

**TOWN OF LISBON
LAND SUBDIVISION ORDINANCE**

TABLE OF CONTENTS

	PAGE
SECTION 1 INTRODUCTION	
1.01 Authority.....	1
1.02 Title.....	1
1.03 Purpose and Intent	1
1.04 Abrogation and Greater Restrictions	1
1.05 Interpretation	2
1.06 Severability	2
1.07 Repeal	2
1.08 Effective Date	2
SECTION 2 RULES AND DEFINITIONS	
2.01 Rules	2
2.02 Definitions	2
SECTION 3 GENERAL PROVISIONS	
3.01 Jurisdiction.....	5
3.02 Compliance.....	5
3.03 Land Suitability	5
3.04 Dedication and Reservations of Land.....	5
3.05 Improvements	6
3.06 Variances	6
3.07 Violations.....	6
3.08 Penalties.....	7
3.09 Appeals	7
SECTION 4 PROCEDURE	
4.01 Pre-Application.....	7
4.02 Preliminary Plat Review	8
4.03 Preliminary Plat Approval	8
4.04 Final Plat Review.....	9
4.05 Final Plat Approval.....	9
4.06 Recordation.....	10
4.07 Replat.....	10
4.08 Fees.....	10
SECTION 5 PRELIMINARY PLAT	
5.01 General.....	10
5.02 Plat Data	11

5.03 Street Plans and Profiles 12
5.04 Testing 12
5.05 Covenants 13
5.06 Affidavit..... 13

SECTION 6 FINAL PLAT

6.01 General..... 13
6.02 Additional Information 13
6.03 Deed Restriction 13
6.04 Surveying and Monumenting 13
6.05 State Plane Coord. System 14
6.06 Certificates..... 14

SECTION 7 CERTIFIED SURVEY MAPS

7.01 Applicability 14
7.02 Requirements 14
7.03 Procedure 14
7.04 Certificates..... 15
7.05 Map..... 15

SECTION 8 DESIGN STANDARDS

8.01 Street Arrangements 15
8.02 Limited Access Highway--Rail Road..... 16
8.03 Street Intersections 17
8.04 Blocks 17
8.05 Lots 17
8.06 Building Setback Lines..... 18
8.07 Easements 18

SECTION 9 REQUIRED IMPROVEMENTS

9.01 Survey Monuments..... 19
9.02 Required Improvements 19
9.03 Financial Guarantee..... 20

SECTION 10 CONSTRUCTION

10.01 Commencement 20
10.02 Plans..... 20
10.03 Inspection..... 20

LAND SUBDIVISION ORDINANCE
ORDINANCE #54

THE TOWN BOARD OF THE **TOWN OF LISBON** DOES ORDAIN AS FOLLOWS:

SECTION 1.0 INTRODUCTION

1.01 Authority.

Pursuant to the authority granted by 236.45 of the Wisconsin Statutes, the Town Board of Lisbon, County of Juneau, does ordain these subdivision regulations effective in the township.

1.02 Title.

This ordinance shall be known as, referred to, or cited as the Subdivision Ordinance, Town of Lisbon, Juneau County, Wisconsin.

1.03 Purpose and Intent.

The purpose of this ordinance is to regulate and control the division of land within the Town of Lisbon, Juneau County, for the following purposes: to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provisions for water, sewerage and public requirements; to provide for proper ingress and egress; to promote proper monumenting of subdivided land and conveyancing by accurate legal description, and to provide safe and orderly shoreland and subdivision layouts. The regulations provided shall be made with consideration for the character of the town with a view of conserving the value of the buildings placed upon the land, providing the best possible environment for human habitation, and encouraging the most appropriate use of the land throughout the town.

This ordinance is not a zoning ordinance and the Town of Lisbon's regulation of the use to be made of lands is done by its Zoning Ordinance.

1.04 Abrogation and Greater Restrictions.

It is not intended by this ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall govern. The Juneau County Shoreland Ordinance is applicable only in shoreland areas.

1.05 Interpretation.

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

1.06 Severability.

If any section, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

1.07 Repeal.

All other ordinances or part of ordinances of the Town of Lisbon, Juneau County, inconsistent or conflicting with this ordinance, to the extent of the inconsistency only, are hereby repealed.

1.08 Effective Date.

This ordinance shall be effective after a public hearing, adoption by the Town Board of Lisbon, and publication or posting as provided by law.

SECTION 2.0 RULES AND DEFINITIONS

2.01. RULES.

In the construction of this ordinance, the rules and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise.

