

TOWN OF ASHIPGUN, DODGE COUNTY, WISCONSIN  
LAND DIVISION ORDINANCE

ARTICLE I - GENERAL PROVISIONS

1.1 Title

This ordinance shall be known, referred to, or cited as the LAND DIVISION ORDINANCE, TOWN OF ASHIPGUN, DODGE COUNTY, WISCONSIN.

1.2 Purpose

This ordinance is intended to regulate the division of land within the Town of Ashippun in order to promote the public health, safety, morals, prosperity, aesthetics and general welfare of the community.

1.3 Intent

The general intent of this ordinance is to eliminate conflicting interests with land that is being sold or developed, by:

- Lessening congestion on the streets, highways, land and waters.
- Securing safety from fire, panic, flooding and other dangers.
- Providing adequate access to light and air.
- Preventing the overcrowding of land.
- Preserving prime agricultural land for farming purposes.
- Providing for adequate transportation, water, sewerage, drainage, schools, parks and other public facilities.
- Limiting development beyond the service areas of public facilities and utilities.
- Conserving the value of land, water, air and improvements.
- Protecting the environment for human habitation.
- Recognizing the public need for recreation and open space.
- Protecting surface and subsurface water quality by preserving shoreland vegetation and preventing erosion and sedimentation.
- Ensuring adequate legal descriptions and survey monumentation.
- Realizing development standards set forth in plans, codes and ordinances adopted by the Town of Ashippun.

1.4 Authority

These regulations are adopted under the authority granted by Chapter 236 of the Wisconsin Statutes.

1.5 Jurisdiction

Jurisdiction of this Ordinance shall include all land and water within the Town of Ashippun. In no instance shall these provisions apply to:

- Transfers of interests in land by will or pursuant to court order.
- Leases for a term not to exceed ten years, mortgages or easements.
- Sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this Ordinance, the County Zoning Ordinance, or other applicable laws or ordinances.

1.6 Abrogation and Greater Restrictions

This Ordinance shall not repeal, abrogate, annul, impair or interfere with existing easements, covenants, agreements, rules, regulations, or permits previously adopted or issued pursuant to laws. However, where this ordinance imposes greater restrictions, this ordinance shall govern.

- 1.7            Interpretation  
In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town and shall not be deemed a limitation or repeal of any other power granted by Wisconsin Statutes.
- 1.8            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.
- 1.9            Compliance  
No person, firm or corporation shall divide any land located within the jurisdictional limits of this ordinance which results in a subdivision, minor subdivision, or a replat as defined herein; no such division or replat shall be entitled to record and no street shall be laid out or improvements made to land without compliance with all requirements of this ordinance and:
- A.        Provisions of Chapter 236, Wisconsin Statutes.
  - B.        Rules of the Wisconsin Department of Industry, Labor and Human Relations regulating lot size and lot elevation if provisions for public sewer service to the land to be subdivided have not been made.
  - C.        Rules of the Wisconsin Department of Transportation, Division of Highways, relating to safety, access, public interest and investment in the highway systems if the land to be subdivided abuts a state trunk highway or connecting street.
  - D.        Rules of the Wisconsin Department of Natural Resources, Division of Environmental Protection setting water quality standards, preventing and abating pollution, and regulating development within floodplain and shoreland areas.
  - E.        Comprehensive plans or components of such plans adopted by the Town Board.
  - F.        All applicable local and County regulations, including zoning, sanitary, building and official mapping ordinances.
- 1.10          Dedication and Reservation of Lands  
The following dedications and reservations of land shall be made at the time of application for final plat approval and shall be made a part of the plat.
- A.        Dedication of Lands for Streets and Public Ways  
Whenever a tract of land to be subdivided embraces all or any part of an arterial street, drainageway or other public way which has been designated in the comprehensive plan, plan component, or on the official map of the Town of Ashippun, said public way shall be made a part of the plat and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan or map and as set forth in this ordinance.  
  
Where the proposed division abuts an existing State, County or Town road, the subdivider shall dedicate any additional lands abutting the road in accordance with the width required by any officially approved plan in effect within the area. Where it is indicated on any officially approved plan that a new highway is proposed to be located, an adequate amount of land for the highway shall be reserved or set aside to be acquired by the jurisdiction responsible for its construction.
  - B.        Dedication of Lands for Parks, Recreation and Open Space  
Where a development contains land indicated in whole or in part as a site for a public park, recreation area or open space on an Official Plan of the Town, said land shall be dedicated to the Town if the Town desires the land, in an amount equal to one (1) acre of land for every ten (10) dwelling units. However, where such Official Plans call for a larger tract of land than would be set aside if the above standard was applied, the subdivider, shall reserve said land in excess of one (1) acre for every ten (10) dwelling units for acquisition by the Town for a period not to exceed three (3) years. Land to be dedicated or reserved for public

acquisition for parks, recreation and open space shall be retained in its natural condition unless otherwise directed by the Town Board.

Where a development abuts a public use area such as a park, lake, stream, hunting grounds or public recreational area, the subdivider, at the option of the Town, shall provide a pedestrian access easement not less than 20 feet wide connecting such public area with a public street. If it is deemed to be in the public interest by the Town to reserve additional area for public access, the subdivider shall reserve for acquisition by the Town a tract of land adjacent to or elsewhere at the request of the Town. Such tract shall be reserved for a period of three (3) years from the date of recordation of the plat or Certified Survey Map and if not acquired within that time it shall be released for disposal by the owner.

No building development is permitted on sites reserved for public acquisition during the period of reservation. The reservation period shall not be longer than three (3) years unless arranged otherwise with the subdivider. Land so reserved must be shown on the Final Plat or on the Certified Survey Map.

1.11 Land Suitability

No land shall be subdivided which is held unsuitable for its proposed use by the Board for reason of flooding, inadequate drainage, adverse soil or rock formation, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities, incompatible conditions on adjoining or abutting properties, or any other feature likely to be harmful to the health, safety or welfare of future residents of the proposed subdivision or of abutting or adjoining properties, or of the Town. The Board in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such unsuitability. Thereafter, the Board may affirm, modify, or withdraw its determination of unsuitability.

1.12 Disclaimer of Liability

The Town does not guarantee, warrant, or represent that only those areas delineated as flood lands on plats and certified survey maps will be subject to periodic inundation, or that the soils shown to be unsuited for a given land use from tests required by the Ordinance are the only unsuited soils within the jurisdiction of this Ordinance; and thereby asserts that there is no liability on the part of the Town Board of Supervisors, its agencies, or employees for flooding problems, sanitation problems, or structural damages that may occur as a result of reliance upon, and conformance with, this Ordinance.

1.13 Repeal

All other ordinances or resolutions or parts thereof of the Town inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

1.14 Variances

Where, in the judgment of the Board, it would be inappropriate to apply literally the provisions of this Ordinance because exceptional or undue hardship would result, the Board may waive or modify any requirements to the extent deemed just and proper. Such relief shall 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 Town. A three-fourths ( $\frac{3}{4}$ ) vote of the entire membership of the Town Plan Commission and a majority vote of the Town Board shall be required to grant any modification of this Ordinance, and the reasons shall be entered in the minutes of the meetings thereof. In granting variances and modifications, the Plan Commission and Town Board may require conditions to secure the objectives of this Ordinance.

1.15 Planned Development

The standards and requirements of these regulations may be modified by the Town Board upon recommendation of the Plan Commission in the case of a new community, or a neighborhood Planned Unit Development which in the judgment of the Town provides adequate public spaces and improvements for circulation, recreation, light, air and service of the tract when fully developed and populated, and which also assures conformity with the Zoning Ordinance.

1.16 Amendments

The Town Board may upon recommendation of the Town Plan Commission amend, supplement or repeal any of these regulations after public notice and hearing and as may be required by Chapter 236 of the Wisconsin Statutes.

1.17 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 building permit, authorizing the building on, or improvement of, any subdivision, minor subdivision or replat within the jurisdiction of this Ordinance 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.

1.18 Penalties

Any person, firm or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than One Hundred dollars (\$100) nor more than One Thousand Dollars (\$1,000) and the costs 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, but not exceeding six (6) months. Each day a violation exists or continues shall constitute a separate offense.

Recordation improperly made has penalties provided in Chapter 236 of the Wisconsin Statutes.

Conveyance of lots in unrecorded plats has penalties provided in Chapter 236 of the Wisconsin Statutes.

Monuments disturbed or not placed have penalties provided in Chapter 236 of the Wisconsin Statutes.

Assessor's Plat made under Chapter 70 of the Wisconsin Statutes may be ordered by the Town at the expense of the Subdivider when a subdivision is created by successive divisions.

1.19 Appeals

Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Chapter 236 and Chapter 62 of the Wisconsin Statutes, within thirty (30) days of notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds that the action of the approving or objecting agency is arbitrary, unreasonable or discriminatory.

1.20 Enactment

This Ordinance shall be effective after a public hearing, adoption by the Town Board and posting as provided by law.

## ARTICLE II - DEFINITIONS

For the purposes of this Ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory. The masculine shall include the feminine. Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows: "and" indicates that all connected items, conditions, provisions or events apply: "or" indicates that one or more of the connected items, conditions, provisions or events apply.

### Access

That part of a parcel of land that abuts a public right-of-way.

### Alley

A public or private right-of-way shown on a plat, which provides secondary access to a lot, block or parcel of land.

### Approval Authority

The Town of Ashippun or County of Dodge, jointly or separately.

### Arterial Street

A street used, or intended to be used, primarily for fast or heavy through traffic. Arterial streets shall include freeways and expressways as well as standard arterial streets, highways and parkways.

### Board

The Town Board of the Town of Ashippun.

### Building Line

A line parallel to a lot line and at a distance from the lot line to comply with the County Zoning Ordinance's yard requirement. Also referred to as Building Setback Line.

### Certified Survey Map

A map intended to be recorded and prepared in accordance with Chapter 236 Wisconsin Statutes.

### Collector Street

A street used, or intended to be used, to carry traffic from minor streets to the major system or arterial streets including the principal entrance street to residential developments.

