trees shall be in conformance with the provisions of Chapter 19 of the Municipal Code.
- d) Existing Subdivisions. 1) Owners of residential parcels which were platted prior to the adoption of this Ordinance may receive street streets under the provisions of this Section and Chapter 19 of the Municipal Code, provided that the City Forester has approved a Master Street Tree Plan for the street affected.
- 2) In cases where existing trees are required to be removed the Common Council may require owners of residential parcels which were platted prior to the adoption of this Ordinance to plant street trees under the provisions of this section, and Chapter 19 of the Municipal Code, provided that the City Forester has approved a Master Street Tree Plan for the street affected. (SECTION 12.0814 CREATED 7/11/95--ORDINANCE NO. E-293)

**12.0816...OPTIONAL PROVISION OF PUBLIC UTILITIES AND FACILITIES**

If for any reason the subdivider fails to install or relocate public utilities or facilities as prescribed herein or as ordered by the Common Council pursuant to this Chapter, the Common Council may install such improvements and assess the full cost of such installations plus ten (10) percent for administration against the subdivider or property owner as set forth in Section 66.60 of the Wisconsin Statutes. Also, the City and subdivider may agree to have public improvements

installed by the City pursuant to Section 66.60 of the State Statutes. (AMENDED 10/6/92--  
ORDINANCE NO. E-219)

## **SECTION 12.0900....CONSTRUCTION**

### **12.0901...COMMENCEMENT**

No construction or installation of improvements shall commence in a proposed subdivision until the Preliminary Plat or Preliminary Certified Survey Map has been approved, a subdividers agreement executed, the necessary zoning approved for change at the time of final platting, and the Common Council has given written authorization for such commencement.

### **12.0902...BUILDING PERMITS**

No building, zoning, or sanitary occupancy permits shall be issued for a structure on any lot not of record on the date of adoption of this Ordinance until all the requirements of this Chapter, Washington County, and the State of Wisconsin have been met.

### **12.0903...OCCUPANCY PERMIT**

No occupancy permit shall be issued until all requirements of this Chapter are met to the satisfaction of the Building Inspector.

### **12.0904...CONSTRUCTION PLANS**

When applicable, the following plans and accompanying construction specifications may be required by the City Engineer and shall be reviewed by the Plan Commission upon request of the Common Council before authorization of construction or installation of 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 drainage 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. Such plans shall generally follow the guidelines and standards set forth in the publication, Minimizing Erosion in Urbanizing Areas, as prepared by the U.S. Department of Agriculture, Soil Conservation Service, 1972 or its sequel and as set for in Section 12.0905 of this Chapter.
- f) Planting Plans showing the locations, age, caliper, and species of any required grasses, vines, shrubs, and trees.
- g) Master grading plan showing existing and final contour intervals.
- h) Plans for all private utilities.
- i) Additional special plans or information as required by the Plan Commission or Common Council.

### **12.0905...EROSION CONTROL**

All land divisions subject to the provisions of this Chapter shall be subject to the erosion control requirements of Chapter 15 of this Code, and the City of Hartford Standardized Development Specifications Manual, latest edition. (AMENDED 10/14/97--ORDINANCE NO. E-380)

### **12.0906...EXISTING FLORA**

The subdivider shall make every effort to protect and retain all existing trees, shrubbery, vines, and grasses not actually lying in public roadways, drainageways, building foundation sites, private driveways, soil absorption waste disposal areas, paths, and trails. Any such Flora are to be protected and preserved during construction in accordance with sound conversation practices, including the preservation of trees by use of wells or islands or retaining walls whenever abutting grades are altered.

### **12.0907...INSPECTION**

The subdivider, prior to commencing any work within the land division shall make arrangements with the City to provide for adequate inspection. The City Engineer shall inspect and approve in writing to the Common Council all required or necessary work prior to approval of the Final Plat or release of any sureties.

### **12.0908...CHANGES AND MODIFICATION**

The City Engineer or the subdivider may petition the Common Council to secure changes or modifications to an approved Preliminary Plat or Preliminary Certified Survey Map as the development progresses.

## **SECTION 12.1000....FEES**

### **12.1001...GENERAL**

The subdivider shall pay the City all fees as hereinafter required and at the times herein specified before being entitled to recording of a Final Plat or Final Certified Survey Map.