- 1) Words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and the plural the singular.
- 2) The word "shall" is mandatory and not discretionary.
- 3) The word "may" is permissive.
- 4) The masculine gender includes the feminine and neuter.

2.02. Definitions

- (1) Alley- A public or private right-of-way which provides secondary access to abutting properties.
- (2) Block. A group of lots existing within well defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers, and having an assigned number, letter, or other name through which it may be identified.
- (3) Building. Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and which is

- permanently affixed to the land.
- (4) Building Setback Line. A line parallel to the parcel boundary line or water line beyond which buildings may not be erected.
 - (5) Certified Survey Map. A map of a division of land prepared in accordance with Section 236.34 of the Wisconsin Statutes.
 - (6) Collector Street. A street used, or intended to be used, to carry traffic from minor streets to the major streets including principal entrance streets to residential developments.
 - (7) Cul-de-Sac Street. A minor street with only one outlet and having a turn around for the safe and convenient reversal of traffic movement.
 - (8) Final Plat. The map or plan of a subdivision, and any accompanying material, as described in Section 6.0 of this ordinance.
 - (9) Flag Lot. A lot where the buildable lot area does not front on or abut a public road and where access to the buildable lot area is by a driveway on a narrow portion of the lot connecting the buildable lot area to the public road. Flag lots shall be discouraged.
 - (10) Frontage Street. A minor street auxiliary to and located on the side of a major street for control of access and for service to the abutting development.
 - (11) Grade. The center line gradient of a road, street, or other public way, specified in percent.
 - (12) Improvement, Public. Any sanitary sewer, storm sewer, drainage ditch, water main, roadway, park, parkway, public access, sidewalk, pedestrian way, planting strip, off street parking area, or other facility for which the county or town may ultimately assume the responsibility for maintenance and operation.
 - (13) Lot. A buildable parcel of land represented and identified in a subdivision as defined in Section 8.05 of this ordinance. This term includes the parcel of land remaining after a parcel has been divided off.
 - (14) Major Street. A street used, or intended to be used primarily for fast or heavy through traffic. Major streets shall include designated town roads, all county roads, and all state highways.
 - (15) Minor Street. A street used, or intended to be used, primarily for access to abutting properties.
 - (16) Outlot. A remnant parcel of land which shall not be used for building purposes, or for pyramiding, and it shall be so designated on the plat.
 - (17) Preliminary Plat. A map showing the salient features of a proposed subdivision submitted to the Town Plan Commission for purposes of preliminary consideration, as described in Section 5.0 of this ordinance.
 - (18) Public Way. Any public road, street, highway, walkway, drainage way, or part thereof .

- (19) **Pyramiding.** The act of obtaining or providing access to public bodies of water across private lots or lands in a manner which increases the number of families which have access to that water to a greater degree than what would occur with individual riparian owners having individual lots fronting on the water. The effect of pyramiding is to funnel backlot development from off-shore lots of residences via a narrow parcel of land to provide access to the water. For the purposes of this policy, pyramiding shall be defined as situations where more than 2 lots have access to a public body of water via a narrow parcel of land.
- (20) **Replat.** The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot, or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot, or outlot is not a replat.
- (21) **Subdivider.** Any person, firm, or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, certified survey, or replat.
- (22) **Subdivision.** The portioning of a lot, tract or parcel of land into two or more lots, tracts or parcels or other units of land for sale, lease, offer, or development.
- (23) **Subdivision, Major.** The division of a lot, parcel, or tract of land by the owner thereof, or his agent, for the purpose of transfer of ownership or building development, where, the act of division creates five or more parcels or building sites of fifteen acres each or less in an area, or where the act of division creates five or more parcels or building sites of fifteen acres each or less in an area by successive division within a five year period.
- (24) **Subdivision, Minor.** (certified survey map) Any division of land not defined as a major subdivision. Minor land divisions include a division of land by the owner or subdivider resulting in the creation of 1, but not more than 4, parcels or building sites, any one of which is less than 15 acres in size or the division of a block, lot or outlot within a recorded subdivision plat into not more than 4 parcels or building sites without changing the exterior boundaries of the block, lot or outlot. Such minor land divisions shall be made by a certified survey map prepared in accordance with this ordinance.
- (25) **Town.** Reference to town shall mean the Town of Lisbon, including the Town Board, Town Clerk, Town Plan Commission, Zoning Administrator, or any other designate Town Committee.