### Comprehensive Plan

The extensively developed plan, also called a master plan, adopted and certified by the Town Board pursuant to the Wisconsin Statutes as may be amended from time to time, including proposals for future land use, transportation, and public facilities. Implementation devices, such as zoning, official map, land division, and setback ordinances and capital improvement programs are considered a part of the comprehensive plan.

### County Planning Agency

The Committee created by the County Board of Supervisors pursuant to Chapter 59 of the Wisconsin Statutes and authorized to plan land use within the County.

### Cul-de-sac Street

Minor street closed at one end with a turn-around provided for vehicles.

### Deep Absorption System

A soil absorption sewage system for disposal of effluent through the bottom and sides of a hole or trench at a depth of more than three (3) feet below the natural undisturbed surface.

### Density Standard

The number of housing units or new lots allowed by this Ordinance.

### Division of Land

Where the title or any part thereof is transferred by the execution of a land contract, an option to purchase, an offer to purchase and acceptance, a deed, or a certified survey, and a division occurs where any of the above transactions change the title from a joint tenancy in common or from tenancy in common to joint tenancy.

### Driveway Access

The location of any given driveway where it meets the public right-of-way.

### Duplex

A dwelling containing 2 dwelling units.

### Duplex Lot

A lot upon which a duplex is built.

### Dwelling

A structure, or that part of a structure, which is used or intended to be used as a home, a residence or a sleeping place by one or more persons. The term "dwelling" for purposes of this Code does not include boarding or lodging houses, motels, hotels, tents, cabins, or manufactured homes, except manufactured homes attached to or fastened to a permanent foundation.

### Dwelling Unit

One or more rooms, which are arranged, designed, or used as living quarters for one family only.

### Extraterritorial Plat Approval Jurisdiction

That portion of a township which falls within 1.5 miles of a fourth-class city or village and within 3 miles of all other cities.

### Farm Consolidation

The sale of farm acreage to an adjacent farm owner, or a farm owner within an economically efficient distance; or the acquisition of farm acreage from an adjacent farm owner or a farm owner within an economically efficient distance.

### Final Plat

The map or plat which is prepared for recordation by the County Register of Deeds.

### Flag Lot

A parcel of land that is shaped in such a fashion to provide minimum width requirement along the building setback line with a narrow strip of land connecting this frontage with the majority of the parcel located farther from the right-of-way. This configuration does not carry a uniform lot width for the entire depth of the parcel.

### Flood Insurance Rate Map (FIRM)

A map of a community on which the Federal Insurance Administration has delineated both special flood hazard areas (the floodplain) and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency (FEMA).

### Flood Insurance Study Map

A map prepared by the US Department of Housing and Urban Development, designating areas of special flood hazard and flood insurance rate zones for a given community. Flood hazard and insurance rate zones are designated as A-Zones. Said maps form the basis of the regulatory and/or the insurance aspects of the National Flood Insurance Programs.

### Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- \* The overflow or rise of inland waters.
- \* The rapid accumulation or runoff of surface waters from any source.
- \* The sudden increase caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature or by some similarly unusual event.

### Flood Frequency

The probability of a flood occurrence, which is determined from statistical analysis. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent (%) chance of occurring in any given year.

### Flood Fringe

That portion of the floodplain outside the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

### Flood Hazard Boundary Map

A map designating approximate flood hazard areas. Flood hazard areas designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

### Flood Insurance Study

A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

### Flood lands

Those lands, including the floodplains, floodways, and channels, subject to inundation by the one hundred (100) year recurrence interval flood or, where such data are not available, the maximum flood of record.

### Floodplain

Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the flood fringe and may include other designated floodplain areas for regulatory purposes.

### Floodplain Island

A natural geological land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

### Floodway

The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

### Front/Street Line (also called Lot Line or Property Line)

The lot line describing the edge of the lot abutting the street, road or highway right of way. A corner lot shall have two front (or street) property lines.



### Frontage

The smallest dimension of a lot abutting a public street or highway measured along the street line.

### Frontage Street

A minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.

### High-Water Elevation

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

### Immediate Family

Immediate family shall include the father(s), mother(s), sons and daughters of the property owners.

### Improvement, Public

Any sanitary sewer, storm sewer, open channel, water main, roadway, park, parkway, public access, sidewalk, pedestrian way, planting strip, or other facility for which the Town may ultimately assume the responsibility for maintenance and operation.

### Lot

A contiguous and continuous quantity of land in possession of, owned by, or recorded as property of the same claimant, person, persons, or company and having frontage on a public street, occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot depth, lot area, yard, parking area and other open space provisions of this Ordinance and applicable zoning ordinance.

### Lot Area

The area contained within the exterior boundaries of a lot excluding streets, easements and land under navigable bodies of water.

### Lot, Corner

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

### Lot, Double Frontage

A lot which has a pair of opposite lot lines along two substantially parallel streets, and which is not a corner lot. On a double frontage lot, both street lines shall be deemed front lot lines.

### Major Subdivision

The division of a lot, outlet, parcel or tract of land by the owner or his agent, for the purpose of transfer of ownership or building development, where the act of division creates five (5) or more parcels or building sites immediately, or successive divisions within a five (5) year period, whether done by the original owner or a successor owner. The number five (5) includes the initial or original parcel of land.

### Minor Street

A street used, or intended, primarily for access to abutting properties.

### Minor Land Division / Subdivision

Any division of land into four (4) or less parcels of land including the original parcel of land. Also referred to as land division by certified survey map.

### Multi Family

A dwelling containing 3 or more dwelling units.

Multi Family Lot

The lot upon which a multifamily dwelling is built.

Municipality

An incorporated village or city.

Navigable Stream / Waters

All-natural inland lakes and all streams, ponds, sloughs, flowages, and other waters which are navigable under the laws of this State. Under Chapter 144 of Wisconsin Statutes, notwithstanding any other provisions of law or administrative rule promulgated thereunder, Shoreland Ordinances required under Chapter 59, Wisconsin Statutes and Chapter NR 115, Wisconsin Administrative Code, do not apply to lands adjacent to farm drainage ditches if:

- Such lands are not adjacent to a natural navigable stream or river,
- Those parts of such drainage ditches adjacent to such lands were non-navigable streams before ditching or had no previous stream history; and
- Such lands are maintained in nonstructural agricultural use.

Wisconsin's Supreme Court has declared navigable bodies of water that have a bed differentiated by adjacent uplands and levels or flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis [Muench v. Public Service Commission 261 Wis. 492 (1952) and DeGaynor and Company, Inc, v. Wisconsin Department of Natural Resources, 70 Wis. 2d. 936 (1975)]. A stream that is navigable by skiff or canoe during normal spring highwater is navigable in fact under the laws of this State.

Nonconforming Structures

Any structure lawfully used, occupied or erected at the time of the effective date of this Ordinance or amendments conforming in respect to use by not in respect to frontage, width, height, area, yard, parking, loading, or distance requirements.

Nonconforming Use

Any land or water, lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto, which does not conform to the regulations of this Ordinance or amendments thereto.

Official Floodplain Zoning Map

That map adopted and made part of the Ordinance, which has been approved by the Department of Natural Resources and the Federal Insurance Administration Office of the Federal Emergency Management Agency (FEMA).

Ordinary Highwater Mark

The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Parcel

See Lot definition.

Parcel Identification Number (Tax Parcel Number / PIN)

Numbers assigned to land by the Dodge County Property Description Unit for identification purposes. Also known as tax key numbers. Land with separate parcel identification numbers shall not be considered separate lots or parcels unless they meet the definition of a lot or parcel.

Parent Lot

The lot of record which is used as the basis for determining the number of new lots allowed to be created under the density standard provisions of this Ordinance.

Parkway

A continuous or semi-continuous park, open space area or drive, where the land is owned or reserved for public or semi-public purposes.

Plan Commission

The Town of Ashippun Planning Commission.

Plat

The map and related documents, which are intended to be recorded with and referenced, of a subdivision or minor land division, showing the division of land into lots, blocks, outlots, streets, or other required information.

Preliminary Plat

Preliminary drawings or map indicating the proposed manner and layout of streets, lots, blocks and other salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.

Public Way

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

Remnant Lot

That portion of the parent lot which remains after a new lot (or lots) are created.

Replat

The process of changing, or a map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat. The changing of the boundaries of a recorded plat or part thereof.

Right of Way

A linear strip of land within which linear facilities such as roads, highways, railroad, or power lines are built.

Setback Lines

Lines established along road right-of-ways, property lines, and waterbodies at specified distances from the centerline, encroachment line, or right-of-way line, which prohibits buildings or structures within the setback area between the setback line and the road right-of-way, property line, encroachment or waterbody line.

Shared Driveway

A driveway shall be any such driveway that is ingress/egress by multiple parties for neighboring properties. Maintenance of said driveway shall be equally shared by all parties utilizing said driveway and shall require a Joint Driveway Agreement between parties.

Shared Driveway Access

Shared driveway access shall be the driveway access onto a public road being utilized by neighboring properties. Such shared driveway access shall be limited to the access point onto the right-of-way and those lands lying between said right-of-way line and the building line. Each party is herein responsible for that portion of the access lying within the boundaries of their own parcel. Should said shared driveway access be required to extend past the building line, it shall be considered a shared driveway and shall require a Joint Driveway Agreement as previously noted.

Shorelands

Those lands lying within one thousand (1000) feet from the high-water elevation of navigable lakes, ponds, and flowages or three hundred (300) feet from the high-water elevation of navigable streams or wetlands or to the landward side of the floodplain, whichever is greater.

### Side Yard

A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the nearest point of the principal structure and the property line.

### Single Family Dwelling

A dwelling containing one dwelling unit.

### Single Family Lot

The lot upon which a single-family dwelling is built.

### Soil Test

Those soil tests conducted as specified in COMM 83 Wisconsin Administrative Code.

### Structure

Any construction, excluding fills, or any production of piece of work artificially built or composed of parts joined together in some definite manner having form, shape and utility.

