

## **Title 16**

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## Chapter 16.04

### DEFINITIONS

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- 16.04.180 Vicinity Sketch.**
- 16.04.190 Zoning Administrator.**

#### **16.04.010 Alley.**

“Alley” means a public way which affords a secondary means of access to abutting property. (§ 2 (11) of Ord. passed 10/3/73).

#### **16.04.015 Comprehensive Plan.**

“Comprehensive Plan” means the document entitled Village of Twin Lakes Smart Growth Comprehensive Plan: 2005--2024 and attendant documents adopted March 14, 2005 and as amended through December 21, 2009. (Ord. 2009-12-1; Ord. 2006-9-2; Ord. 2005-10-1; Ord. 2005-3-1).

#### **16.04.020 Easement.**

“Easement” means the quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public. (§ 2 (12) of Ord. passed 10/3/73).

#### **16.04.030 Lot, Butt.**

“Butt lots” means lots, the rear lot lines of which abut the side lot lines of other lots platted in the same block and not separated therefrom by an alley or other open space. (§ 2 (16) of Ord. passed 10/3/73).

#### **16.04.040 Lot Width.**

“Lot width” means the width of the lot measured at the setback line. (§ 2 (17) of Ord. passed 10/3/73).

#### **16.04.050 Master Plan.**

“Master plan of streets” means the plan represented by the following:

A. The state trunk highway system in the Village as it now exists at the time of the adoption of the Ordinance codified in this Title plus any future extensions that may be made according to law;

B. The county trunk highway system in the Village as it exists at the time of the adoption of this Title plus any future extensions that may be made according to law;

C. The various Village streets in the Village as they exist at the time of the adoption of this Title plus any further extensions that may be made according to law. (§ 2 (18) of Ord. passed 10/3/73).

**16.04.060 Off-Street Parking And Service Street.**

“Public street parking area” and “service street” mean an area dedicated or set aside on the plat of a subdivision for the use of the public for the parking and movement of automotive vehicles at a local business or Commercial District. (§ 2 (13) of Ord. passed 10/3/73).

**16.04.070 Owner.**

“Owner” includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or a combination of any of them. (§ 2 (1) of Ord. passed 10/3/73).

**16.04.080 Pedestrian Way.**

“Pedestrian way” means a public walk and/or crosswalk to be used exclusively by pedestrians and/or as a public right-of-way for utilities. (§ 2 (7) of Ord. passed 10/3/73).

**16.04.090 Plat, Final.**

“Final Plat” means a map of a subdivision which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified. (§ 2 (5) of Ord. passed 10/3/73).

**16.04.100 Plat, Preliminary.**

“Preliminary Plat” means a map or plan of a proposed subdivision. (§ 2 (3) of Ord. passed 10/3/73).

**16.04.110 Setback Line.**

“Setback line” means a line within a lot or other parcel of land so designated on the plat of the proposed subdivision between which, and the adjacent boundary of the street upon which the lot abuts, the erection of an enclosed structure or portion thereof is prohibited. (§ 2 (19) of Ord. passed 10/3/73).

**16.04.120 Street.**

“Street” means a public thoroughfare which affords a means of access to abutting property and includes (without limitation by reason of enumeration) a way for particular traffic whether designated as a street, highway thoroughfare, parkway, through way, road, avenue, boulevard, lane, place, or however otherwise designated. (§ 2 (6) of Ord. passed 10/3/73).

**16.04.130 Street, Major.**

“Major street” means a street having an established width of ninety (90) feet or more and used and designated primarily for fast or heavy traffic. (§ 2 (8) of Ord. passed 10/3/73).

**16.04.140 Street, Minor.**

“Minor street” means a street other than a major or public service street which affords access to abutting property. (§ 2 (10) of Ord. passed 10/3/73).

**16.04.150 Street, Public Service.**

“Public service street” means a street paralleling and immediately adjacent to a major street. (§ 2 (9) of Ord. passed 10/3/73).

**16.04.160 Subdivision.**

“Subdivision” means a division of a lot, tract or parcel of land into five (5) or more lots, or other divisions of land, for the purpose, whether immediate or future, of transfer of ownership or building development or rental housing, including all changes in street or lot lines; provided however, that division of land for agricultural purposes, in parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted. (Ord. 78-2-1 (part); § 2 (2) of Ord. passed 10/3/73).

**16.04.170 Tentative Approval.**

“Tentative approval” means the approval or conditional approval with or without recommended alterations given to a Preliminary Plat by the Village Plan Commission and shall constitute the necessary authority to proceed with the preparation and presentation of the Final Plat to the Village Board. (§ 2 (4) of Ord. passed 10/3/73).

**16.04.180 Vicinity Sketch.**

“Vicinity sketch” means a key map covering not less than one-fourth (0.25) Section of land showing the location of the tract being subdivided with reference to a corner or corners established in the United States Public Land Survey. (§ 2 (14) of Ord. passed 10/3/73).

**16.04.190 Zoning Administrator.**

“Zoning Administrator” means the chairman of the building Zoning Committee of the Village Board. (§ 2 (15) of Ord. passed 10/3/73).

## Chapter 16.08

### AUTHORITY

#### Sections:

- 16.08.010 Provisions Supplemental.**
- 16.08.015 Purpose And Intent.**
- 16.08.020 Authority Of Plan Commission.**
- 16.08.030 Authority Of Village Officers.**
- 16.08.040 Reports By Zoning Administrator.**
- 16.08.050 Duties Of Officers.**

#### **16.08.010 Provisions Supplemental.**

Pursuant to Chapter 236 of the Wisconsin Statutes, relating to platting lands, recording and vacating plats, and specifically to Section 236.45, entitled "Subdivision Control," the provisions of this Title are supplemental to those of said Chapter 236, and shall apply to all subdivisions hereafter made, of lands within the incorporated area of the Village of Twin Lakes, Kenosha County, Wisconsin, and within the extraterritorial plat approval jurisdiction of the Village of Twin Lakes. (§ 1 (part) of Ord. passed 10/3/73).