SECTION 3.0 GENERAL PROVISIONS.

3.01. Jurisdiction.

The jurisdiction of this ordinance shall include all unincorporated lands within the township. The provisions of this ordinance shall not apply to:

- (1) A pre-existing parcel of land which is being conveyed without changing its boundaries.
- (2) Transfers of Interest in land by will or pursuant to court order.
- (3) Leases for a term not to exceed ten years, mortgages, or easements.
- (4) Sale or Exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the resultant lots are not reduced below minimum sizes required by these regulations, the Juneau County Shoreland Zoning Ordinance, the Town of Lisbon Zoning Ordinance, or other applicable laws or ordinances.

3.02 Compliance.

No subdivider shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, certified survey, or a replat as defined herein; no such subdivision, certified survey, or replat shall be entitled to record; and, no improvements shall be made to land without compliance with all requirements of this ordinance, and the provisions of Chapter 236, Wisconsin State Statutes.

3.03 Land Suitability.

No land shall be subdivided which is held unsuitable for any purposed use by the Town Plan Commission for reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewer disposal capabilities, or any other feature likely to be harmful to the health, safety, or welfare of future residents of the proposed subdivision or of the community. The Town Plan Commission in applying the provisions of this ordinance shall in writing cite the particular facts upon which it bases its conclusion that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such suitability at a public hearing. Thereafter, the Town Plan Commission may affirm, modify, or withdraw its determination of unsuitability.

3.04 Dedication of Reservations of Land.

- (1) Whenever a tract of land to be subdivided embraces all or any part of a street, drainage way, or other public way which has been designated in the adopted regional, county, or town comprehensive plans, or adopted plan components, 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.

- (2) Whenever a Proposed Park, Playground, Public Access, Open Space or other public land, other than streets or drainage ways designated in the adopted regional and county comprehensive plans, or adopted plan components is embraced, all or in part, in a tract of land to be subdivided, such proposed public lands shall be made a part of the plat and shall either be dedicated to the public or be reserved for acquisition at undeveloped land cost, for a period not to exceed five years from the date of recordation unless extended by mutual agreement between the subdivider and the public agency having jurisdiction. If the reserved land is not acquired by said public agency within the above limit, the developer may apply to have the reservation released.
- (3) Wherever feasible, All Public Access to the low watermark of navigable lakes and streams required by Section 236.16(3), Wisconsin Statutes, should be at least 60 feet wide by Statute and shall contain land characteristics acceptable to the Town Plan Commission.

3.05. Improvements.

The subdivider shall not install any streets or other improvements required by the Town until the Preliminary Plat has been approved by the Town Plan Commission. Before recording the Final Plat with the County Register of Deeds, the subdivider shall install all required improvements. Such improvements shall be completed by the subdivider or his subcontractors within the time limit established by the Town Board. In order that adequate inspections can be made, the subdivider shall notify the Town Board one week prior to the time each improvement is to be installed and upon completion of the project.

3.06 Variances.

In any particular case where the subdivider can show that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirements of this ordinance would cause practical difficulty or exceptional and undue hardship, the Town Plan Commission may relieve such difficulty or hardship, provided such relief may be granted without detriment to the public good and without impairing the intent and purpose of this ordinance or the desirable general development of the area. A three-fourths vote of the entire membership of the Town Plan Commission shall be required to grant any modification to these regulations, and any modification thus granted shall be entered in the minutes of the Commission, setting forth the reasons, which in the opinion of the Commission, justified the modification.

3.07. Violations.

It shall be unlawful to build upon, divide, convey, record, or monument any land in violation of this ordinance or the Wisconsin Statutes and no person, firm, or corporation shall be issued a town building permit authorizing the building on or improvement of any subdivision, certified survey, or replat within the jurisdiction of this ordinance and not of record as of the effective date of this ordinance until the provisions and requirements of this ordinance have been fully met. The town may institute appropriate action or proceedings to enjoin violations of this ordinance or the applicable Wisconsin Statutes.

3.08. Penalties.

Any person, firm, or corporation that fails to comply with the provisions of this ordinance shall upon conviction thereof forfeit not less than \$200.00 nor more than \$500.00, and the cost of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof for a period not to exceed six (6) months. Each day a violation exists or continues shall constitute a separate offense. Additional penalties incorporated by reference are:

- (1) Recordation improperly made has penalties provided in Section 236.30, Wisconsin Statutes.
- (2) Conveyance of lots in unrecorded plats has penalties as provided for in Section 236.31, Wisconsin Statutes.
- (3) Monuments disturbed or not placed have penalties as provided for in Section 236.32, Wisconsin Statutes.
- (4) Assessor's Plat made under Section 70.27, Wisconsin Statutes, may be ordered by the town when a subdivision is created by successive divisions.