### Subdivider

Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor subdivision or replat.

### Subdivision

The division of a lot, outlot, parcel, or tract of land by the owner thereof, or his agent for the purpose of transfer of ownership or building development. Non-contiguous land parcels under a single ownership may be divided independently of each other for purposes of this ordinance. The existence of separate tax parcels within a larger parcel does not constitute a subdivision unless said tax parcel is separated by a street, highway, road or waterway.

### Town

The Town of Ashippun Town Board.

### Town Engineer

As designated from time to time by the Town Board.

### Unnecessary Hardship

Where unique and extreme conditions affecting a particular property, which were not self-created or solely related to economic gain or loss, have made strict conformity with provisions of the Ordinance governing dimensional standards such as areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the Ordinance.

~~Unnecessary hardship is present only where, in the absence of a variance, no feasible use can be made of the property.~~

### Variance

An authorization by a Town review body for the construction or maintenance of a building or structure in a manner that is inconsistent with dimensional standards, but not uses, contained in the Ordinance upon determination of an unnecessary hardship and other approval criteria listed in Article II.

### Vegetative Buffer Zone

Vegetative buffer zone shall mean an area of undisturbed (no mow) or restored native vegetation that consists of three layers, ground cover shrub layer and tree canopy. The vegetative buffer zone shall cover at least 70 percent of the width of the lot and extended landward one-half of the required shoreland setback area that is nearest the water.

### Wetlands

Those areas where water is at, near or above the land surface long enough to support aquatic or hydrophilic vegetation and which have soils indicative of wet conditions, including lands which are partially or wholly covered

by marshland flora and generally covered with shallow standing water or lands which are wet and spongy due to high water table.

Wetland Inventory Map

Wetland Inventory Map shall be the map prepared by the Wisconsin Department of Natural Resources dated September 19, 1994, and as updated.

Wisconsin Administrative Code

The rules of administrative agencies having rule-making authority in Wisconsin, published in a loose-leaf, continual revision system as directed by Chapter 35 and Chapter 227 of the Wisconsin Statutes, including subsequent amendments to those rules.

## ARTICLE III - PROCEDURE

### 3.1 General Procedure

Prior to filing an application, a subdivider shall consult with the Town Plan Commission to discuss required procedures, applicable plans and ordinances, and the general expectations of the Town. The Town of Ashippun shall require a subdivider to enter into an agreement for the dedication of land and installation of improvements as a condition of approval. The Town board shall require, as a condition of approval, that no further division of a parcel may occur for a period of five (5) years from the date of recording of a plat.

### 3.2 Minor Subdivision/ Certified Survey

When it is proposed to divide land into not more than four (4) parcels or building sites (including the parent parcel) the subdivider may use a Certified Survey Map.

#### A. Letter of Intent.

The subdivider shall submit to the Town Clerk a letter of intent on a form provided.

#### B. Sketch Map

Accompanying the letter of intent, the subdivider shall submit a sketch map at a scale of 1" = 200' or other appropriate scale. More than one sketch map may be used but they shall be at the same scale and no one map shall be larger than 8½" x 14". Each submission shall include all contiguously owned land except the sketch need not show more than twenty (20) times the area of the intended certified survey.

#### C. Submission, Review and Formal Action

The letter and sketch map shall be submitted at least 15 days prior to the Plan Commission meeting where the submittal will be discussed. The letter and sketch map shall be reviewed by the Town Plan Commission for conformance with this Ordinance and all ordinances, rules, regulations and plans which affect it. The Town Plan Commission shall recommend tentative approval, conditional approval or rejection of the proposed certified survey project and shall transmit the letter of intent and sketch map along with its recommendations to the Town Board.

The Town Board shall within 90 days of receiving a complete submittal for a land division request, review and tentatively approve, conditionally approve or deny the letter of intent and sketch map pending submission of the final certified survey map, unless the time is extended by mutual written agreement with the subdivider. Tentative approval shall assure final approval if the certified survey submitted within six (6) months is substantially the same plan and all requirements delineated as conditional approval for division have been met. The Town Board shall transmit in writing any conditions for approval or reasons for denial / rejection to the party requesting action by the Town Board within 30 days of the formal action.

#### D. Certified Survey

A certified survey map prepared by a registered land surveyor shall be required for all minor subdivisions. It shall comply in all respects with the requirements of Chapter 236 of the Wisconsin Statutes. The minor subdivision shall comply with the design standards set forth in this Ordinance. Any improvements necessary for proper use of the subject parcels shall be required as specified by this Ordinance.

The subdivider shall submit ten (10) copies (along with the individual lot percolation tests and soil borings for lots not served by public sewer) to the Town Clerk at least fifteen (15) days prior to the meeting of the Town Plan Commission at which action is desired.

The Town Clerk shall, within two (2) days after filing, transmit the 10 copies of the Map to the Town Plan Commission.

The Town Plan Commission shall transmit a copy of the Map to all affected Town commissions and departments for their review and recommendations concerning matters within their jurisdiction. Their recommendations shall be transmitted to the Town Plan Commission within ten (10) days from the date the Map is filed. The Map shall be reviewed by the Town Plan Commission for conformance with this Ordinance and all ordinances, rules, regulations, and plans which affect it. The Town Plan Commission shall recommend approval, conditional approval or rejection of the Map, and shall transmit the Map along with its recommendations to the Town Board.

The Town Board shall approve, approve conditionally, or reject such Map within ninety (90) days from the date of filing of the Map unless the time is extended by mutual written agreement with the subdivider. If the Map is rejected, the reason shall be stated in the minutes of the meeting and a written statement forwarded to the subdivider within 30 days of the action. If the Map is approved, the Town Board shall cause the Town Clerk to so certify on the face of the original Map and return the Map to the subdivider.

The Certified Survey Map shall be recorded with the County Register of Deeds after the certificates of the Town Board and the surveyor are placed on the face of the Map. The subdivider shall record the Map within 6 months after the date of the last approval of the map by the Town Board.

### 3.3 Major Subdivision / Preliminary Plat

The subdivider of five (5) or more lots (including the parent parcel) shall prepare a Preliminary Plat and a letter of application for submittal at least 30 days prior to the Plan Commission Meeting. The Preliminary Plat shall be prepared in accordance with this Ordinance, and the subdivider shall file an adequate number of copies of the Plat and the application with the Town Clerk. The number of copies to be submitted shall be as follows:

- Twelve (12) copies for the Town along with two (2) copies of soil borings for on-site sanitary facilities.
- Four (4) copies for Dodge County Land Resources and Parks along with one (1) copy of soil percolation and boring results.
- Two (2) copies for the State Department of Administration.
- Two (2) copies for the State Department of Transportation if the plat abuts or adjoins a state trunk highway or connecting street.
- One (1) copy for each utility company serving the area in which the plat is located.

The Town Clerk shall, within two (2) days after a preliminary plat is submitted, transmit four (4) copies of the plat to the County Planning Agency and two (2) copies for each of the state agencies required to review the plat.

Within twenty days of the date of receiving copies of the preliminary plat and a complete submittal packet, any agency having objection authority shall notify the subdivider and all approving authorities of any objection which it may have, based upon failure of the plat to comply with the Statutes or rules which it is authorized to cover; if there are no objections, it shall so certify on a copy of the plat and return that copy to the Town. If any objecting agency fails to act within the time period specified, it shall be deemed to have no objection to the plat.

The Town Clerk shall submit a sufficient number of copies to the Town Plan Commission for their review and recommendations. The Preliminary Plat shall be reviewed for conformance with this Ordinance and all ordinances, rules, regulations, and plans which affect it. The Plan Commission shall report their recommendations to the Town Board.

The Board, within ninety (90) days of the date of filing of Preliminary Plat and complete submittal packet with the Clerk, shall approve, approve conditionally, or reject such Plat unless the time is extended by mutual written agreement with the subdivider. Approval shall constitute preliminary acceptance of any dedications of land to the Town of Ashippun. One (1) 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 rejection shall accompany the Plat. One (1) copy of the Plat and letter shall be permanently filed. Failure of the Board to act within the ninety (90) days or extension thereof, shall constitute approval.

Approval or conditional approval of a Preliminary Plat shall constitute approval of the Final Plat, if the Final Plat is submitted within six (6) months of preliminary plat approval and conforms substantially to the preliminary plat layout as indicated in Chapter 236 of the Wisconsin Statutes. Preliminary Plat approval or conditional approval of the layout submitted shall guide the preparation of the Final Plat. Construction may not commence until approval has been granted by all appropriate agencies. Where the Town finds the additional information relative to a particular issue presented by a proposed development is needed to review the Preliminary Plat, it shall have the authority to request in writing such information from the Subdivider. See Article IV of this Ordinance. Such additional information may include, but not limited to, such items as Street Construction Plans, Grading Plans, Stormwater Management / Erosion Control Plan, Utility Plans, and/or Developer's Agreement. Improvements would not be allowed to begin until said plans / agreement were approved by the Town and all appropriate agencies.

#### 3.4 Major Subdivision / Final Plat

The subdivider shall prepare a Final Plat and a letter of application in accordance with this Ordinance and shall file the same number of copies of the Plat and application as with the preliminary plat with the Town Clerk at least thirty (30) days prior to the meeting of the Board at which action is desired.

The Town Clerk shall, within two (2) days after a final plat is submitted, transmit four (4) copies of the plat to the County Planning Agency; and two (2) copies for each of the state agencies required to review the plat.

In lieu of this procedure, the subdivider may submit the original plat directly to the ~~department,~~ State of Wisconsin Department of Administrative Plat Review, which shall forward 2 copies to each of the agencies authorized by the State Statute to object. The department shall have the required number of copies made at the subdivider's expense. Within twenty (20) days of the date of receiving copies of the plat, any agency having authority to object shall notify the subdivider in accordance with Section 236.12(6) of the Wisconsin Statutes.