#### **16.08.015 Purpose And Intent.**

The purpose of this Title is to promote the public health, safety and general welfare of the Village and its environs. To this end, it is the general intent of the Title to regulate the division of land so as to:

- A. Obtain the wise use, conservation, protection and proper development of the Village's soil, water, wetland, woodland and wildlife resources and attain a proper adjustment of land use and development to the supporting and sustaining natural resource base;
- B. Lessen congestion in the streets and highways;
- C. Further the orderly layout and appropriate use of land;
- D. Secure safety from fire, panic, and other dangers;
- E. Provide adequate light and air;
- F. Secure safety from flooding, water pollution, disease, and other hazards;
- G. Prevent flood damage to persons and properties and minimize expenditures for flood relief and flood control projects;
- H. Facilitate the further division of larger tracts into smaller parcels of land;
- I. Ensure adequate legal description and proper survey monumentation of subdivided land;
- J. Provide for the administration and enforcement of this Title;
- K. Facilitate adequate provision for housing, transportation, water supply, storm sewer, wastewater, schools, parks, playgrounds, and other public facilities and services;
- L. Provide penalties for its violation; and
- M. Implement those municipal, county watershed, or regional Comprehensive Plans or their components adopted by the Village, and in general to facilitate enforcement of Village development standards as set forth in the adopted regional, county, and local Comprehensive Plans, adopted plan components, Village zoning Ordinance, and the Village building Code of the Village. (Ord. 82-5-2 (part)).

#### **16.08.020 Authority Of Plan Commission.**

The Village Plan Commission is authorized to conditionally approve or disapprove Preliminary Plats or subdivisions prepared and submitted in compliance with this Title and Chapter 236 of the Wisconsin Statutes. (§ 1 (part) of Ord. passed 10/3/73).

**16.08.030 Authority Of Village Officers.**

The Zoning Administrator, the Chairman of the Street Committee of the Village Board, the Village Engineer, and the Village Attorney are designated as advisory agents and charged with the duty of making investigations and reports on the design and/or improvement of proposed subdivisions when requested to do so by the Village Plan Commission. (§ 1 (part) of Ord. passed 10/3/73).

**16.08.040 Reports By Zoning Administrator.**

The Zoning Administrator is authorized and, at the request of the Village Plan Commission, is directed to report to the owner, subdivider or engineer the action taken by the Village Plan Commission on Preliminary Plats. (§ 1 (part) of Ord. passed 10/3/73).

**16.08.050 Duties Of Officers.**

The Zoning Administrator, the Chairman of the Street Committee of the Village Board, the Village Engineer, and the Village Attorney are charged with the duty of making investigations of Final Plats to insure compliance with this Title and Chapter 236 of the Wisconsin Statutes, and to report thereon to the Village Plan Commission and/or the Village Board; and, the Zoning Administrator is charged with the duty to report the final action of the Village Board to the owner, subdivider or engineer. (§ 1 (part) of Ord. passed 10/3/73).

## Chapter 16.12

### LAND DIVISION PROCEDURES AND STANDARDS\*

#### Sections:

- 16.12.005 Exceptions.**
- 16.12.010 Pre-Application Conference.**
- 16.12.020 Neighborhood Sketch Plan (NSP).**
- 16.12.030 Conceptual Plan Review.**
- 16.12.040 Preliminary Plat Review (Three Thousand Dollar Escrow Due Here).**
- 16.12.050 Preliminary Plat Approval.**
- 16.12.060 Final Plat Review.**
- 16.12.070 Phased Final Platting.**
- 16.12.080 Final Plat Approval.**
- 16.12.090 Land Divisions Other Than Subdivisions (Certified Survey Map) Review And Approval.**
- 16.12.100 Review And Approval Of Extraterritorial Plats And Certified Survey Maps.**
- 16.12.110 Replat.**
- 16.12.120 Developer's Agreements/ Pre-Construction Agreements.**
- 16.12.130 Fees.**

#### **16.12.140 Engineering Design Standards.**

\* The procedures in this Chapter supercede related items throughout Title 16.

#### **16.12.005 Exceptions.**

This Chapter shall not apply to Tax Incremental Districts, the land division procedures for which are provided pursuant to Section 66.46 Wisconsin Statutes. (Ord. 96-3-1 (part)).

#### **16.12.010 Pre-Application Conference.**

Prior to the filing of an application for the approval of a Preliminary Plat or a Certified Survey Map, the divider shall advise the Village Clerk/Treasurer of the intention to meet and consult with the Village Building Inspector. This consultation is intended to:

- A. Inform the divider of the purposes, objectives and requirements of this Chapter and of the various components of the Village's Comprehensive Plan;
- B. To identify at the earliest possible time any significant policy issues that may require conceptual plan review;
- C. To identify the need for neighborhood sketch planning;
- D. To identify problems or potential adverse impacts that will need to be addressed in the planning and approval process;
- E. To identify problems that may need to go through committees;
- F. To inform the divider of standards and requirements of improvements within the Village;
- G. And otherwise to assist the divider and the Village in making sound land division decisions.

(Ord. 96-3-1 (part)).