3.09. Appeals.

Any person aggrieved by an objection to a plat or failure to approve a plat may appeal therefrom as provided in Section 236.13(5) and 62.23(7)(e), (10., 14., and 15), Wisconsin Statutes.

SECTION 4.0 PLAT APPROVAL PROCEDURE

4.01 Pre-Application.

Prior to filing an application for approval of a preliminary plat, the subdivider shall consult with the town Zoning Administrator to become familiar with this ordinance, Master Plan, Official Map, Zoning and Road Ordinances. In so doing, the subdivider will gain a better understanding of the subsequent required procedures.

- (1) Sketch Plan. As a part of the pre-application procedure, the subdivider may be requested to submit a sketch plan of sufficient scale to show title,

boundaries, total acreage, number of lots, green space, adjacent land use and ownership, streets, and access roads.

4.02 Preliminary Plat Review.

The subdivider shall prepare a Preliminary Plat in accordance with Section 5.0 of this ordinance. The subdivider shall provide twelve (12) copies of the Preliminary Plat for distribution as outlined in 4.02(1) below, and a letter of application with the Town Clerk, accompanied by the proper fee, as outlined in Section 4.08 of this ordinance. The subdivider should be advised at this time, and provided an agreement to sign, that he will be responsible for consultant costs, should they be required by the town, provide information and input into his project. The letter/application must be approved as complete by the Zoning Administrator prior to its acceptance by the Town Clerk. The Town Clerk must be in possession of the letter of application at least 25 days prior to the meeting of the Town Plan Commission at which action is desired. The letter must indicate that copies of the plat are on file with the utility companies having jurisdiction over the subject area so that adequate provisions can be made by the utility companies to serve the proposed subdivision.

- (1) The Town Plan Commission or Town Staff shall, within five days transmit copies of the plat as follows:
 - (a) One each to appropriate members of the Board, Plan Commission, Staff, and Consultants, if necessary.
 - (b) Two copies to the Division of Highways, Wisconsin Department of Transportation, if the subdivision abuts or adjoins a state trunk highway or connecting street.
 - (c) Two copies to the Wisconsin Department of Commerce if the subdivision is not served by a public sewer and provision for such service has not been made.
 - (d) One copy to the County Zoning Administrator, if applicable under Juneau County Zoning Ordinances.

4.03. Preliminary Plat Approval.

- (1) The Town Plan Commission shall review the plat for conformance with this ordinance and all other ordinances, rules, regulations and, adopted regional, county, and town comprehensive plans or adopted plan components which affect the plat. The Plan Commission shall decide if conditions of the plat warrant review by outside consultants, in addition to the review of the Zoning Administrator. If that determination is made, a review by Town Staff shall be performed. The Town Staff shall consist of the Zoning Administrator, The Plan Commission Chairman, one additional member of the Plan Commission, professional planning and engineering consultants, and others deemed necessary by the Chairman.

- (2) The Plan Commission shall within sixty (60) days of the date of filing of the Preliminary Plat, recommend to approve, conditionally, or reject such plat unless the time is extended by agreement with the subdivider. One copy of the 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 rejections shall accompany the plat. One copy of the plat and letter shall be placed in the Town Plan Commission's permanent file. Following this review of the preliminary plat, and accompanying supplemental material, wherein the results would indicate approval, or conditional approval, the Plan Commission shall make a recommendation to the Town Board.
- (3) The Town Board shall conditionally approve, or reject the preliminary plat within 90 days from the preliminary filing date of the preliminary plat, unless this time is extended by agreement with the subdivider.
 - (a) If action is to approve, or approve conditionally, the Town Board shall properly endorse approval and place the date of approval on two copies of the plat. One copy shall be returned to the subdivider, and one copy shall be kept in the Town Board permanent files. Any revisions required shall be noted on all copies of the plat.
- (4) Failure of the Town Board to act within ninety (90) days of the filing date shall constitute an approval as provided in Section 236.11(1) (a) of the Wisconsin Statutes.
- (5) Approval or Conditional Approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within six months of Preliminary Plat approval and conforms substantially to the Preliminary Plat layout as indicated in Section 236.11(1)(b), Wisconsin Statutes, the Final Plat shall be entitled to approval with respect to such layout.