Within twenty (20) days of the date of receiving the copies of the plat, any objecting agency shall notify the subdivider, and all agencies having the authority to object, of any objection based upon failure of the plat to comply with the statutes or rules, which it is authorized to cover. If an agency fails to act within twenty (20) days from the date of receipt of copies of the plat it shall be deemed to have no objections to the plat.

The Town Plan Commission shall examine the Final Plat as to its conformance with the approved Preliminary Plat, this Ordinance and all ordinances, rules, regulations, or plans which may affect the plat. The Plan Commission shall recommend approval, conditional approval or rejection of the Plat and shall transmit the Final Plat along with its recommendation to the Town Board.

The Final Plat may, with Board permission, constitute only that portion of the approved Preliminary Plat, which the subdivider proposes to record at the time. Approval of a Final Plat for a portion of the preliminary plat shall extend approval for the remaining portion of the preliminary plat for one (1) year from the date of final plat approval.



The Final Plat may be rejected if it is not submitted within six (6) months of the date of Preliminary Plat approval unless the time is extended by mutual written agreement with the Subdivider and Town. Approval cannot be granted until all formal objections of the objecting agencies are satisfied.

The Town Board shall, within ninety (90) days of the date of filing the final plat and complete submittal packet with the Clerk, approve or reject such Plat unless the time is extended by mutual written agreement with the subdivider. Approval shall constitute acceptance of any dedications of land to the Town of Ashippun. If the Plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons forwarded to the subdivider. The Board shall inscribe its approval on the Final Plat only after the Clerk certifies on the face of the Plat that the copies were forwarded to objecting agencies as required herein, the date thereof, and that no objections were filed within twenty (20) days or, if filed, have been met. Failure of the Board to act within ninety (90) days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.

A. Recordation

After the Final Plat has been approved by the Town Board and required improvements either installed or a contract and sureties insuring their installation is filed, the Clerk shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Plat returned to the subdivider for recording with the County Register of Deeds. The Register of Deeds cannot record the Plat unless it is offered within 6 months from the date of last approval and within 24 months of the first approval.

B. Copies

The subdivider shall submit ten (10) copies of the Final Plat to the Town Clerk for distribution to the approving agencies and other affected agencies for their files.

3.5

Replats

When it is proposed to replat all or any part of a recorded subdivision, if it alters areas dedicated to the public, the subdivider or person wishing to replat shall vacate or alter the recorded plat as provided in Chapter 236 of the Wisconsin Statutes, at the subdivider's expense. The subdivider or person wishing to replat, shall then proceed as specified in Article III of this Ordinance.

The Town Clerk shall schedule a public hearing before the Town Plan Commission when a Preliminary Plat of a replat of land is filed, and shall mail notices of the proposed Replat and public hearing to the owners of all properties within the limits of the exterior boundaries of the proposed Replat and to the owners of all properties within two hundred (200) feet of the exterior boundaries of the proposed Replat.

#### ARTICLE IV - REQUIRED INFORMATION

4.1

Certified Survey Map (Minor Subdivisions)

A certified survey map prepared by a registered land surveyor shall be required for all minor subdivisions. It shall comply in all respects with the requirements of Chapter 236 of the Wisconsin Statutes and with the improvement requirements and design standards set forth in this Ordinance.

A. Letter of Intent

The Letter of Intent shall specify:

1. The name and address of the owner of the property, the subdivider and the surveyor.
2. The names and addresses of all prospective buyers.
3. The location and size of the property.
4. The present and intended future use of the land.
5. The estimated timetable for development.

B. Sketch Map

The sketch map shall show the following:

1. North arrow, date, scale and reference to a section corner.
2. Approximate dimensions and areas of the parcels and easements.
3. The location of existing buildings, water wells, sewage systems, watercourses, drainage ditches and other pertinent features.
4. Setback or building lines required by any approving agency.
5. The uses of the land adjacent to the property and existing roads, easements of record, public access to navigable waters, dedicated areas and utilities.
6. The Town Board may require a proposed subdivision layout of all or part of contiguously owned land even though division is not planned at the time.
7. The Town Board may require two-foot contour maps prepared by a registered surveyor or engineer in floodplain areas.
8. The Town Board may require individual lot soil borings for on-site sanitary facilities where limiting conditions are suspected.
9. The deed for the property shall be attached.
10. If the property is in Managed Forest, Farmland Preservation, Forest Cropland, WRP Program or the CRP Program, a copy of the contract shall be attached.
11. A stormwater management/erosion control plan, road construction plans and/or utility construction plans may be required prior to Final Approval.

C. Certified Survey

The map shall show correctly on its' face, in addition to the information required by Chapter 236 of the Wisconsin Statutes, the following:

1. Date of Map and graphic scale.
2. Name and Address of the owner, subdivider and surveyor.
3. All existing buildings, watercourses, drainage ditches and other features pertinent to proper division.

4. Names, locations and widths of adjoining streets, highways, parks, cemeteries, subdivisions, surface water and wetlands.
5. Acreage included in each parcel.
6. Floodplain and shoreland boundaries and the contour line lying a vertical distance of two (2) feet above the elevation of the one hundred (100) year recurrence interval flood, or, where such data are not available, a vertical distance of two (2) feet above the elevation of the maximum flood of record. Wetland boundaries as delineated on Wisconsin Department of Natural Resources Wetland Inventory Map dated September 19, 1994, or a revised boundary as established by wetland delineation shall also be shown.
7. Location of individual lot soil boring and percolation tests, as required by COMM 83 of the Wisconsin Administrative Code for all lots not served by public sewer. The results of the tests shall be submitted with the Map.
8. Setbacks or building lines required by any approving or reviewing agency.
9. All lands being dedicated or reserved for future public acquisition.
10. Drainage and utility easements.
11. Where the map is located within a quarter section the corners of which have been relocated, monumented and coordinated, the Map 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 of the monument marking the relocated section or quarter corner to which the Map is tied shall be indicated on the Map. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone.
12. The surveyor shall certify on the face of the Map that he has fully complied with all the provisions of this Ordinance.
13. Where the Town Board finds that it requires additional information to review the Certified Survey Map relative to a particular problem presented by a proposed development, it shall have the authority to request in writing, such information from the subdivider as it feels is required. This includes, but is not limited to, the request for a wetland delineation, stormwater management/erosion control plan, road construction plans, and/or utility construction plans.

#### 4.2 Preliminary Plat (Major Subdivisions)

A preliminary plat is required for all major subdivisions and shall be based upon a survey by a registered land surveyor and the plat prepared on tracing cloth or paper of good quality at a scale of not more than one hundred (100) feet to the inch and shall show correctly on its face, the following:

1. Title under which the proposed subdivision is to be recorded.
2. Location of the proposed subdivision by government lot, quarter section, township, range, county and state.
3. Date, scale and north arrow.
4. Names and addresses of the owner, subdivider and land surveyor.

5. Entire area contiguous to the proposed plat owned or controlled by the subdivider, even though only a portion of said area is proposed for immediate development. The Town may waive this requirement where it is unnecessary to fulfill the purpose and intent of this Ordinance and undue hardship would result from strict application thereof.
6. Exact length and bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the U.S. Public Land Survey and the total acreage encompassed thereby.
7. Locations of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other significant features within the tract being subdivided or immediately adjacent thereto.
8. Location, right-of-way width and names of all existing and proposed streets, alleys or other public ways, easements, railroad and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.
9. Location and names of any adjacent subdivisions, parks and cemeteries, and owners of record of abutting unplatted lands.
10. Type, width and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations.
11. Location, size and invert elevation of any existing sanitary or storm sewers, culverts, and drain pipes, manholes, catch-basins, hydrants, electric and communication facilities, whether overhead or underground and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such facilities, which might be extended to serve the tract shall be indicated by the direction and distance from the tract, size and invert elevations.
12. Corporate limit lines within the exterior boundaries of the plat or immediately adjacent thereto.
13. Existing zoning on and adjacent to the proposed subdivision.
14. Contours within the exterior boundaries of the plat and extending to the centerline of adjacent public streets to National Map Accuracy Standards based upon Mean Sea Level Datum at vertical intervals of two (2) feet. At least two (2) permanent bench marks shall be located in the immediate vicinity of the plat; the location of the bench marks shall be indicated on the plat, together with their elevations referenced to Mean Sea Level Datum and the monumentation of the bench marks clearly and completely described. Where in the judgment of the Board undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used.
15. High-water and current elevation of all ponds, streams, rivers, lakes, flowages, and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom.
16. Floodplain boundaries and the contour line lying a vertical distance of two (2) feet above the elevation of the one hundred (100) year recurrence interval flood or, where such data are not available, two (2) feet above the elevation of the maximum flood of record within the exterior boundaries of the plat or within one hundred (100) feet therefrom. Wetland boundaries as delineated on Wisconsin Department of Natural Resources Wetland

Inventory Map dated September 19, 1994, or a revised boundary as established by wetland delineation shall also be shown.

17. Soil types and their boundaries, as shown on the operational soil survey maps prepared by the U.S. Department of Agriculture, Soil Conservation Service.
18. Location and results of soil boring tests within the exterior boundaries of the plat conducted in accordance with COMM 83 of the Wisconsin Administrative Code and delineation of areas with three (3) foot and six (6) foot groundwater and bedrock levels where the subdivision will not be served by public sanitary sewer.
19. Location and results of soil boring tests for sanitary facilities within the exterior boundaries of the plat conducted in accordance with COMM 83 of the Wisconsin Administrative Code where the subdivision will not be served by public sanitary sewer.
20. Approximate dimensions of all lots, with proposed lot and block numbers.
21. Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainage ways, or other public use.
22. Approximate radii of all curves.
23. Any proposed lake or river with a small drawing clearly indicating the location of the proposed subdivision in relation to access.
24. Any proposed lake or river improvement or relocation and notice of application for approval by the Division of Environmental Protection, Department of Natural Resources, when applicable.
25. Where the Town finds that additional information relative to a particular issue presented by a proposed development is needed to review the preliminary plat, it shall have the authority to request in writing such information from the subdivider.