### **12.1002...PRELIMINARY PLAT REVIEW FEE**

The subdivider shall pay a base fee, plus a supplemental fee for each lot or parcel within the Preliminary Plat to the City Clerk at the time of first application for approval of any Preliminary Plats to assist in defraying the cost of their review. A reapplication fee shall be paid to the City Clerk at the time of reapplication for approval of any Preliminary Plat or Certified Survey Map which has previously been reviewed. Preliminary Plat review fees shall be as determined in Chapter 42 of the Municipal Code. (AMENDED 5/28/96--ORDINANCE NO. E-332)

### **12.1003...IMPROVEMENT PLAN REVIEW FEE**

The subdivider shall pay a fee equal to the actual cost, not to exceed 2%, of review by the City Engineer of any and all improvement plans and specifications submitted as a part of land subdivision procedure and prior to commencement of construction.

### **12.1004...INSPECTION FEE**

The subdivider shall pay a fee equal to the actual cost, not to exceed 2%, to the City for such inspection by the City Engineer as the City deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and codes and ordinances of the City or any other governmental authority having jurisdiction.

### **12.1005...FINAL PLAT REVIEW FEE**

The subdivider shall pay a base fee, plus a supplemental fee for each lot or parcel within the Final Plat to the City Clerk at the time of first application for Final Plat approval to assist in defraying the cost of their review. A reapplication fee shall be paid to the City Clerk at the time of reapplication for approval of any Final Plat which has previously been reviewed. Final Plat review fees shall be as determined in Chapter 42 of the Municipal Code. (AMENDED 5/28/96--ORDINANCE NO. E-332)

### **12.1006...CERTIFIED SURVEY MAP REVIEW FEE**

The subdivider shall pay a base fee, plus a supplemental fee for each lot or parcel within the Certified Survey Map to the City Clerk at the time of first application for Certified Survey Map approval to assist in defraying the cost of the review. Certified Survey Map fees shall be as determined in Chapter 42 of the Municipal Code. (CREATED 5/28/96--ORDINANCE NO. E-332)

### **12.1007...PUBLIC SITE FEE**

(See Sections 12.0203 and 12.0709.)

### **12.1008...PRE-PRELIMINARY (CONCEPTUAL) PLAT REVIEW FEE**

The subdivider shall pay a fee to the City Clerk at the time of first application for Pre-preliminary Plat approval to assist in defraying the cost of review. Pre-preliminary (Conceptual) Plat review fees shall be as determined in Chapter 42 of the Municipal Code. (CREATED 5/28/96--ORDINANCE NO. E-332)

### **12.1009...ENGINEERING FEE**

The subdivider shall pay a fee equal to the actual cost to the City for all engineering work incurred by the City in connection with any Plat or Certified Survey Map. Engineering work shall include the preparation of construction plans and specifications requested by the subdivider or ordered by the Common Council. Inspection, checking and reviewing of work by the City Engineer requires fees as provided in Section 12.1003 and 12.1004 of this Chapter.

### **12.1010...LEGAL FEE**

The subdivider shall pay a fee equal to the cost of any legal work which may be undertaken by the City in connection with the Plat or Certified Survey map. Legal work shall include the drafting or reviewing of contracts between the City and the subdivider, the drafting or review of covenants and any actions or proceedings to enforce this Chapter, together with expenses and disbursements.

### **12.1011...CONSULTATION**

The subdivider shall be entitled to one consultation with City Planning and Engineering Staff in exchange for fee requirements listed earlier in this chapter. For all subsequent consultations and City Staff professional preparation time, the subdivider shall pay a fee based upon hourly rates as determined in Chapter 42. Immediately following the first consultation, City Staff shall prepare an estimate of the projected cost for additional Staff consultations and preparation of the Staff review of the subdivider's proposal for submittal to the Plan Commission, Common Council, or other body determined by the City. The subdivider shall, prior to the City Staff proceeding with consultation and review and prior to placement of the matter on an agenda, submit a certified check to the City Planner, which shall be placed in an escrow account, and drawn upon as appropriate. An accounting shall be provided to the subdivider when accessing said escrow account. Unless City Staff provides a certificate to the subdivider at the end of the first consultation attesting that all aspects of the development have been completely addressed to Staff's satisfaction and that Staff time preparing the matter for review shall be minimal, it is a rebuttable presumption that, without an escrow amount, any application forwarded to the Plan Commission and/or Common Council shall be subject to rejection as incomplete. If the subdivider believes that the amount to be escrowed or the amount drawn down by the City is excessive, he/she may appeal to the Common Council. Upon final approval of the developer's proposal by the Common Council, the City shall promptly return any unused escrowed amount without interest. (CREATED 11/26/02—ORDINANCE NO. E-500)