4.04. Final Plat Review.

The subdivider shall prepare a Final Plat in accordance with Section 6.0 of this ordinance and shall file the required number of copies (12) as outlined in Section 4.02(1) and a letter of application with the Town Clerk at least twenty-five days prior to the meeting of the Town Plan Commission at which action is desired.

- (1) The Town Plan Commission or Staff shall, within five days after filing, transmit copies of the plat to the individuals and agencies identified in Section 4.02(1) of this ordinance which are required to review the plat.

4.05. Final Plat Approval.

- (1) The Town Clerk, on behalf of the Plan Commission shall inform the applicant of the date, time, and place of the Town Plan Commission

- meeting at which the plat will be reviewed.
- (2) The Town Plan Commission shall examine the Final Plat as to its conformance with the approved Preliminary Plat; any conditions or approval of the Preliminary Plat; this ordinance and all ordinances rules, regulations and adopted regional and county comprehensive plans or adopted plan components which may affect the Plat.
 - (3) The Town Plan Commission shall within thirty (30) days of the date of filing of the Final Plat approve, approve conditionally, or reject the Plat unless the time is extended by agreement with the subdivider.
 - (4) The Town Board shall, upon recommendation of the Town Plan Commission, approve or reject, in writing, the plat within sixty (60) days from the date of filing. If the Town Board rejects any provisions of the final plat, the basis for such rejection shall be included in the report. Approval of the final plat by the Town Board shall also be certified on the face of the plat.
- 4.06 Recordation. After the Final Plat has been approved by the Plan Commission and the Town Board, the subdivider shall within thirty (30) days record the plat with the County Register of Deeds in accordance with Section 236.25 of the Wisconsin Statutes.
- 4.07 Replat. When it is proposed to replat a recorded subdivision or part thereof, so as to change the boundaries of a recorded subdivision, or part thereof, the subdivider or person desiring to replat shall vacate or alter the recorded plat as provided in Sections 236.40 through 236.44, of Wisconsin Statutes. The subdivider, or person desiring to replat, shall then proceed as specified in Sections 4.01 through 4.06 of this ordinance.
- 4.08 FEES. A \$200 fee for examining preliminary plat; \$100 fee for examining final plat. The fee for Certified Survey Maps will be \$25 per lot.

SECTION 5.0 PRELIMINARY PLAT REQUIREMENTS .

5.01. General.

A Preliminary Plat shall be required for all major subdivisions and shall be based upon a survey by a registered land surveyor and the Plat prepared on reproducible material at a scale of not more than 100 feet to the inch and shall show correctly on its face the following information:

- (1) Title under which the proposed subdivision is to be recorded.
- (2) Legal Description and General Location of proposed subdivision and relative location to a nearby municipality.

- (3) Date, Scale and North Arrow.
- (4) Names and Addresses of the owner, subdivider and land surveyor preparing the plat.
- (5) Entire Area contiguous to the proposed plat owned or controlled by the subdivider shall be included on the Preliminary Plat even though only a portion of said area is proposed for immediate development. The Town Plan Commission may waive this requirement where it is unnecessary to fulfill the purposes and intent of this ordinance and undue hardship would result from strict application thereof

5.02. Plat Data

All Preliminary Plats shall show the following:

- (1) Approximate Length and Bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the U. S. Public Land Survey and the total acreage encompassed thereby.
- (2) Contours at vertical intervals of not more than 2 feet where the slope of the ground surface is less than 10 percent or more. Elevations shall be marked on such contours based on mean sea level datum or where in the judgment of the Town Plan Commission undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used.
- (3) Water Elevations of adjoining lakes and streams at the date of the survey, approximate high and low water elevation, all referred to the same datum used for the contours.
- (4) Location, Right-of-Way Width and Names of all existing and proposed streets, alleys, trails, or other public ways, easements, railroad and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.
- (5) Location and Names of Any Adjacent Subdivisions, parks, schools and cemeteries, and owners of record of abutting unplatted lands.
- (6) Type, Width and Elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established center line elevations, all relating to the datum used for the contours.
- (7) Location, Size, and Invert Elevation of any existing sanitary or storm sewers, culverts and drainpipes, the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest sewers and water mains shall be indicated

by their direction and distance from the tract, along with size, and invert elevation.