A. Construction Plans

1. Street Construction Plans

The Town shall require that the subdivider 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. All elevations shall be based upon the same datum as above. Plans and profiles shall be approved by the Town.

2. Grading Plan

Grading plans for the lots or other areas in the proposed development shall be prepared and submitted for review and approval prior to the commencement of grading and construction. Grading, topsoil removal, mineral extraction, stream course changing, road cutting, waterway construction or enlargement, removal of stream or lake bed materials, excavation, channel clearing, ditching, drain tile laying, dredging, and lagooning, shall be so conducted as to prevent erosion and sedimentation and to least disturb the natural fauna, flora, watercourse, water regimen and topography. No such activities shall be permitted on lands to be dedicated or held for public acquisition without the written consent of the Town Board.

3. Stormwater Management / Erosion Control Plans

Storm water drainage and erosion control plans shall be prepared and submitted along with other grading and road construction plans and shall indicate how surface water runoff is to be accommodated on the development and on downstream properties. See Article V of this Ordinance for stormwater management/control plan requirements.

If the Town determines from review of the preliminary plat that the soil, slope, vegetation, or drainage characteristics of the site require substantial cutting, clearing, grading, and other earthmoving operations in developing the subdivision or otherwise entail an erosion hazard, it may require the subdivider to provide soil erosion and sedimentation control plans and specifications. The Town may also request a review of such plans by the County Land Conservation Department.

4. Commencement of Construction

All plans and profiles as set forth above shall be prepared in accordance with the provisions of this Ordinance and any other appropriate ordinance or standards in force in the Town. All elevations shall be based upon Mean Sea Level Datum and shall be subject to review by the Town Engineer. No construction of any kind may commence until the Preliminary Plat has been approved by all agencies and until the plans for roads, ditches, erosion and sediment control, and lot grading have been reviewed and approved by the Town Plan Commission and Town Board.

B. Developer's Agreement

Subdivider and Town shall enter into an agreement for the development which sets conditions for the completion of the development, IE bonds and guarantees, timelines, landscaping, etc.

C. Covenants

The Board shall require submission of a draft of protective covenants whereby the subdivider intends to regulate land use in the proposed subdivision. Such covenants shall be attached to each property deed at the time of sale.

D. 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.

4.3 Final Plat (Major Subdivisions)

A Final Plat prepared by a registered land surveyor is required for all major subdivisions. It shall comply in all respects with the requirements of Chapter 236 of the Wisconsin Statutes. The Plat shall show correctly on its face, in addition to the information required by Chapter 236 of the Wisconsin Statutes, the following:

1. Exact street width along the line of any obliquely intersecting street.
2. Floodplain and shoreland boundaries and the contour line lying a vertical distance of two (2) feet above the elevation of the one hundred (100) year recurrence interval flood, or, where such data are not available, a vertical distance of two (2) feet above the elevation of the maximum flood of record. Wetland boundaries as delineated on Wisconsin Department of Natural Resources Wetland Inventory Map dated September 19, 1994, or a revised boundary as established by wetland delineation shall be shown.

3. Location of individual lot soil boring tests as required by COMM 83 of the Wisconsin Administrative Code for all lots not served by public sewer. The results of the tests shall be submitted with the Plat.
4. Railroad rights-of-way within and abutting the Plat.
5. Setbacks or building lines required by any approving or reviewing agency.
6. All lands reserved for future public acquisition or the common use of property owners within the plat. If property reserved for common use is located within the subdivision, provisions and plans for its use and maintenance shall be submitted with the Plat.
7. Drainage and utility easements.
8. Special restrictions required by the Town Board and other approving or objecting agencies relating to access control along public ways, shorelands or flood lands.
9. Where the Town finds that additional information relative to a particular issue presented by a proposed development is needed to review the Final Plat, it shall have the authority to request in writing such information from the subdivider.
  - A. Deed Restrictions  
The Town Board shall require that deed restrictions / covenants be filed with the Final Plat.

- B. Survey Accuracy  
A qualified person shall examine all Final Plats and field check the accuracy and closure of survey, proper kind and location of monuments and legibility and completeness of the drawing.
- C. Surveying and Monumenting  
All Final Plats shall meet all the surveying and monumenting requirements of Chapter 236 of the Wisconsin Statutes.
- D. Relocate Quarter Section Corners  
Where the Plat is located within a quarter section the corners of which have been relocated, monumented and coordinated by the County, 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 of the monument marking the relocated section or quarter corner to which the Plat is tied shall be indicated on the Plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone.
- E. Certificates  
All Final Plats shall provide all the certificates required by Chapter 236 of the Wisconsin Statutes; and, in addition, the surveyor shall certify that he has fully complied with all provisions of this Ordinance.



ARTICLE V - DESIGN STANDARDS – MAJOR SUBDIVISION

5.1

Lot and Block Layout

Lot and block layouts shall recognize the capacity of the soil and water resources and shall be designed to least disturb the existing terrain, flora, fauna, and water regimen and to meet the County Zoning and Sanitary Ordinances.

A. Lots

The size, shape and orientation of lots shall be appropriate for their location and the type of development contemplated, and shall conform to the following lot size, width and density requirements.

1. Minimum Lot Size and Width

a. Single Family Lots

Lots served with public sanitary sewer shall be a minimum of eighteen thousand (18,000) square feet, a maximum of forty-three thousand (43,000) square feet.

When 2 or more new lots are created the development shall have an average lots size of twenty thousand (20,000) square feet. All outlots created by the development and all remnant / parent parcels shall not be used in the calculation of the average lot size for the newly created parcels. The lot width shall be a minimum of eighty (80) feet of width at the building line. A minimum of eighty (80) feet of width is required at the front lot line of the street or road, except on cul-de-sac bulbs where a minimum of sixty (60) feet of width at the front lot line shall be required. In areas where the Plan Commission finds the abutting road has a curve that is substantially similar to the curve of a cul-de-sac bulb, the Plan Commission may allow the width to be reduced to a minimum of sixty (60) feet at the front lot line.

b. Duplex Lots

Duplex lots served with public sanitary sewer shall be a minimum of twenty-two thousand (22,000) square feet, a maximum of forty-three thousand (43,000) square feet. When 2 or more new lots are created the proposed development shall have an average duplex lot size of twenty-four (24,000) square feet. All outlots created by the development and all remnant/parent parcels shall not be used in the calculation of the average lot size for the newly created parcels. The lot width shall be a minimum of one hundred fifty (150) feet of width at the building line. A minimum of one hundred (100) feet of width is required at the front lot line of the street or road, except on cul-de-sac bulbs where a minimum of eighty (80) feet at the front lot line shall be required. In areas where the Plan Commission finds the abutting road has a curve that is substantially similar to the curve of a cul-de-sac bulb, the Plan Commission may allow the width to be reduced to a minimum of eighty (80) feet at the front lot line.

c. Multi Family Lots

Multifamily lots served with public sanitary sewer shall be a minimum of forty thousand (40,000) square feet, a maximum of one hundred thousand (100,000) square feet. For each dwelling unit over 4, the minimum and maximum sizes increase by six thousand (6,000) square feet. All outlots

created by the development and all remnant/parent parcels shall not be used in the calculation of the average lot size for the newly created parcels. The lot width shall be a minimum of one hundred and fifty (150) feet of width at the building line. A minimum of one hundred twenty (120) feet of width is required at the front lot line of the street or road, except on cul-de-sac bulbs where a minimum of eighty (80) feet at the front lot line shall be required. In area where the Plan Commission finds the abutting road has a curve that is substantially similar to the curve of a cul-de-sac bulb, the Plan Commission may allow the width to be reduced to a minimum of eighty (80) feet at the front lot line.

d. Single Family Lots

Single family lots not served with public sanitary sewer, which shall have access onto a minor street or onto an arterial or collector street, as identified on the Town of Ashippun Official Map, shall be a minimum of one (1) acre and a maximum of two (2) acres with at least one hundred fifty (150) feet of width at the building line and front lot line at the street or road while maintaining adequate site distance between driveways. A minimum of eighty (80) feet of width is required at the front lot line of the street or road, except on cul-de-sac bulbs where a minimum of sixth (60) feet at the front lot line shall be required. In areas where the Plan Commission finds the abutting road has a curve that is substantially similar to the curve of a cul-de-sac bulb, the Plan Commission may allow the width to be reduced to a minimum of sixty (60) feet at the front lot line.

e. Duplex Lots

Duplex lots not served with public sanitary sewer, which shall have access onto a minor street or onto an arterial or collector street, as identified on the Town of Ashippun Official Map, shall be minimum of one (1) acre and a maximum of two (2) acres with at least two hundred fifty (250) feet of width at the building line and front lot line at the street or road while maintaining adequate site distance between driveways. A minimum of one hundred (100) feet of width is required at the front lot line of the street or road, except on cul-de-sac bulbs where a minimum of eighty (80) feet at the front lot line shall be required. In areas where the Plan Commission finds the abutting road has a curve that is substantially similar to the curve of a cul-de-sac bulb, the Plan Commission may allow the width to be reduced to a minimum of eighty (80) feet at the front lot line.

f. Multi Family Lots

Multifamily lots not served with public sanitary sewer, which shall have access onto a minor street or onto an arterial or collector street, as identified on the Town of Ashippun Official Map, shall be a minimum of five (5) acres and a maximum of ten (10) acres with at least five hundred (500) feet of width at the building line and front lot line at the street or road while maintaining adequate site distance between driveways. Multifamily lots not served by the sanitary district shall be approved only upon determination of an unnecessary hardship and other approval criteria listed in Article II. A minimum of one hundred twenty (120) feet of width is required at the front lot line of the street or road, except on cul-de-sac bulbs where a minimum of eighty (80) feet at the front lot line shall be required. In areas where the Plan Commission finds the abutting road has a curve that is substantially similar to the curve of a cul-de-sac bulb, the

Plan Commission may allow the width to be reduced to a minimum of eighty (80) feet at the front lot line.