## **SECTION 12.1100....DEFINITIONS**

### **12.1101...GENERAL DEFINITIONS**

For the purposes of this Chapter, the following definitions shall be used. Words used in the present tense include the future; the singular includes the plural; and the plural includes the singular. The word "shall" is mandatory and not directory and the word "may" is permissive.

### **12.1102...SPECIFIC WORDS AND PHRASES**

ADT (Average Daily Traffic) - The average number of cars per day that pass over a given point. Methods for calculating ADT for each land use category are found in the Standardized Development Specifications Manual, second edition. (CREATED 2/11/97--ORDINANCE NO. E-354)

Alley - A special public way affording only secondary access to abutting properties.

Arterial Street - An urban or rural street whose function is to convey traffic between municipalities and activity centers. Significant community, retail, commercial and industrial activity may be located on arterials. Arterial streets have high ADT, generally exceeding 3,000. (AMENDED 2/11/97--ORDINANCE NO. E-354)

Building Setback Line - A line generally parallel to the street lot line and at a specified minimum distance from said lot line as set forth in the City (or County) Zoning Ordinance and which delineates the street side of the buildable area of the lot or parcel.

Cartway - The actual road surface area from curbface to curbface, which may include travel lanes, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the cartway is that portion between the edges of the paved, or hard surfaced, width. (CREATED 2/11/97--ORDINANCE NO. E-354)

Collector Street - (REPEALED 2/11/97--ORDINANCE NO. E-354)

Community - A City, incorporated municipality, or a group of adjacent cities and/or incorporated municipalities having common social, economic or physical interests or characteristics.

Comprehensive Plan - An extensively developed plan, also called a "master plan", adopted by the Plan Commission and certified to the Common Council pursuant to Section 62.23 of the Wisconsin Statutes, including proposals for future land use, transportation, redevelopment, utilities and public facilities. In Hartford, neighborhood plans together comprise the comprehensive plan for the City and environs. Devices for the implementation of such plans, such as zoning, official map, land division, and building codes or ordinances and capital improvement programs may also be considered a part of the comprehensive plan.

County Land Use Department - The agency of County government in Washington County having land division plat review and approval authority.

Cul-de-Sac - A local street with only one outlet and having the other end closed for the reversal of traffic movement. (CREATED 2/11/97--ORDINANCE NO. E-354)

Cul-de-sac Street - (REPEALED 2/11/97--ORDINANCE NO. E-354)

Curb - A vertical or sloping edge of a roadway. (CREATED 2/11/97-- ORDINANCE NO. E-354)

Development (Urban) - Residential, commercial, industrial, governmental and institutional development in sufficient concentrations or densities to require a variety and high level of traditional urban services and facilities including, but not limited to: full or part-time municipal police and fire protection, and community administration; additional public streets and highways; neighborhood parks and playgrounds; neighborhood schools; local libraries; public sanitary sewer facilities, public water supply facilities, and public solid waste removal; storm sewers; mass transit facilities; continual street maintenance; curbs, gutters, and sidewalks; street lighting; and neighborhood convenience shopping. Such development may be expected to alter or require the altering of land and land cover and have detrimental impact on the ground and surface waters. Historically, in Southeastern Wisconsin, urban development occurs when residential development is concentrated in large areas at densities in excess of 0.2 dwelling units per gross acre (or one dwelling unit per five acres).

Development (Rural) - Agricultural, residential, recreational and other open space development at such concentrations and densities not requiring transitional urban services and facilities. Historically, in Southeastern Wisconsin, when residential development densities are less than 0.2 dwelling units per gross acre (or one dwelling unit per five acres), such traditional urban services are not required. Such rural development may be expected to result in minimum disturbance of the land and land cover, and therefore, less impact on the natural environment.