#### **16.12.020 Neighborhood Sketch Plan (NSP).**

If the Village Building Inspector determines at the pre-application conference that no detailed neighborhood development planning exists for the area in which the proposed land division will be located, then prior to filing any conceptual plan, Preliminary Plat or Certified Survey Map, the divider shall pay to the Clerk/Treasurer the required neighborhood sketch plan fee and submit an appropriate neighborhood sketch plan or participate with the Village in the preparation of an appropriate neighborhood sketch plan which shows how the proposed land division will relate to the surrounding area, particularly in terms of required municipal

facilities and services and compatibility of land uses. The neighborhood sketch plan is intended to provide the Village Building Inspector, the Village Plan Commission and the Village Board with the means of reviewing the pattern of existing and probable future development in and around the area proposed for land division, access and internal traffic movement and the practicability of providing municipal facilities and services to serve such area. The neighborhood sketch plan, which shall be drawn to a recognized engineering scale, shall include the following:

- A. Topographic contours at two-foot intervals;
  - B. Public street layout pattern, existing and proposed;
  - C. Lot or parcel layout, existing and proposed;
  - D. Zoning, existing and proposed;
  - E. Land uses, existing and proposed;
  - F. Sanitary and storm sewer, drainage plan and water main facilities (when required), existing and proposed, and related existing or proposed easements;
  - G. Lands reserved or dedicated for streets, parks, playgrounds, schools and other public purposes, existing or proposed;
  - H. Stormwater management, erosion or sediment control throughout;
  - I. Vicinity sketch showing adjacent subdivisions and boundaries of unsubdivided land.
- (Ord. 96-3-1 (part)).

#### **16.12.030 Conceptual Plan Review.**

A. If the Village Building Inspector determines in the pre-application conference, or as a result of reviewing the neighborhood sketch plan, that the proposed land division raises significant policy issues, then prior to filing a Preliminary Plat or Certified Survey Map with the Village, the divider shall pay to the Village Clerk/Treasurer the required Conceptual Plan review fee and shall submit a Conceptual Plan of the proposed land division for review and comment by the Village Building Inspector, the Village Plan Commission and the Village Board. Without limitation, Conceptual Plan review shall be required if:

1. The proposed land division will create five or more buildable lots; or
2. Will require a rezoning; or
3. Will require the installation or construction of infrastructure; or
4. Will require an agreement regarding appropriate dedications or reservations for public acquisition; or
5. Will require appropriate waivers of or Variances from the requirements of this Chapter.

B. The conceptual plan is intended to provide the Village Building Inspector, Village Plan Commission and the Village Board with an early opportunity to review policy issues relating to the proposed development and its possible adverse effects on the adjacent neighborhood and community.

C. The conceptual plan, which shall be drawn to a recognized engineering scale, shall include the following information:

1. Neighborhood sketch plan, if required;
2. Graphic scale and north arrow;
3. Project name;
4. Name, address and telephone number of developer, engineer and architect; parcel number of property and owner's name and mailing address;
5. Topographic contours of two-foot intervals;
6. Lands to be dedicated or served for streets, parks, schools or other public purposes;
7. Proposed conceptual landscaping (other than single-family residential development);
8. Number of dwelling units per acre;
9. Conceptual building layouts and parking areas for all uses (other than single-family residential development);
10. Artist's renderings of structures and facilities, floor plans, if available (not required for single-family residential development),
11. Identification of existing and proposed zoning districts;



12. Significant environmental features, including without limitation, navigable waters, wetlands, floodlands and woodlands;
  13. Public/private street layout pattern, existing and proposed; all roads to be named, existing or proposed; (no new road names to be similar to existing road names);
  14. Lot or parcel layout, existing and proposed including areas and dimensions of each;
  15. Vicinity sketch showing adjacent subdivisions and boundaries of unsubdivided land;
  16. Proposed techniques for handling on-site stormwater, retention/detention facilities;
  17. Location of existing and proposed sanitary, storm sewer and water facilities (when required) and existing and proposed utility and drainage easements;
  18. Land uses, existing and proposed;
  19. Any other information which the divider or the Village Building Inspector, Plan Commission or Village Board believes will be helpful in reviewing the conceptual plan.
- D. Any comments of the Village Plan Commission and the Village Board upon completion of their Conceptual Plan review shall be taken into account in any further proceedings related to the proposed land division. (Ord. 96-3-1 (part)).

**16.12.040 Preliminary Plat Review (Three Thousand Dollar (\$3,000.00) Escrow Due Here).**

A. Before submitting a Final Plat of any proposed subdivision or large lot subdivision for approval, the divider shall prepare and file with the Village Clerk/Treasurer, a Preliminary Plat of such proposed subdivision or large lot subdivisions together with sufficient copies for distribution in accordance with this Section, a list of the applicable approving authorities under Section 236.10 of the Wisconsin Statutes and the applicable objecting authorities under Section 236.12 of the Wisconsin Statutes, and a letter of application, shall pay the Preliminary Plat review fee to the Village Clerk/Treasurer. The Preliminary Plat shall be prepared in accordance with this Chapter, and the divider shall file the plat, the list of approving and objecting authorities and the application with the Village Clerk/Treasurer at least forty (40) days prior to the Public Hearing held by the Village Plan Commission and the Village Board at which consideration is desired.

B. No Preliminary Plat shall be submitted for approval until the divider shall have fully complied with Sections 16.12.005, 16.12.010 and 16.12.020 of this Chapter and until after any required Conceptual Plan review has been completed.

C. The Village shall within five (5) normal working days after the filing of the Preliminary Plat for a proposed subdivision, transmit:  
(Postage will be charged to contractor/builder/ developer's escrow account.)

1. Two (2) copies of the plat, the list and the application to the Wisconsin Department of Agriculture, Trade and Consumer Protection;
2. Two (2) copies of the plat, list and application for the Wisconsin Department of Transportation, if the subdivision abuts or adjoins a state trunk highway or a connecting street;
3. Two (2) copies of the plat, list and application for the Wisconsin Department of Industry, Labor and Human Relations if the subdivision is not served by public sewer and provision for such sewer has not been made;
4. Two (2) copies of the plat, list and application to the Wisconsin Department of Natural Resources if shorelands, floodlands or any lands within five hundred (500) feet of the Ordinary High Water Mark of any navigable stream, lake or other body of navigable water are included in the Preliminary Plat;
5. For any Preliminary Plat involving areas within the extraterritorial plat jurisdictions area, the Village shall also within five (5) normal working days after filing, transmit two (2) copies of the plat, list and application to:
  - a. Town Board of Town of Randall,
  - b. Town Board of Bloomfield,
  - c. Town Board of Wheatland,
  - d. Village Board of the Village of Genoa City.