2. Density / Use Standards

Non-farm Residential Uses in Agricultural Districts (A-1 and A-2):

Single-family residential dwellings, including previously existing farm dwellings and buildings resulting from farm consolidation, that are located on separate non-farm residential lots or parcels divided from a farm parent tract are subject to the following limitations and requirements:

- a. The number of non-farm lots that can be divided from a parent tract shall be limited in order to provide for the retention of the remaining lands for exclusively agricultural purposes. Therefore, parent tracts comprised of a minimum of 15 contiguous, gross acres are granted limited non-farm development rights as provided below.

The right to divide and develop one (1) non-farm lot is granted for the first fifteen (15) contiguous acres and one (1) additional non-farm development right for each additional fifty (50) acres. As an example, the total number of non-farm lots that can be divided from parent tracts of a given size are noted as below:

Parent Tract Size (contiguous acres)	Total Development Rights: Non-Farm Lots	Total Development Rights: Non-Farm plus Farm (includes one development right per farm parent tract)
0-14.9	0	1
15.0-64.9	1	2
65.0-114.9	2	3
115.0-164.9	3	4

- a. Except for lots created to include previously existing farm dwellings and other farm buildings, non-farm lots created by division from a parent tract shall be limited in size as established in 5.1.A.1.a or 5.1.A.1.b of this code, whichever applies, with a preference for the smallest practical size necessary to accommodate on-site sanitary disposal requirements except where soil and other characteristics of the land necessitate larger lots in order to accommodate safe and efficient septic system location, vehicle access, and logical land division.
- b. The maximum lot area requirement may be increased up to three (3) acres where the creation of a lot equal or less than the two (2) acre maximum requirement would result in the creation of outlots that cannot be logically included as part of the original agricultural land and used for agricultural purposes, or where, in the opinion of the Plan Commission, an increase in the maximum area will result in a more logical layout or parcel configuration.

- c. Non-farm lots that include previously existing farm dwellings and other farm buildings shall have a minimum area in accordance with 5.1.A.1.a or 5.1.A.1.b of this code, whichever applies, and a maximum area to be determined based on the provisions of a buffer yard surrounding the existing dwelling and other buildings remaining after the proposed farm consolidation and/or land division.

The minimum buffer yard width and landscaping requirements (if any) shall be determined by the Plan Commission and should be the minimum required to adequately buffer farm and non-farmland uses given existing site characteristics, e.g. Topography, vegetation, etc. The maximum buffer yard width and landscaping requirements (if any) shall be determined by the Plan Commission and shall be not more than one hundred (100) feet in width unless this requirement would result in the creation of odd-shaped remnants or outlots that are impractical to use for agricultural purposes or when it is the opinion of the Plan Commission, an increase in the buffer yard width is necessary to adequately buffer farm and non-farm land uses or results in a more logical layout and parcel configuration.

- d. In approving the creation of new parcels and for granting Conditional Use Permit for non-farm uses in the Agricultural District, the Plan Commission shall make the following determinations:

1. The proposed non-farm uses will not adversely affect agricultural operations in surrounding areas.
2. The Dodge County Soils Survey Map will be referenced to determine if Class I or Class II soils are within the proposed site. (See Appendix A for list of Class I and Class II Soils). Areas with Class I Soils shall be preserved for farming activity. Areas with Class II and other soils may be used for proposed non-farm uses if they are not well suited for agricultural use by virtue of wooded areas, topography, or shape or parcel.
3. The site(s) proposed for non-farm uses is particularly well suited for such use as indicated by rolling topography, wooded areas, soil types, vistas, proximity to lakes, streams, or other similar factors, proximity to school bus routes, traffic access and safety and adequacy of area schools to accommodate increased enrollment that might result from such development;
4. Where and when practical, non-farm lots should be located on that area of a parent tract that is less suitable for agricultural uses than other areas within the parent tract; the configuration and layout of non-farm lots should follow existing tree lines, stone fences, and similar features, preserve such features as a natural buffer between said lots and agricultural uses of adjacent areas, and where, necessary, accommodate existing buildings and structures. The length of shared property lines between farm and non-farm lots shall be minimized.
5. The proposed non-farm use would be in conformance with the Town of Ashippun Comprehensive Plan

3. Side Lot Lines

Side lot lines shall be at right angles to street lines on which the lots face, wherever possible. If not practical, side lot lines may be modified to 80-100 degrees to the

street lines on which the lots face. Lot lines shall not cross municipal boundaries. Driveway access shall not be placed in a side lot.

4. Double Frontage and Reverse Frontage Lots

Double frontage and reverse frontage lots are prohibited except where necessary to separate development from through traffic or to overcome specific disadvantages of topography and orientation.

5. Depth

Single Family lots shall normally have a minimum depth of one hundred fifty (150) feet. Excessive depth in relation to width shall be avoided. A proportion of two to one (2:1) is normally considered desirable. Depth of Duplex lots and Multifamily lots shall be adequate to provide for off street service and parking. Depth of lots or parcels laid out for commercial or industrial use shall be adequate to provide for off street service and parking required by zoning for the use contemplated. .

6. Waterfronts

Lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in plats abutting a lake or stream. All lands under option to the subdivider or to which he holds any interest that abut the proposed subdivision and a lake or stream shall also be included.

7. Access

All lots must abut a public street Under special conditions a private road may be utilized in accordance with the applicable provisions of the zoning ordinance.

Driveways shall not exceed 1,000 ft. in length in accordance with Dodge County requirements.

Driveway spacing on local roads shall meet a minimum 300 ft. On County roads (including but not limited to CTH O, CTH P, CTH MM, and CTH EE), driveway spacing shall be a minimum of 500 ft. apart or shall meet the requirements of the Dodge County Land Use Code. Driveway spacing on STH 67 shall meet the requirements set forth by the Wisconsin Department of Transportation.

Shared driveways shall not be allowed, but shared access points may be acceptable, depending on the circumstances. If driveways share an access point, a culvert shall be placed the required distance with a band at the property line for easy removal of the culvert sections for future maintenance.

The minimum driveway width shall be a minimum of twelve (12) feet and a maximum of twenty-four (24) feet for residential use. . A shared access point shall have a minimum width of twenty (20) feet with a maximum of twenty-four (24) feet with the center of the driveway at the property line.

B. Blocks

1. Length and Shape

The length and shape of blocks shall be determined by: provisions for building sites suitable to the type of use contemplated; zoning ordinance lot size and dimension requirements; convenient property access; traffic circulation, traffic safety; and limitation and opportunities of topography. Block lengths shall

normally not exceed two thousand (2,000) feet or be less than six hundred (600) feet.

2. Width

Blocks shall generally have sufficient width to provide for two (2) tiers of lots of appropriate depth except where otherwise required to separate development from through traffic.

5.2 Public Sites and Open Spaces

In the design of the plat, due consideration shall be given to the reservation of suitable sites of adequate size for future public purposes. If designated on the official map, or plans, such areas shall be made a part of the plat as stipulated in Section 1.10 of these regulations. If not so designated, the preservation of scenic and historic sites, stands of trees, marshes, ponds, streams, shorelands, ravines and other natural features should be considered.

5.3 Easements

A. Pedestrian Easements

Pedestrian easements or dedications of not less than twenty (20) in width may be required near the center and entirely across any block over nine hundred (900) feet in length where deemed necessary by the Town Plan Commission to provide pedestrian walkways.

B. Utility Easements

Utility easements shall be required where deemed necessary by those utility companies having installations in the plat. The utility companies shall review all plats to determine whether easements will be necessary and where they should be required.

C. Drainage Easements

Where a subdivision is traversed by a drainageway or stream, an easement shall be required as deemed necessary by the Town Engineer. The location, width, alignment, and improvement of such drainageway or easement shall be subject to approval by the Town Engineer or the County and parallel streets may be required in connection therewith. Where necessary, storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow, subject to review and approval by the Town Engineer. The Town or County may require these channels to be enclosed with pipe.

5.4 Streets

A. Standards and Specifications

Construction methods and material shall conform to the requirements of the State of Wisconsin Standard Specifications for road and bridge construction, latest edition, except as amended by these standards.

B. Acceptance

Streets will not be accepted by the Town before May 1st or after November 15th. Any costs incurred by the Town for engineering and/or legal fees as a result of the review of the construction plans or the inspection of improvements are to be paid by the subdivider prior to acceptance of the road(s) by the Town Board. Before final acceptance of a Town road, the subdivider must furnish such proof as the Town may require, that all costs for road construction have been paid by the subdivider.

C. Procedure

A subdivider or owner desiring acceptance of a road by the Town shall submit detailed construction plans prepared by a Registered Professional Engineer or a Registered Land Surveyor and obtain approval of the Town and the Town Engineer of the established grades on all proposed roads prior to proceeding with any grading. Culvert sizes and lengths shall be shown on the plans and are subject to approval by the Town Engineer.

The subdivider shall execute a surety bond or letter of credit to the Town to be approved by the Town Attorney for the entire construction of the proposed improvements. The bond or letter of credit shall include all construction along with all applications as required and shall be in an amount determined as adequate by the Town. This bond shall remain in effect until approval of improvements by the Town.

When sub grading operations are completed on any Town road, the subdivider shall furnish the Town Engineer a written certification from the subdivider's Surveyor that the subgrade conforms to the approved construction plans. The Town Engineer shall be notified five (5) days prior to placement of any gravel to inspect the site and determine if placement of base course may begin.

D. Functional Classification of Streets

Street layouts shall conform to arrangements, widths and locations indicated on the official map or plans of the Town of Ashippun. In areas where such plans have not been completed, the street layout shall recognize the functional classification of streets and shall be developed and located in relation to existing and proposed streets, topography, natural features, public convenience and safety, the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. See Dodge County Planning , Development, and Parks Department's Map 3-1 titled "Functional Classification of Highways & Location of Railroads and Airports – Town of Ashippun, Dodge County, Wisconsin", which shows the most recent functional road classifications in the Town of Ashippun.