Driveway - A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street to a building or other structure or facility. (CREATED 2/11/97--ORDINANCE NO. E-354)

Extraterritorial Plat Approval Jurisdiction - The unincorporated area within three (3) miles of the corporate limits of the City of Hartford. Wisconsin Statutes shall control determinations respecting overlapping extraterritorial jurisdictions, except where the City and an overlapping jurisdiction have reached an agreement defining the extent of their respective jurisdictions. (AMENDED 11/11/03--ORDINANCE NO. E-535; 4/10/12—ORDINANCE NO. 1286)

Face of Curb - The vertical portion of the curb facing the pavement on a standard vertical curb. On mountable curbs, the curb face is computed to be at a point 12 inches from the back of the curb.

Floodlands - Those lands, including the floodplains, flood fringe, floodways, and channels, subject to inundation by the 100 year recurrence interval flood or, where such data is not available, the maximum flood of record.

Frontage Street - See "**Marginal Access Street**". (AMENDED 2/11/97-- ORDINANCE NO. E-354)

Gutter - A shallow channel usually set along a curb or the pavement edge of the road for purposes of catching and carrying runoff water. (CREATED 2/11/97--ORDINANCE NO. E-354)



High Water Elevation - The average annual high water level of a pond, stream, lake, flowage, or wetland referred to an established datum plane; or, where such elevation is not available, the elevation of the line up to which the presence of the water is so frequent as to leave a distinct mark by erosion, change in, or destruction of, vegetation or other easily recognized topographic, geologic, or vegetative characteristic.

High Groundwater Elevation - The highest elevation to which subsurface water rises. This may be evidenced by the actual presence of water during wet periods of the year, or by soil mottling during drier periods. ("Mottling" is a variation of soil colors. In soils with restricted internal drainage, gray, yellow, red, and brown colors are intermingled giving a multicolored effect.)

Island - In street design, a raised area, usually curbed, placed to guide traffic and separate lanes, or used for landscaping, signing, or lighting. (CREATED 2/11/97--ORDINANCE NO. E-354)

Land Division - Any division of land which results in the creation of additional lots, parcels, tracts of land, or units as defined in Wis. Stats. 703. (AMENDED 11/11/03--ORDINANCE NO. E-535)

Letter of Credit - A written letter engagement by a commercial bank made at the request of the subdivider whereby the issuer will honor drafts or other demands for payment upon compliance with the conditions specified in the letter of credit.

Lot - A parcel of land, whether acquired by one or more conveyances, having frontage on a public 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 the City, Town (or County) Zoning Ordinance or this and other City codes, chapters, and ordinances.

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

Lot, Double-Frontage - A lot which has opposite lot lines along two substantially parallel streets, and which is not a corner lot. Both street lines on a double-frontage lot shall be deemed street front lot lines but in the case of two or more contiguous double-frontage lots, there shall be a common front lot line.

Marginal Access Street - A service street that runs parallel to a higher-order street which, for purposes of safety, provides access to abutting properties and vehicle separation from through traffic. May be designed as a residential access street or subcollector street as ADT dictates. (CREATED 2/11/97--ORDINANCE NO. E-354)

Minor Street - (REPEALED 2/11/97--ORDINANCE NO. E-354)

Minor Land Division - Any division of land not defined as a "subdivision", and resulting in one or more parcels less than 10 acres in size. Minor land divisions include the division of land by the owner or subdivider resulting in the creation of two (2) but not more than four (4) parcels or building sites within any five (5) consecutive years; or the division of a block, lot or outlot within a recorded subdivision plat into not more than four (4) parcels or building sites without changing the exterior boundaries of said block, lot or outlot. Such minor land divisions shall be made by use of the Certified Survey Map.

Municipality - An incorporated Village or City.

National Map Accuracy Standards - Standards governing the horizontal and vertical accuracy of topographic maps and specifying the means for testing and determining such accuracy, endorsed by all federal agencies having surveying and mapping functions and responsibilities. These standards have been fully reproduced in Appendix D of SEWRPC Technical Report No. 7, Horizontal and Vertical Survey Control in Southeastern Wisconsin.