D. Objecting Authorities. The Wisconsin Department of Agriculture, Trade and Consumer Protection; the Wisconsin Department of Transportation; the Wisconsin Department of Industry, Labor and Human Relations; and the Wisconsin Department of Natural Resources shall hereinafter be referred to as “objecting authorities.”

Upon receipt of the Preliminary Plat, these objecting authorities shall have twenty (20) days to review the plat and transmit comments concerning matters within their jurisdiction to the Village.

E. The Village may, but shall not be required to, transmit the specified number of copies of the Preliminary Plat for a proposed large lot subdivision to the objecting authorities for such informal comment as they choose to make.

F. In lieu of the procedure set forth in subsections A through E of this Section, the divider of any proposed subdivision may, pursuant to Section 236.12(6) of the Wisconsin State Statutes, submit the original drawing of the Preliminary Plat directly to the Wisconsin Department of Agriculture, Trade and Consumer Protection, which will prepare and forward copies of the plat at the divider's expense to the objecting authorities. When the divider elects to use this alternative procedure, the divider shall submit to the Village Clerk/Treasurer the additional copies of the Preliminary Plat provided for by this Section and shall otherwise comply with subsection A of this Section.

G. The contractor/developer/builder shall promptly transmit thirteen (13) copies of the Preliminary Plat of any subdivision or large lot subdivision to the Village Clerk/Treasurer for transmittal to:

1. Plan Commission (8);
2. Village Engineer;
3. Village Attorney;
4. Sewer Department;
5. Streets and Roads Department;
6. Park Commission;
7. File copy.

H. The contractor/developer/builder shall also promptly transmit, if necessary, one (1) copy each of the Preliminary Plat of any subdivision or large lot subdivision to the following for their review and recommendation concerning matters within their jurisdiction:

1. Southeastern Wisconsin Regional Plan Commission;
2. Wisconsin Natural Gas Company;
3. Wisconsin Power and Light Company;
4. General Telephone and Electronics;
5. TCI Cable or current television franchise.

The Village Clerk/Treasurer shall be copied on all transmittals.

I. The objecting authorities shall, within twenty (20) days of the date of receiving their copies of the Preliminary Plat, notify the divider and all other approving and objecting authorities of any objections or informal comments. If there are no objections to the Preliminary Plat of a proposed subdivision, the objecting authority shall so certify on the face of a copy of the plat and shall return that copy to the Village Clerk/Treasurer. If any objecting authority fails to act within twenty (20) days, it shall be deemed to have no objection to the plat. If it is unclear from the face of any objection received by the Village when the objecting authority received a copy of the Preliminary Plat and when it acted, any objection received by the Village within thirty (30) days of the day of the original transmission of copies of the Preliminary Plat to or for such authority, shall be deemed timely.

J. No plat of subdivision shall be approved or deemed to be approved until any timely objections from objecting authorities shall have been satisfied.

K. The Village shall certify on the Preliminary Plat the date on which it was filed, the date on which the copies were transmitted to objecting authorities, the date on which any timely objections were received from objecting authorities or that none were received and whether the objections were satisfied.

L. The Village Plan Commission, at the next available meeting after the appropriate objections or comments have been received, shall promptly review the proposed Preliminary Plat for conformance with this Chapter and all applicable statutes, Ordinances, rules, regulations, intergovernmental agreements and

Comprehensive Plan components. The Village Plan Commission shall comment on and recommend action on the proposed Preliminary Plat. The Village Plan Commission shall promptly transmit the plat and its components and recommendations to the Village Board.

M. Notification. The Village Plan Commission, at the time it recommends approval, conditional approval, or rejection of a Preliminary Plat, shall cause notice of its recommendation to be given to the Clerk/Treasurer of any municipality or town within one thousand (1000) feet of the boundary of the land included within the land division. (Failure to give such notice shall not invalidate any action under this Chapter.) (Ord. 96-3-1 (part)).

**16.12.050 Preliminary Plat Approval.**

A. The Village Board shall, within one hundred twenty (120) days of the date of filing of a Preliminary Plat, unless the time has been extended by agreement with the divider, approve, approve conditionally or reject such plat.

B. Written Statement. If the Preliminary Plat is approved conditionally or rejected, the conditions of approval or reasons for rejection shall be stated in the minutes of the meeting and a written statement or a copy of the minutes of the conditions of approval shall or reasons for rejection shall be promptly forwarded to the divider by the Village Clerk/Treasurer.

C. One copy each of the Preliminary Plat as acted upon by the Village Board, and of the written statement or copy of the minutes of the conditions of approval or reasons for rejection, if any, shall be placed in the Village office permanent file.

D. Failure of the Village Board to act on the Preliminary Plat within one hundred twenty (120) days from the date of filing shall constitute an approval of the plat as filed, unless the review period is extended by agreement with the divider, or unless timely objections of objecting authorities to a subdivision plat have not been satisfied. In the event a Preliminary Plat has not been approved or rejected within ninety (90) days of the date of filing and no agreement extending the review period has been entered into with the divider, then the Village Board shall schedule a meeting for reviewing the status of the Preliminary Plat not more than one hundred five (105) days from the date of filing.

E. Approval or conditional approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, but if the Final Plat is submitted within six (6) months of the last required Preliminary Plat approval and conforms substantially to the Preliminary Plat as approved, including any conditions of approval, and to local plans and Ordinances adopted as authorized by law, and Final Plat shall be entitled to approval. If more than six (6) months have elapsed since the Preliminary Plat was approved with all conditions satisfied, the developer will be required to modify the plan to meet new Village Ordinances or state regulations. (It should be noted that it is at the discretion of the Village Board to have the process start again and not to extend the six (6) month period.) (Ord. 96-3-1 (part)).

**16.12.060 Final Plat Review.**

A. No Final Plat of any proposed subdivision or large lot subdivision shall be submitted for approval until after a Preliminary Plat of such subdivision or large lot subdivision shall have been duly approved in accordance with the provisions of this Chapter and all applicable statutes, Ordinances, rules, regulations, intergovernmental agreements and Comprehensive Plan components and all conditions of the Preliminary Plat are satisfied.