- (8) Locations of All Existing Property Boundary Lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other similar significant features within the tract being subdivided or immediately adjacent thereto.
- (9) Approximate Dimensions of all Lots together with proposed lot and block numbers.
- (10) Location and Approximate Dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainage ways or other public use or which are to be used for group housing, shopping centers, church sites, or other non-public uses not requiring lotting.
- (11) Approximate-Radii of All Curves.
- (12) Existing and Proposed Use on and adjacent to the proposed subdivision.
- (13) Corporate Limit Lines.
- (14) Any Proposed Lake and Stream Access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.
- (15) Any Proposed Lake, Stream, and Wetland improvement or relocation and proposed filling, grading, lagooning and dredging and the notice of application for Division of Environmental Protection, Department of Natural Resources approval when applicable.
- (16) The Preliminary Plat shall depict the boundaries of all proposed development phases.

5.03. Street Plans and Profiles.

The subdivider shall provide street plans and profiles showing existing ground surface, proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested by the Town Plan Commission Chairman who shall have the written recommendation that all elevations, plans and profiles meet the approval of the town consulting engineer or other representative party. All roads shall be constructed in compliance with the Town of Lisbon Ordinance # 51 regulating road construction.

5.04 Testing.

The Town Plan Commission may require borings and soundings be made in designated areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to ground water table. Where the subdivision will not be served by public sanitary sewer service, the provisions of Comm 85, Wisconsin Administrative Code, shall be complied with and the appropriate data shall be

submitted with the Preliminary Plat.

5.05 Covenants

The Town Plan Commission may require submission of a draft of protective covenants whereby the subdivider intends to regulate land use in the proposed subdivision and otherwise protect the proposed development.

5.06 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 ordinance.

SECTION 6.0 FINAL PLAT

6.01 General.

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

6.02 Additional Information-

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

- (1) Exact Street Width along the line of any obliquely intersecting street.
- (2) Setbacks of Building Lines shall be in conformance with Town Building Ordinance.
- (3) All Lands Reserved for future public acquisition or reserved for the common use of property owners within the plat. If common property is located within the plat, then provisions for its use and maintenance must also be provided with the plat.
- (4) Special Restrictions required by any approving or objecting agency relating to access control along public ways or to the provision of planting strips.

6.03 Deed Restrictions.

Any deed restrictions attached to the subdivision shall be filed with, or placed on the face of the Final Plat.

6.04 Surveying and Monumenting.

All Final Plats shall meet all the surveying and monumenting requirements of Section 236.15, Wisconsin Statutes.

6.05 State Plane Coordinate System.

Where the plat is located within a quarter section the corners of which have been relocated, monumented and coordinated, 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 distance and bearings shall be referenced to the Wisconsin Coordinate System.

6.06 Certificates.

All Final Plats shall provide all the certificates required by Section 236.2 1, Wisconsin Statutes; and, in addition, the surveyor shall certify that he has fully complied with all the provisions of this ordinance and provide a certificate for the Town Plan Commission approval.

SECTION 7.0 CERTIFIED SURVEY MAPS

7.01 Applicability .

For any land division creating one or more parcels, fifteen (15) acres or less in size, a certified survey map or a subdivision plat shall be created. The Certified Survey Map shall cover both the newly created parcel and the land remaining after a parcel has been divided off, if they are 15 acres or less in size.

7.02 Requirements.

A certified survey map shall be prepared in compliance with the requirements of Chapter 236.34 of the Wisconsin Statutes which is hereby adopted by reference and incorporated herein as fully set forth.

7.03 Procedure.

All proposed certified survey maps shall be submitted to the Lisbon Town Board for review under this Ordinance and Chapter 236, Wis. Stats. The Town Board shall review, and within 45 days, approve, approve conditionally or reject the map. If further information is needed, the Board may refer this map to the Town Plan Commission for its review and its comments. This procedure may be in addition to or instead of submission to the County under its Ordinance 23, as the Town shall determine. The subdivider shall be notified in writing of any conditions of approval or the reasons for rejection.

7.04 Certificates.

- (1) The Map shall include the certificate of the surveyor who surveyed and mapped the parcel as required by Chapter 236.34 of the Wisconsin Statutes, and shall be signed by the property owner.
- (2) No certified survey map or plat of a subdivision may be recorded unless it bears the signature of the County Clerk attesting to the approval of the certified survey map by the County, or the Lisbon Town Chairman, or his designee, after having adopted this Ordinance, which results in the land division review being performed by the Town of Lisbon. The exercise of this local option shall be filed with the Juneau County Register of Deeds.