Navigable Stream - Any stream capable of floating any boat, skiff, or canoe, of the shallowest draft used for recreational purposes at any time of the year.

Outlot A parcel of land, other than a lot or block, so designated on the plat, but generally not of standard lot size, which is used to convey or reserve parcels of land for purposes other than residential development and which may be either re-divided into lots or combined with one or more other adjacent outlots or lots in adjacent land divisions in the future for the purpose of creating buildable lots.

Parcel – Contiguous lands under the control of an owner(s), not separated by streets, highways or railroad rights-of-way. (CREATED 11/11/03--ORDINANCE E-535)

Preliminary Plat - A map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of official Preliminary consideration.

Public Way - Any public road, street, highway, walkway, drainageway, or part thereof.

Replat - The changing of the exterior boundaries of a recorded land division or part thereof.

Residential Access Street - The lowest order of residential street (see **Street Hierarchy**). Provides frontage for access to private lots, and carries traffic having destination or origin on the street itself. Designed to carry traffic at slowest speed. Traffic volume should not exceed 250 ADT at any point of traffic concentration. The maximum number of housing units should front on this class of street. (CREATED 2/11/97--ORDINANCE NO. E-354)

Residential Collector Street - The highest order of residential street (see **Street Hierarchy**). Conducts and distributes traffic between lower-order residential streets and higher-order streets (arterials). Since its function is to promote free traffic flow, access to homes and parking should be limited. Collectors should be designed to prevent their use as shortcuts by non-neighborhood traffic. Total traffic volume should not exceed 3,000 ADT. (CREATED 2/11/97--ORDINANCE NO. E-354)

Residential Subcollector Street - Middle order of residential streets (see **Street Hierarchy**). Provides frontage for access to lots and carries traffic to and from adjoining residential access streets. Traffic should have origin or destination in the immediate neighborhood. Traffic volume should not exceed 800 ADT at any point of traffic concentration. (CREATED 2/11/97--ORDINANCE NO. E-354)

Right-of-way - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. (CREATED 2/11/97--ORDINANCE NO. E-354)

Shorelands - Those lands, in the unincorporated areas of Washington County, lying within 1,000 feet from the high water elevation of navigable lakes, ponds, and flowages or 300 feet from the high water elevation of navigable streams or to the landward side of the floodplain, whichever is greater.

Sidewalk (area) - A paved path provided for pedestrian use and usually located at the side of a road within the right-of-way. (CREATED 2/11/97-- ORDINANCE NO. E-354)

Soil Mapping Unit - An area inscribed on the operational soil survey maps prepared by the U.S. Soil Conservation Service and designated by soil type, slope, and erosion factor.

Street - Any street, avenue, boulevard, road, parkway, viaduct, drive, or other roadway. Also see: **Cul-de-Sac; Divided Street; Marginal Access Street; Residential Access Street; Residential Collector Street; Residential Subcollector Street; Stub Street.** (CREATED 2/11/97--ORDINANCE NO. E-354)

Street Hierarchy - The conceptual arrangement of streets based upon function. A hierarchal approach to street design classifies streets according to function, from high-traffic arterial roads down to streets whose function is residential access. Systematizing street design into a road hierarchy promotes safety, efficient land use, and residential quality. (CREATED 2/11/97--ORDINANCE NO. E-354)

Street Loop - A street that has as its only ingress and egress at two points on the same subcollector or collector street. (CREATED 2/11/97-- ORDINANCE NO. E-354)

Stub Street - A portion of a street for which an extension has been proposed and approved. May be permitted when development is phased over a period of time, but only if the street in its entirety has been approved in the preliminary plan. (CREATED 2/11/97--ORDINANCE NO. E-354)

Subdivider - Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a land division or re-plat.

Subdivision - The division of a lot or parcel of land for the purpose of transfer of ownership or building development, where:

- 1) The act of division creates five (5) or more parcels or building sites of forty (40) acres each or less in area; or
- 2) The act of division creates five (5) or more parcels or building sites of forty (4) acres each or less in area by successive divisions within a period of five (5) years.