B. The divider shall prepare and file with the Village Clerk/Treasurer a Final Plat of any proposed subdivision or large lot subdivision, together with sufficient copies for distribution in accordance with this Section, a list of the applicable approving authorities under Section 236.12 of the Wisconsin Statutes, and a letter of application, and shall pay the Final Plat review fee pursuant to Section 16.12.130 to the Village Clerk/Treasurer. The Final Plat shall be prepared in accordance with this Chapter, and the divider shall file the plat, the list and the application with the Village Clerk/Treasurer of Twin Lakes at least forty (40) days prior to the next available meeting held by the Village Plan Commission at which consideration is desired.

C. The Village shall, within five (5) normal working days after the filing of a Final Plat, list and application for a proposed subdivision, transmit copies of the plat as follows:

1. Two (2) Wisconsin Department of Agriculture, Trade and Consumer Protection;
2. Two (2) Wisconsin Department of Transportation, if the subdivision abuts or adjoins a state trunk highway or a connecting street;
3. Two (2) Wisconsin Department of Industry, Labor and Human Relations if the subdivision is not served by a public sewer and provisions for such service have not been made;
4. Two (2) Wisconsin Department of Natural Resources if shorelands, floodlands or lands within five hundred feet of the Ordinary High Water Mark of any navigable stream, lake or other body of navigable water are included in the Final Plat;
5. For any Final Plat involving areas within the extraterritorial plat jurisdiction area, the Village Clerk/Treasurer shall also, within five (5) normal work days after filing, transmit two (2) copies of the plat as appropriate to:
  - a. Town Board of the Town of Randall,
  - b. Town Board of the Town of Bloomfield,
  - c. Town Board of the Town of Wheatland,
  - d. Village Board of the Village of Genoa City;

All fees for transmittal to be paid by the contractor/builder/developer.

D. Objecting Authorities. The Wisconsin Department of Agriculture, Trade and Consumer Protection, the Wisconsin Department of Transportation, the Wisconsin Department of Industry, Labor and Human Relations and the Wisconsin Department of Natural Resources shall hereafter be referred to as "objecting authorities." Upon the receipt of the Final Plat, these objecting authorities shall have twenty (20) days to review the plat and transmit comments concerning matters within their jurisdiction to the Village.

E. The Village may, but shall not be required to, transmit the specified number of copies of the Final Plat for a proposed large lot subdivision to the objecting authorities for such informal comment as they may choose to make.

F. In lieu of the procedure set forth in subsection B of this Section, the divider of any proposed subdivision may, pursuant to Section 236.12(6) of the Wisconsin Statutes, submit the original drawing of the Final Plat directly to the Wisconsin Department of Agriculture, Trade and Consumer Protection, which will prepare and forward copies of the plat at the divider's expenses to the objecting authorities. When the divider elects to use this alternative procedure, the divider shall submit to the Village Clerk/Treasurer the additional copies of the Final Plat provided for by this Section and otherwise fully comply with subsection B of this Section.

G. The contractor/developer/builder shall promptly transmit nineteen copies of the Final Plat for:

1. Village Plan Commission;
2. Village Board;
3. Village Engineer;
4. Village Attorney;
5. Sewer Department;
6. Streets and Roads;
7. Park Commission.

H. The contractor/developer/builder shall also transmit one (1) copy of the Final Plat to the following for their review and recommendation concerning matters within their jurisdiction if necessary:

1. Southeastern Wisconsin Regional Plan Commission;
2. Wisconsin Natural Gas Company;
3. Wisconsin Power and Light Company;
4. General Telephone and Electronics;
5. TCI or cable franchise.

The Village Clerk/Treasurer will be copied on each transmittal.

I. The Southeastern Wisconsin Regional Plan Commission, Wisconsin Natural Gas Company, Wisconsin Power and Light Company, General Telephone and Electronics and TCI or cable franchise will hereafter be referred to as advisory authorities. Upon the receipt of the Final Plat these advisory authorities shall have twenty (20) days to review the plat and transmit comments to the Village Plan Commission.

J. The objecting authorities shall, within twenty (20) days of the date of receiving their copies of the Final Plat, notify the divider and all other approving and objecting authorities of any objections or informal comments. If there are no objections to the Final Plat of a proposed subdivision, the objecting authority shall so certify on the face of a copy of the plat and shall return that copy to the Village Clerk/Treasurer's office. If an objecting authority fails to act within twenty (20) days, it shall be deemed to have no objection to the plat. If it is unclear from the face of any objection received by the Village when the objecting authority received a copy of the Final Plat and when it acted, any objection received by the Village within thirty (30) days of the date of the original transmission of copies of the Final Plat to or for such authority shall be deemed timely.

K. The Village shall certify on the Final Plat the date on which it was filed, the date on which copies were transmitted to objecting authorities, the date on which any timely objections were received from objecting authorities or that none were received, and whether the objections were satisfied.

L. Plan Commission Recommendation. The Village Plan Commission shall within forty (40) days of the date of the filing of the proposed Final Plat review the proposed Final Plat as to its conformance with the approved Preliminary Plat, any conditions of the approval of the Preliminary Plat, this Chapter and other applicable statutes, Ordinances, rules, regulations, intergovernmental agreements and Comprehensive Plan components and shall comment and recommend action on the proposed Final Plat. The Plan Commission shall promptly transmit the plat and its comments and recommendations to the Village Board either written or by meeting minutes. (Ord. 96-3-1 (part)).