7.05 Map.

The map shall be filed by the subdivider for recording with the Register of Deeds of Juneau County. Three additional copies of the final approval map shall be forwarded to the Town Board of Lisbon. The volume and page number of the recording file shall be noted on the final approved map copies.

SECTION 8.0 DESIGN STANDARDS

8.01 Street Arrangements.

The subdivider shall dedicate land for and improve streets as provided herein. Streets shall conform to any applicable official map ordinance in effect. In areas for which an official map has not been completed, the street layout shall recognize the functional classification of various street types and shall be developed and located in proper relation to existing and proposed streets, with due regard to topographical conditions, natural features, utilities, lighting, land uses, and public convenience and safety. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street as provided herein. The following conditions shall apply for street arrangements in all proposed subdivisions:

- (1) Proposed Streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless in the opinion of the Town Board or Town Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of adjacent land tracts. Such streets shall terminate with a temporary turnaround of 150 feet right of way diameter.
- (2) Major Street and Highway Protection, Whenever the proposed subdivision contains or is adjacent to a major street or highway, adequate protection of

residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a non-access reservation along the rear property line, or by the use of frontage streets.

- (3) Reserve Strips controlling access to streets or alleys shall be prohibited except where their control is definitely placed with the town or county.
- (4) Alleys may be required in commercial and industrial districts to provide for off-street loading and service access, but shall be discouraged in residential districts unless required by unusual topography or other exceptional conditions. Dead-end alleys shall not be approved, and alleys should not connect to a town, state, or county trunk highway.
- (5) Street Names shall be established and be similar to existing street names, and existing street names shall be projected or continued whenever possible.
- (6) Cul-de-sac Streets. Cul-de-sac streets designed to have one end permanently closed shall not normally exceed 660 feet in length measured from the right-of-way of the nearest connecting through street to the farthest point of the turn around right-of-way. Cul-de-sac streets shall terminate in a circular turn around having a minimum diameter of 150 feet. Cul-de-sac streets shall have a minimum paved radius of 40 feet.

These conditions may be waived, in part or in whole, by the Town Board when necessary to promote the purposes of this ordinance or avoid hardship.

8.02 Limited Access Highway and Railroad Right-of-Way Treatment.

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

- (1) When Residential Lots Within the Proposed Subdivision back upon the proposed right-of-way of an existing or proposed limited access highway or rail-road, the following restriction shall be lettered on the face of the plat: "Direct Vehicular access to (name of road) from lots abutting said road is prohibited."
- (2) Commercial and Industrial Districts should provide 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.
- (3) Streets Parallel to a Limited Access Highway or Railroad Right-of-Way when intersecting a major street and highway or collector street which crosses said railroad or highway, shall be located at a minimum distance, where desirable and practicable, shall be determined with due consideration

of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

- (4) Minor Streets immediately adjacent and parallel to railroad rights-of-way should be avoided.

8.03 Street Intersections.

Streets shall intersect each other as nearly as possible at right angles and not more than two streets shall intersect at one point unless approved by the Town Plan Commission.

- (1) Number of Intersections along major streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections should not be less than 1320 feet.
- (2) Property Lines at street intersections may be rounded with a minimum radius of 25 feet or of a greater radius when required by the Town Plan Commission.
- (3) Street Jogs with centerline offsets of less than 125 feet shall not be approved.

8.04 Blocks. 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.

- (1) Length. Blocks in residential areas should not as a general rule be less than 750 feet nor more than 1500 feet in length unless otherwise dictated.
- (2) Pedestrian Ways of not less than 10 feet in width may be required near the center and entirely across any block over 900 feet in length where deemed essential by the Town Plan Commission or Town Board, to provide adequate pedestrian circulation or access to other residences, recreation, schools, shopping centers, churches, or transportation facilities.
- (3) Width. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic or where lots abut a lake or stream. Width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by use contemplated and the area zoning provisions for such use.
- (4) Utility Easements. All utility lines for electrical power and telephone service shall be buried within the road right-of-way.

8.05. Lots.

The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots

should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the building contemplated.