The term "subdivision" shall include re-subdivision and when appropriate to the context shall relate to the process of subdividing or to the land subdivided, regardless of change in ownership. Subdivision shall also include the creation of a Condominium Plat under Wis. Stats. 703. (AMENDED 11/11/03--ORDINANCE NO. E-535)

Trip - A single or one-way vehicle movement to or from a property or study area. "Trips" can be added together to calculate the total number of vehicles expected to enter and leave a specific land use or site over a designated period of time. (CREATED 2/11/97--ORDINANCE NO. E-354)

Wetlands - Those lands which are partially or wholly covered by a marshland Flora and generally covered with shallow standing water or lands which are wet and spongy due to a high water table.

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.

**TABLE I**

SOILS HAVING SEVERE OR VERY SEVERE LIMITATIONS  
FOR INSTALLATION AND OPERATION OF ON-SITE SOIL  
ABSORPTION SANITARY SEWAGE DISPOSAL FACILITIES<sup>a</sup>  
IN WASHINGTON COUNTY, WISCONSIN

SOILS	TYPE CODE	SOILS	TYPE CODE	SOILS	TYPE CODE
<sup>b</sup> SEWRPC	<sup>c</sup> U.S.-S.C.S.	<sup>b</sup> SEWRPC	<sup>c</sup> U.S.-S.C.S.	<sup>b</sup> SEWRPC	<sup>c</sup> U.S.-S.C.S.
5W	Ot	203	MnA	326	Dt
7	JuA	206	Rk	328	RaA
11W	Ww	208	Kw	332	MmA
29	Cw	212	Ph	340	Cw
36	YrA	212R	KwB	360R	Kw
38	MzfA	213	Ph	362R	Kw
38R	KwB	213R	KwB	363R	KWB
42	MgA	215	Ph	364	LmA
42R	KwB	217	Mzb	369	Az
42V	MzfA	218	Mzb	398	AtA
63	BsA	218Y	Mzb	399	MtA
64	BsA	231	BsA	450	Hu
76	Sm	233	MmA	451	Hu
82	JuA	278	KIA	452	Ak
87	VsA	298	AtA	453	Ak
109	FaA	299	MtA (or) Ou	454	Pc
125	Rk	306	KwB	455	Pc
126	Dt			457	Pc

- a - For one or more of the following reasons: High or Fluctuating water table, flooding, groundwater contamination, silting, slow permeability, steep slopes, or proximity to bedrock.
- b - As shown in Southeastern Wisconsin Regional Planning Commission Planning Report No. 8, Soils of Southeastern Wisconsin, and on SEWRPC 1" = 1,000' and 1" = 2,000' photo-maps.
- c - As shown in the United States Department of Agriculture, Soil Conservation Service Soils Survey of Washington County, Wisconsin, published in June, 1971.

**TABLE II**

**TYPICAL STREET CROSS-SECTIONS FOR STREETS IN HARTFORD, WISCONSIN**

<b>TYPE OF STREET</b>	<b>TOTAL RIGHT-OF-WAY</b>	<b>ASPHALT WIDTH</b>	<b>CURB LAWN WIDTH</b>	<b>SIDEWALK WIDTH</b>
Arterial	120 ft.	Dual-32 ft.	7 ft.	5 ft.
Arterial	100 ft.	Dual-30 ft.	9 ft.	5 ft.
Collector	80 ft.	44 ft.	9.5 ft.	5 ft.
Collector	80 ft.	38 ft.	12.5 ft.	5 ft.
Subcollector	66 ft.	32 ft.	8.5 ft.	5 ft.
Minor	60 ft.	32 ft.	5.5 ft.	5 ft.
Minor	60 ft.	28 ft.	7.5 ft.	5 ft.
Minor	60 ft.	26 ft.	8.5 ft.	5 ft.
Cul-de-sac	75 ft. radius	24 ft.	8 ft.	5 ft.
Alley	25 ft.	25 ft.	n/a	n/a

**Notes:** Arterial streets assume a 20' median.  
Asphalt width dimensions are exclusive of curb & gutter requirements.  
Cul-de-sacs require a 24 ft. "island".

**Additional information regarding State Standards may be found in Chapter 7 of the Municipal Code, and in the City of Hartford Standardized Development Specifications Manual, latest edition.**

**(TABLE II REPEALED AND RECREATED 9/9/97--ORDINANCE NO. E-381)**