1. Arterial Streets shall be arranged to provide access to centers of employment, governmental activity, shopping, recreation, and points beyond the boundaries of the Town. They shall be integrated with, and related to, existing and proposed major streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.
2. Collector Streets shall be arranged to collect traffic from residential and rural areas and convey this traffic to the arterial street and highway system and shall be related to traffic generators such as schools, churches, shopping areas and other concentrations of population and to the arterial streets into which they feed.
3. Minor Streets shall be arranged to conform to the topography, discourage use by through traffic, permit efficient storm and sanitary sewerage systems, and to provide safe and convenient access to abutting property. Minor street locations and grades shall be established wherever practicable to avoid excessive grading, removal of trees and general leveling of the topography.

E. Urban Streets -Street Width

The width of the paved surfaces (except in cul-de-sacs) shall be thirty-two (32) feet with thirty- seven (37) feet measured from back-of-curb to back-of-curb. .

Where the proposed subdivision abuts or contains a Town road, mill tax road or other street which the Town deems necessary to preserve as a public or future public right-of-way,

additional land shall be dedicated to bring the width of the right-of-way up to Town road standards.

F. Rural Streets/Roads - Width

The width of the paved surfaces (except in cul-de-sacs) shall be thirty-two (32) feet. Each side of the pavement shall be shouldered with a width of three (3) feet unless curb and gutter are required by the Town Board instead.

Where the proposed subdivision abuts or contains a Town road, mill tax road or other street which the Town deems necessary to preserve as a public or future public right-of-way, additional lands shall be dedicated to bring the width of the right-of-way up to Town road standards but in no case shall that final total road width be less than the road width as mandated by Wisconsin State Statute for town roads.

G. Street Grades

1. Unless necessitated by exceptional topography subject to the approval of the Plan Commission, the maximum centerline grade of any public way shall not exceed six (6) percent for arterial and collector streets and ten (10) percent for minor streets, alleys and frontage streets. The grade of any street shall not be less than one-half of one (0.5) percent.

2. All roads shall be graded from lot line to lot line according to the Typical Section. (See Diagram A.) If curb and gutter is not required and a ditch is necessary, in no event shall the in slope (from ditch line to road surface) be steeper than a 3:1 slope. If a deeper ditch is required, then the ditch line shall be moved outwardly far enough to maintain an in slope of 3:1. In the event the ditch line is extended outwardly farther than normal, the back slope shall be extended beyond the adjacent property line if necessary. All Town road right-of-way shall be a minimum of sixty-six (66) feet in width.

3. Street grades shall be established wherever practicable so as to avoid excessive grading, the removal of ground cover and trees, and the general leveling of the terrain. Tree removal within the right-of-way shall be as required by the Town Board and may be required by the County Highway Commission along County Trunk Highways to obtain proper vision or additional pavement width. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to fifteen (15) times the algebraic difference in the rates of grade for arterial streets, and one-half (1/2) this minimum for all other streets.

H. Adjacent Lands

Proposed streets shall extend to the boundary lines of the tract unless prevented by physical conditions or unless, in the opinion of the 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 tracts.



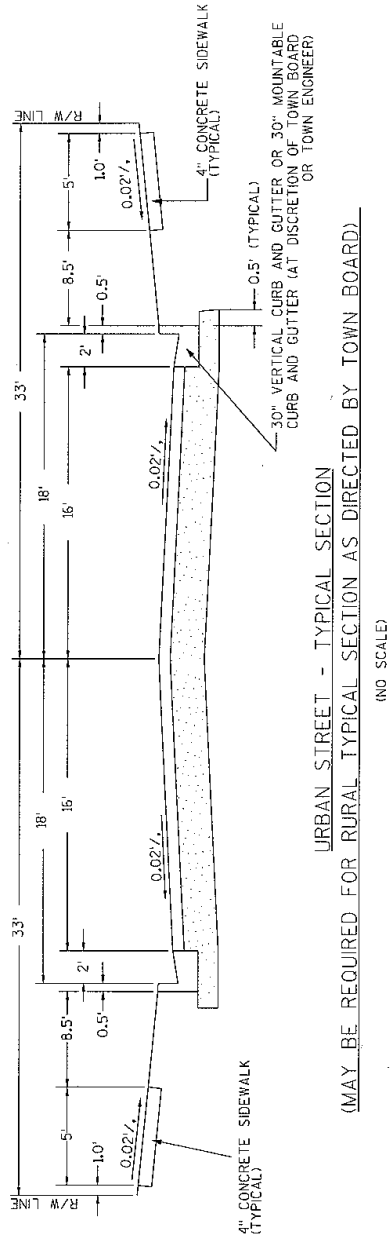
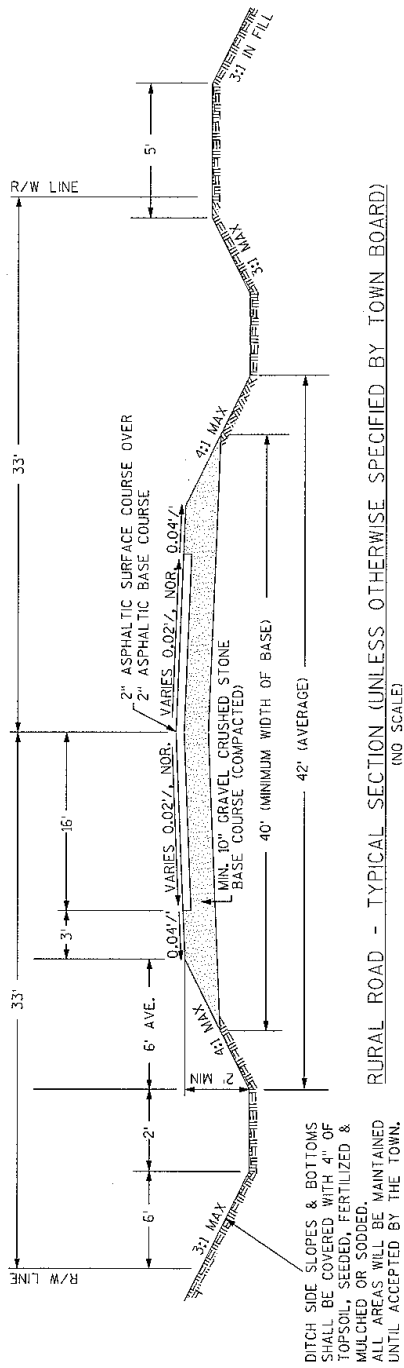


DIAGRAM A

TYPICAL STREET/ ROAD SECTIONS  
TOWN OF ASHIPGUN, DODGE COUNTY, WISCONSIN

- I. Reserve Strips  
Reserve strips shall not be allowed on any plat to control access to streets from abutting property except where control of such strips is placed with the Town under conditions approved by the Town Board.
- J. Alleys  
Alleys may be provided in commercial and industrial districts for off-street loading and service access unless otherwise restricted by the Town Board but shall not be approved in residential districts. Dead-end or crooked alleys shall not be approved, and alleys shall not connect to an arterial street.
- K. Cul-de-Sac Streets  
Cul-de-sac streets designed to have one end permanently closed shall not exceed one thousand (1,000) feet in length. All cul-de-sac streets shall terminate in a circular turn-around having a minimum right-of-way radius of sixty (60) feet and a minimum outside paved radius of forty-five (45) feet. (See Diagram B.) Greater dimensions may be required when the Town deems it necessary. Standard width gravel shoulders shall be constructed completely around the paved turnaround surface unless curb and gutter are required by the Town Board instead. Tee turnarounds are allowed for temporary use only. When land to be developed adjoins a temporary cul-de-sac, the subdivider shall remove the temporary cul-de-sac and create a continuous roadway. A temporary Tee turn-around shall be thirty-two (32) feet wide and extend at least thirty-three (33) feet to each side of the center line of the adjoining road unless modified by the Town Board.
- L. Half-Streets  
Half-streets which are only a portion of the required width and are usually platted along property lines shall be prohibited except where it is deemed essential for the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the Plan Commission finds it will be practical to require the dedication of the other half when the adjoining property is subdivided, the other half of the street shall be platted within such tract.
- M. Culverts  
All culverts shall be a minimum of fifteen (15) inches in diameter (but in no case larger than the diameter size of the downstream culvert unless approved by the Town Engineer) by thirty (30) feet in length. Metal end flared sections shall be installed at each end of all culverts, as directed by the Town Engineer. Town Board approval is required for any alternate culvert end treatment.
- Culvert posts shall be placed at the ends of all culverts crossing road surfaces. The posts shall be marker posts prepared and installed as per State Specifications. These posts shall be furnished and installed by the subdivider and located as directed by the Town Engineer. Guard rails, if required by the Town Engineer, shall be furnished and installed by the subdivider.
- N. Radii of Curvature  
When a continuous street centerline deflects at any one point by more than five (5) degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