#### **16.12.070 Phased Final Platting.**

A Preliminary Plat is required showing the full property first, then phase platting is considered if permitted by the Village Board. The approved Preliminary Plat may be Final Platted in phases, with each phase encompassing only that portion of the approved Preliminary Plat which the divider proposed to record at one time and with respect to which the divider proposed to install all required public improvements in one phase. Each such phase shall be designated as a phase of the approved Preliminary Plat. Timely compliance by a divider with an approved phasing plan shall extend the six (6) month period within which a Final Plat is entitled to approval if it conforms substantially to the approval, and to the local plans and Ordinances authorized by law. An estimated start/completion date of each phase will be required from the developer and must be approved by the Plan Commission and Village Board. Each phase will be subject to review for compliance with current local Ordinance or state laws. Each phase shall be required to have a developer's agreement, which will list all conditions and requirements along with all fees required. (Ord. 96-3-1 (part)).

#### **16.12.080 Final Plat Approval.**

A. Submission. If the Final Plat is not submitted for approval within six (6) months of the last required approval of the Preliminary Plat, the Village Board may refuse to approve the Final Plat, unless the divider shall have timely complied with the approved phasing plan.

B. Village Board Action. The Village Board shall within one hundred twenty (120) days of the date of filing of a Final Plat, unless the time has been extended by agreement with the divider, approve, conditionally approve or reject the plat. Ten (10) days prior written notice shall be given to the Clerk/Treasurer of any municipality or town whose boundary is within one thousand (1000) feet of any land included within a proposed Final Plat of the Village Board's intention to consider approval of such a plat, but failure to give such notice shall not invalidate any action taken under this Chapter.

C. Written Statement. If the Final Plat is approved conditionally or rejected, the conditions of approval or reasons for rejection shall be stated in the minutes of the meeting and a written statement or a copy of the minutes shall be promptly forwarded to the divider.

D. Failure to Act. Failure of the Village Board to take action on a proposed Final Plat within one hundred twenty (120) days of the filing of the plat, the time having not been extended by agreement with the divider and no unsatisfied objections from objecting authorities have been filed, the plat shall be deemed approved, and upon demand, a certificate to that effect shall be made on the face of the plat by the Village Clerk/Treasurer. In the event a Preliminary Plat has not been approved or rejected within ninety (90) days of the filing and no agreement extending the review period has been entered into with the divider, then the Village Board shall schedule a meeting for reviewing the status of the Preliminary Plat not more than one hundred five (105) days from the date of filing.

E. Satisfying of Conditions. The divider shall submit to the Village Board proof of satisfaction of all conditions imposed by the Board within six (6) months, or such other time period as the Board may prescribe, after notification of the conditional approval. The Village Board shall grant final approval when all such conditions are satisfied. Until all such conditions are satisfied, and the board has granted final approval, the Final Plat shall not be certified as approved and shall not be recorded.

F. Recordation. The divider shall record the finally approved Final Plat with the Kenosha County Register of Deeds within thirty (30) days after the last required approval. Failure to record within the thirty (30) days nullifies the approval and the developer is required to reapply. Two (2) copies of the recorded plat shall be delivered to the Village Clerk/Treasurer. (Ord. 96-3-1 (part)).

#### **16.12.090 Land Divisions Other Than Subdivisions (Certified Survey Map) Review And Approval.**

For requirements, see Chapter 16.70.

A. The divider shall prepare a Certified Survey Map of any proposed minor land division, a list of approving authorities and a letter of application, in accordance with this Chapter, and shall file eight copies of the Certified Survey Map, the list and the letter of application with the Village Clerk/Treasurer and shall pay to the Village Clerk/Treasurer the required Certified Survey Map fees pursuant to Section 16.12.130, at least thirty days prior to the next available meeting of the Plan Commission at which action is desired.

B. No Certified Survey Map shall be submitted for approval until after the divider shall have fully complied with Sections (pre-application conference, neighborhood sketch plan and conceptual plan review) of this Chapter and until after any required conceptual plan review has been completed.

C. The Certified Survey Map shall include all of the contiguous land which is owned or controlled by the divider (or the owner if the divider and the owner are not the same) even though only a portion of such land is proposed for immediate development or conveyance, except that if the land division results in a residual parcel (in excess of ten acres) which is not intended for immediate development or conveyance; also any other information which the divider or the Village Building Inspector, Plan Commission or Village Board believes will be helpful in reviewing the conceptual plan.

D. The divider shall promptly transmit:

1. Eight copies of the Certified Survey Map, a list of approving authorities and a letter of application to the Village Clerk/Treasurer; and

2. Eight copies for the Village Board, as well as one each to any other approving authority.

E. The Village Clerk/Treasurer shall also promptly transmit copies of the Certified Survey Map to all affected Village departments and agencies including, but not limited to the Village Engineer, attorney, sewer department and highway department for their comments and recommendations concerning matters within their jurisdiction.

Copies may also be transmitted to Southeastern Wisconsin Regional Plan Commission for review and comment if required.

F. Primary and secondary environmental corridors, and wetlands may be required to be staked.

G. The Village Clerk/Treasurer shall promptly transmit copies of the Certified Survey Map to the Kenosha County sanitarian to verify and/or complete an affidavit of verification of holding tank rights for the property, where applicable.

H. Plan Commission Review. The Certified Survey Map shall be reviewed by the Village Plan Commission for conformance within this Chapter and with all applicable statutes, Ordinances, rules, regulations, intergovernmental agreements, and Comprehensive Plan components.

I. Plan Commission Recommendation. The Village Plan Commission shall within forty (40) days from the date of filing of the Certified Survey Map, recommend approval, conditional approval or rejection of the map, and shall promptly transmit the map along with its recommendations to the Village Board.

J. Village Board Action. The Village Board shall approve, approve conditionally or reject the Certified Survey Map within sixty (60) days from the date of filing of the map unless the time is extended by agreement with the divider.

K. Written Statement. If the Certified Survey Map is approved conditionally or rejected, the conditions of approval or reason for rejection shall be stated in the minutes of the meeting and a written statement or a copy of the minutes shall be promptly forwarded to the divider.