- (1) Side Lot Lines should be at right angles to straight lines or radial to curved street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.
- (2) Double Frontage and Reversed Frontage Lots shall be prohibited except where necessary to provide separation of residential development through traffic or to overcome specific disadvantages of topography and orientation.
- (3) Access. Every lot shall front or abut on a public street for a distance of at least 150 feet. In unique cases where it is impossible for a lot to abut a public street, a private way may be used for access purposes provided a statement is included on the face of the plat indicating that the lot is served by a private way and that the town or county has no responsibility for the maintenance of the private way.
- (4) Area and dimensions of Lots shall conform to the requirements of Town Zoning Ordinance and Land Use Ordinance.
- (5) Corner Lots shall be designed with extra width to permit adequate setback from both streets.
- (6) Flag lots shall not be approved unless the owner, or his agent, can prove to the Town Board that disapproval of the land division constitutes an undue hardship to the owner of the land which outweighs the Town's goal of having each building lot fronting on a public road, thereby lessening congestion, adding to better organized future development among neighboring parcels and, thus, improving the marketability and value of land in the Township in future conveyances. The Town Board may require a restrictive covenant to be recorded for any approved flag lot which would prohibit additional building development on the lot.
- (7) Depth and Width. As a guideline, the depth of a lot should not exceed 3 times its width at its widest point. Lot width shall be measured between the side lot lines.

8.06 Building Setback Lines.

Building setback lines shall conform to the requirements established in the Town Building and/or Zoning Ordinances.

8.07 Easements.

Where a subdivision is traversed by a watercourse, drainage way, or stream, an adequate drainage way or easement may be required to handle storm water runoff.

The location, width, alignment and improvement of such drainage way or easement shall be approved by the Town Plan Commission.

SECTION 9.0 REQUIRED IMPROVEMENTS.

9.01 Survey Monuments.

The subdivider shall install survey monuments in accordance with the requirements of Section 236.15, Wisconsin Statutes.

9.02 Required Improvements.

As required by Section 3.05 of this ordinance, the subdivider shall install all public improvements required by the Town Board. Such improvements shall be completed by the subdivider or his subcontractors within the time limit established by the Town Board. Such improvements usually include some or all of the following:

- (1) Grading and Surfacing- Grading and surfacing of all streets proposed to be dedicated in accordance with construction standards of the Town Road Ordinance No. 51.
- (2) Storm Water Drainage Facilities.
 - a) Construction of storm water drainage facilities, which may include curb and gutters, catch basins and inlets, storm sewers, road ditches and open channels as may be required to provide adequate surface drainage for the subdivision.
 - b) Storm drainage facilities, where needed shall be designed to permit the unimpeded flow of natural watercourses; insure the drainage of all points along the line of streets; and provide positive drainage away from on-site sewage disposal facilities. In designing storm drainage facilities, special consideration shall be given to protection against shoreland erosion and siltation of surface waters and preventing excess water runoff on adjacent property. The Town Plan Commission or Town Board may require that easements or drainage ways of widths sufficient to accommodate anticipated storm water runoff be provided. All storm water drainage facilities shall be constructed in accordance with plans and standard specifications approved by the Town Board.
- (3) Installation of Street Signs meeting the approval of the Town Board at all intersections.

9.03 Financial Guarantee.

A financial guarantee ensuring the construction and completion of the common facilities, including all roadways, shall be submitted to the Zoning Administrator prior to the release of the final plat.

SECTION 10.0 CONSTRUCTION

10.01 Commencement.

No construction or installation or improvements shall commence in a proposed subdivision until the Preliminary Plat has been approved by the Town Plan Commission.

10.02 Plans.

The following plans and accompanying construction specifications may be required by the Town Board before authorization of construction or installation of improvements.

- (1) Street Plans and Profiles showing existing and proposed grades, elevations, and cross sections of required improvements.
- (2) Sanitary Sewer plans and profiles showing location, grades, sizes, elevations and materials of required facilities.
- (3) Storm Sewer plans and profiles showing the location, grades, sizes, cross sections, elevations and materials of required facilities.
- (4) Water Main plans and profiles showing the locations, sizes, elevations and materials of required facilities.
- (5) Planting Plans showing the locations, age and species of any required street trees.
- (6) Additional special plans or information as required.

10.03. Inspection.

The subdivider, prior to commencement of any work within the subdivision, shall make arrangements with the Zoning Administrator to provide for adequate inspection. The Town Board shall inspect and approve all completed work prior to approval of the final plat.

APPROVAL

TOWN OF LISBON
LAND SUBDIVISION ORDINANCE

This Zoning Ordinance adopted by the Lisbon Town Board on March 13, 2002.

s/Jerry Walther, Town Chairman
Jerry Walther, Town Chairman

ATTEST:

s/Janet Hoile, Clerk
Janet Hoile, Clerk