L. Satisfaction of Conditions. The divider shall submit to the Village Board proof of satisfaction of all conditions imposed by the Board within six (6) months, or within such other period of time as a board may prescribe, after notification of the conditional approval. The Village Board shall grant final approval when all such conditions are satisfied. Until all such conditions are satisfied, the Certified Survey Map shall not be certified as approved and shall not be recorded.

M. Certification of Approval. Upon granting final approval of the Certified Survey Map, the Village Board shall cause the Village Clerk/Treasurer to so certify on the face of the original map and promptly return the map to the divider for recording.

N. Recordation. The divider shall record the finally approved Certified Survey Map with the Kenosha County register of deeds within thirty days after the last required approval. Recordation must indicate Kenosha County CSM number. Failure to record within thirty (30) days nullifies the approval and the developer will be required to reapply.

O. Copies. The divider shall file three copies of the recorded Certified Survey Map with the Village Clerk/Treasurer for the permanent records of the Village within thirty (30) days after the last required approval of the Certified Survey Map.

P. Failure to Act. Failure of the Village Board to take action on a proposed Certified Survey Map within sixty (60) days of the filing of the map, the time having not been extended by agreement with the divider, the map shall be deemed approved, and upon demand, the certificate to that effect shall be made on the face of the map by the Village Clerk/Treasurer. (Ord. 99-11-1; Ord. 96-3-1 (part)).

#### **16.12.100 Review And Approval Of Extraterritorial Plats And Certified Survey Maps.**

A. Transmittal Responsibility. If a plat of subdivision is first submitted to an abutting town or Village, that town or Village shall be responsible for transmitting copies of the plat or map to designated objecting authorities unless the divider has specifically requested that the Village assume the responsibility of transmitting all review copies. The divider shall specify in his letter of application to whom the original application is being submitted.

B. Improvements. The divider shall not be required to make any improvements other than those required by the town or Village.

C. Dedications. The divider shall not be required to dedicate land to the Village nor shall the divider be required to pay a public site fee to the Village. (Ord. 96-3-1 (part)).

#### **16.12.110 Replat.**

When a divider proposes to replat or vacate a recorded plat or Certified Survey Map, or part thereof, the divider shall first comply with Sections 236.36 through 236.44 (or Section numbers as they are from time to

time changed) of the Wisconsin Statutes to the extent applicable. The divider shall then proceed in accordance with the provisions of this Chapter. (Ord. 96-3-1 (part)).

**16.12.120 Developer's Agreements/ Pre-Construction Agreements.**

Developer's agreements are required for all subdivisions, and may be required for other divisions as required by the planning board and/or Village Board. Pre-construction agreements may also be required. (Ord. 96-3-1 (part)).

**16.12.130 Fees.**

The following fees apply to this Chapter:

Preapplication conference.....	No charge
Preliminary costs for.....	\$3,000
escrow account.....	(Section 16.40.090)
Neighborhood sketch/plan review.....	\$50
Conceptual plan review fee .....	\$300
(plus actual engineering fees if required)	
Certified Survey Map.....	Actual
review fee –escrow account required.....	\$500.00
Preliminary Plat review.....	\$250.00 plus \$10 per lot
fee (Section 16.53.010).....	\$100.00 reapplication fee
Final Plat review.....	\$125.00 plus \$5.00 per lot
	\$75.00 reapplication fee
Public park site fee-(section 16.33.040).....	\$500.00 per unit
Professional services:	
Engineering.....	Actual cost
Inspection.....	Actual cost
Attorney fees.....	Actual cost
Administrative fee.....	\$500.00
Publication.....	Actual cost
Sanitary sewer fee.....	Section 13.04.087(B)
hook-up.....	Ordinance 93-12-1
Sanitary sewer installation.....	125% of bid
Condo review fees.....	\$250.00
(plus \$10.00 each dwelling unit)	
reapplication fee.....	\$125.00
Special meeting fee.....	\$325.00
Section 17.44.050(C) - (Ordinance 94-2-1)	
Nonpayment of fees.....	No project approval
Erosion control fee.....	Section 14.64.030(G)
(Ordinance 95-2-3)	

(Ord. 97-5-2; Ord. 96-3-1 (part)).

**16.12.140 Engineering Design Standards.**

A. General.

1. All improvements shall be designed according to parameters incorporated in the Village subdivisions Ordinance.

2. All final plans shall be stamped by a registered professional engineer.

3. The following specifications shall be applicable to all construction in the Village:



- a. Standard Specifications for Sewer and Water Construction in Wisconsin, Fifth Edition, dated March 1, 1988 and all subsequent revisions;
  - b. State of Wisconsin, Department of Transportation, Division of Highways, Standard Specifications for Road and Bridge Construction, 1989 Edition and all subsequent revisions.
- B. Grading.
- 1. Minimum channel or swale slope in earth or sod shall be one percent (1%).
  - 2. All rear and side yard swales shall be centered on property lines.
  - 3. Side slopes on swales and ditches shall be four to one (4:1) or flatter.
  - 4. All grading plans shall accommodate off-site drainage.
  - 5. Existing and proposed contours shall be shown at two-foot (2) contours and extend a minimum of fifty (50) feet outside of the development.
  - 6. Channel or swale flowline elevations shall be indicated every one hundred (100) feet.
  - 7. Proposed lot corner and side yard elevations shall be shown.
  - 8. All catch basins and culverts shall be shown.
  - 9. Mapped wetland boundaries and one hundred (100) year floodplain boundaries shall be shown.
  - 10. Storm sewers, culverts and drainageways adjacent to the development shall be shown with flowline elevations.
- C. Sanitary Sewer.
- 1. All improvements shall be designed according to parameters incorporated in the Village sewage Ordinance.
  - 2. The design of sewers shall be based on Manning's Formula. The design shall be based on an "n" value of 0.013.
  - 3. Sewers shall be designed to give average velocities when flowing full or one-half (½) full of not less than two (2) feet per second.
  - 4. The minimum main size shall be eight (8) inches inside diameter.
  - 5. The minimum slope of an eight (8) inch main shall be 0.00400 feet per foot.
  - 6. Manholes shall be installed at all the following locations:
    - a. Changes in grade;
    - b. Changes in alignment;
    - c. Changes in pipe size;
    - d. Junctions of sewers;
    - e. At intervals not greater than four (400) hundred feet.
  - 7. The minimum inside diameter of a manhole shall be forty-eight (48) inches.
  - 8. Manholes shall be constructed of precast concrete or monolithic concrete.
  - 9. Manhole frames and covers shall conform to file Numbers 14A and 14B without the one (1) inch diameter vent hole or the Standard Specifications for Sewer and Water.
  - 10. All proposed manholes and connection manholes shall receive an internal rubber sleeve frame/chimney seal conforming to file Number 12A of the Standard Specifications for Sewer and Water.
  - 11. Where sewers of the same size, designed at minimum gradient, have an angle of divergence greater than thirty degrees(30°) at manholes, a drop shall be included for the downstream sewer. The drop shall be three inches or that which is shown in the table below, whichever is greater:

<b>Angle of Divergence Degrees</b>	<b>Drop Feet</b>
30	0.2 $\sqrt{2/2g}$
45	0.3 $\sqrt{2/2g}$
60	0.5 $\sqrt{2/2g}$
75	0.75 $\sqrt{2/2g}$
90	$\sqrt{2/2g}$

Where  $v$  = outlet velocity in ft/s  $g = 32.2 \text{ ft/S}^2$

12. Design computations and system maps shall be submitted.
- D. Storm Drainage.
  1. Storm Sewer.
    - a. Design shall be based on the Rational Method;
    - b. Ten (10) year design storm. 16.12.140
    - c. Storm sewer pipes shall be designed using the Manning Equation:
 
$$Q = \frac{1.486}{n} AR^{2/3} S^{1/2}$$
 with Manning's  $n = 0.013$ .
    - d. Four hundred (400) feet maximum spacing between catch basins.
    - e. Twelve (12) inches minimum pipe size.
    - f. All storm sewers constructed within the right-of-way and/or designated as part of the public site improvements shall be a minimum Class III reinforced concrete pipe conforming to ASTM C76 or ASTM C507.
      - g. Catch basins shall be placed at the end of radii.
  2. Open Channels;
    - a. Design of peak flow shall be based on SCS TR-55. For drainage areas less than twenty (20) acres the Rational Method may be used with prior approval.
    - b. Design ditches for twenty-five (25) year storm event (erosion control measures shall be designed for the ten (10) year storm event).
    - c. Channels shall be designed using the Manning Equation.
    - d. Manning's "n" values shall be within the following ranges:

Grass	0.035—0.055
Paved (concrete, asphalt)	0.013—0.020
Rip-rap	0.030—0.040

Values outside of these ranges may be used when submitted with supporting documentation;

- e. Minimum of one percent (1%) slope.
- f. Four to one (4:1) or flatter sideslopes.
- g. Channels with velocities greater than five (5) feet per second shall be lined with rip-rap or other nonerosive materials.
- h. Corrugated metal culverts shall use a Manning's  $n=0.024$ .
- i. Driveway culverts may be CMP with a fifteen (15) inch minimum culvert size and a minimum of twelve (12) inches of cover.
- j. End Sections shall be installed on all culverts.
- k. Verify downstream capacity.
3. Developments;
  - a. Peak flows for the two (2) year (twenty-four (24) hour), ten (10) year (twenty-four (24) hour) and one hundred (100) year (twenty-four (24) hour) events under post developed conditions shall not exceed the corresponding predeveloped peak flows for each predeveloped drainage subbasin the development impacts.
  - b. The ten (10) year post developed peak flow shall be safely conveyed within any downstream drainage facility (ditch, storm sewer, etc.).
  - c. If the Village Engineer determines development activities will cause adverse downstream impacts for storm frequencies greater than the one hundred (100) year event, on site detention may be required for more frequent storm events.
  - d. Pre and post development flows shall be based on SCS TR-55 methodology. Detention/retention basin design shall include an inflow hydrograph, outflow hydrograph and a stage discharge storage table for the outlet structure.

e. SCS curve numbers for the pre developed conditions shall be a “good” level of land management and not to exceed the following for the given hydrologic soil groups:

Hydrologic soil group:	A	B	C	D
SCS CN for grain	55	68	77	80
SCS CN for meadow	30	58	71	78
SCS CN for pasture	39	61	74	80
SCS CN for brush	30	48	65	73
SCS CN for wood	30	55	70	77

- 4. Design computations and system map shall be submitted for approval;
- E. Paving:
  - 1. Grades;

	<b>Maximum Grade</b>	<b>Minimum Grade</b>
Major and collector streets	6%	0.4%*
Minor streets	7%	0.4%*

\* 0.5% is the desirable minimum grade

2. The minimum design length of a vertical curve is based on the formula  $L=KA$  (where A is the Algebraic difference in percent of the two (2) grades);

a. For crest vertical curves, the rate of vertical curvature (K) shall be a minimum of twenty (20) (based upon twenty-five (25) mph design speed).

b. For sag vertical curves, the rate of vertical curvature (K) shall be a minimum of thirty (30) (based upon twenty-five (25) mph design speed).

3. The cross Section for new subdivisions and new street configurations shall conform minimally to one (1) of the two (2) attached typical Sections, which outline the use of ditch lines or, alternatively, curb and gutter for storm water conveyance. The determination as to which cross Section is used will be decided based on review and recommendation by the Village Building and Zoning Official and the Village Engineer to the Plan Commission. The Plan Commission will determine during the conceptual review of the project what portion of the new subdivision or new street configuration will require a curb and gutter cross Section and may modify the typical Section requirement on recommendation of the Village Building and Zoning Official and the Village Engineer.

4. Streets shall intersect at near right angles.

5. All curb returns at street intersections shall have a minimum radius of twenty (20) feet to the back of the curb.

(Ord. 2002-10-1; Ord. 97-8-3: Ord. 96-3-1 (part)).