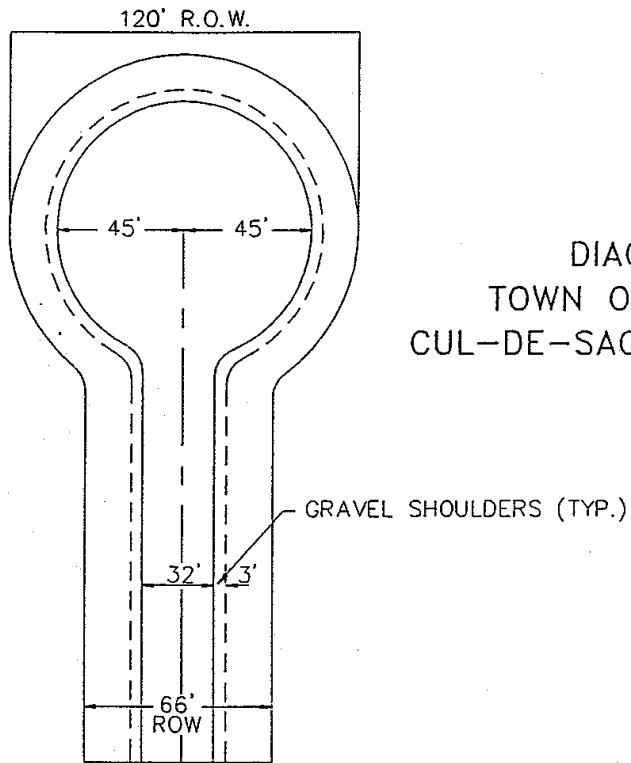


DIAGRAM B  
TOWN OF ASHIPGUN  
CUL-DE-SAC ISLAND DETAIL

DIAGRAM C

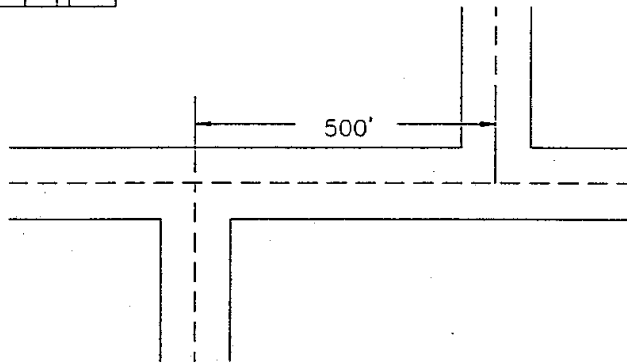
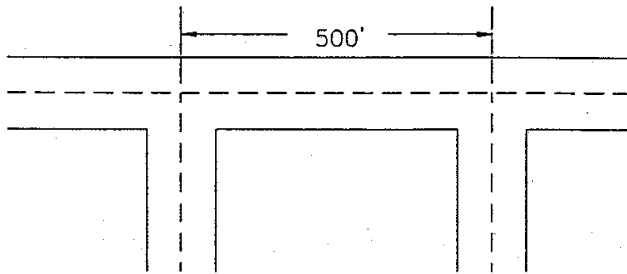


DIAGRAM D



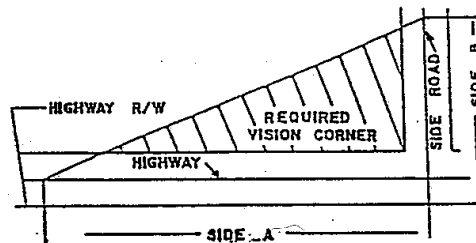
Arterial Streets: Five Hundred (500) Feet  
 Collector Streets: Three Hundred (300) Feet  
 Minor Streets: One Hundred (100) Feet

A tangent at least one hundred (100) feet in length shall be provided between reverse curves on arterial and collector streets.

O. Intersection Design

1. Streets shall intersect at right angles and not more than two (2) streets shall intersect at one point.
2. Intersections must be approached on all sides by grades not to exceed four (4) percent for a distance of at least fifty (50) feet unless exceptional topography would prohibit these grades.
3. The edge of the road surfaces shall be connected with a curve having a minimum radius of twenty (20) feet.
4. Vision triangles providing unobstructed views in both directions perpendicular to the line of sight shall be maintained at all intersections as follows:

Posted Speed (mph)	Side A (ft)	Side B (ft)	
		Thru movement	T Intersection
25	90	90	75
30	105	105	75
35	120	120	75
40	135	135	75
45	150	150	75
50	165	165	75
55	180	180	75
65	210	210	75



Use the posted speed of the highway to determine the Side A and the posted speed of the side road to determine Side B.

Vision triangles shall comply with Wisconsin Department of Transportation requirements for state highways and Dodge County Highway Department requirements.

No building or obstruction to view above two (2) feet of the ground is permitted in a vision triangle. Appropriate statements regarding those restrictions shall be provided on the plat or survey document.

5. If a proposed street is to enter an arterial and it is deemed a hazardous entrance by the governing body having jurisdiction over the road, it will be the responsibility of the subdivider to correct the potential hazard through an agreement with the governing body or else relocate the proposed entrance to a more suitable location.
6. The following distances between intersections shall be observed:
  - a. Minor and collector streets may not empty into State and Federal highways at intervals less than one thousand three hundred (1,300) feet and into arterials less than one thousand (1,000) feet. They shall be in alignment with existing and planned streets entering the highways from the opposite side.
  - b. At intersections on collector streets which are not in alignment, the distance between streets opening up on opposite or the same sides of any existing or proposed streets must be at least five hundred (500) feet measured along the intersecting centerline.
  - c. At intersections on minor streets which are not in alignment, the distance between streets opening up on opposite or the same sides of any existing or proposed streets must be at least five hundred (500) feet measured along the intersecting centerline. (See Diagrams C and D.)

P. Surface Stabilizing

Topsoil, mucky soil, peat and other unstable material shall be removed below the subgrade of roads and replaced with suitable, sound fill materials. Geotextile or stabilizing fabric may be required by the Town Engineer.

Q. Sub-Surface

Roads shall be surfaced with a minimum thickness of ten (10) inches of compacted crushed aggregate base course (either crushed gravel or crushed stone), conforming to Gradation No. 2 of Standard Specifications of the State of Wisconsin for Road and Bridge Construction, latest edition, with the exception that a maximum of ten (10) percent passing the No. 200 sieve will be permitted by the Town. In cases of questionable sub-soils, a 6-inch thick layer of breaker run material (3-inch minus) overlaid with a minimum 4-inch thick layer of Gradation No. 2 stone may be installed to provide additional stabilization of the base material, only after approval by the Town Engineer. The costs of all sieve analysis tests required by the Town shall be paid by the subdivider. Compaction of subgrade and base course shall be in accordance with the Standard Specifications but shall never be less than ninety-five (95) percent of the maximum density of the material being compacted. The Town Engineer will have five (5) days to check aggregate base course before the first bituminous asphalt pavement application is applied.

R. Surfacing

The first bituminous asphalt pavement application shall be two (2) inches of bituminous base course, Gradation No. 2 per State Specifications. If curb and gutter is not installed along each side of this pavement, a temporary shoulder shall be installed immediately after the completion of the pavement application. The top or surface width of this shoulder shall be three (3) feet and sloped at 1/4" per foot. Shoulder material shall be Gradation No. 3 (crushed gravel). A second application of two (2) inch thick bituminous asphalt surface course, Gradation No. 3 per State Specifications, shall be applied within one (1) year but not before the first application has laid through one (1) winter. The Town Board, at its option, may require the delay of the asphalt surface course for a period not to exceed two (2) years, in which case the subdivider shall file a certified check in an amount equal to the estimated cost of said surface course, said estimate to be made by the Town Board, for the

purpose of completing the asphalt surface course. A tack coat, MS-1, SS-1, CSS-1 or asphalt emulsions as approved by DNR and as specified by the Town, shall be applied at a rate of 0.10 gallons per square yard before the bituminous asphalt surface course pavement is applied.

S. Cleanup

Public roads and highways shall be cleaned of dirt and debris by those responsible for depositing such dirt or debris within twenty-four (24) hours. Final cleanup responsibility and associated costs shall be that of the subdivider.

T. Street Names

Street names are required for all proposed public streets and shall not duplicate or be confused with the name of an existing street within the County. Streets that are extensions, or that are proposed to be aligned with existing named streets, shall bear the name of these streets. The Town Board shall approve all proposed street names.

5.5 Street Signs

Street signs shall include one (1) street name sign at all street intersections and all traffic control signs as may be required by the Town Board. Street signs shall be obtained and placed by the Town at the expense of the subdivider.

5.6 Drainage Ditches

Drainage ditches shall conform to the Typical Road Section, Diagram A, unless modified by the Town Engineer. Road ditches shall be seeded and/or sodded as grassed waterways. Where the velocity of flow exceeds four (4) feet per second on soils having a severe erosion hazard, or exceeds six (6) feet per second on soils having less than severe erosion hazard, the subdivider shall install a paved invert or check dams, flumes, or other energy dissipating devices approved by the Town Board, upon the recommendation of the Town Engineer.

5.7 Public Sanitary Sewerage

When public sanitary sewerage facilities are available to the plat, the subdivider shall construct sanitary sewerage facilities in such a manner as to make sanitary sewerage service available to each lot within the subdivision. In addition:

- A. The Town Board shall require the installation of sewer laterals to the street lot line for residential lots.
- B. The size, type, and installation of all sanitary sewers and sanitary laterals proposed to be constructed shall be in accordance with plans and standard specifications approved by the Town Board, upon recommendation of the Town Engineer. The latest revision of the "Standard Specifications for Sewer and Water Construction in Wisconsin" shall govern all work. All sanitary sewer and sanitary sewer lateral trenches within proposed streets shall be backfilled with granular material meeting the requirements of the "Standard Specifications"; however, upon written approval of the Town Engineer, the trenches may be backfilled with excavated material meeting the requirements of the "Standard Specifications." If excavated material is allowed for backfill, it shall be compacted by mechanical methods, meeting the approval of the Town Board, upon the recommendation of the Town Engineer.
- C. Where a sanitary district has been created pursuant to Chapter 60 of the Wisconsin Statutes for the purpose of providing and constructing sanitary sewers, such plans and standard specifications shall further be subject to review and approval by the Sanitary District Commission.

5.8 Water Supply

When public water supply and distribution facilities are available to the subdivision plat, or when it is proposed to establish a private water supply and distribution system to serve two (2) or more lots, the subdivider shall cause water supply and distribution facilities to be installed in such a manner as to make water service available to each lot within the subdivision. Private water systems, when required by the Town, shall be provided by the subdivider in accordance with the standards of the Wisconsin Department of Health and Social Services. In addition:

- A. The Town Board shall require the installation of water laterals to the street lot line.
- B. The size, type and installation of all public water mains proposed to be constructed shall be in accordance with plans and standard specifications approved by the Town Board, upon the recommendation of the Town Engineer.
- C. Underground tanks for fire protection shall be installed per Ashippun Fire Department requirements or their authorized representative. The Developer shall obtain written approval from the Ashippun Fire Department for conceptual plans prior to Preliminary Plat approval and written approval for actual construction prior to Final Plat Approval.
- D. Where a sanitary district has been created pursuant to Chapter 60 of the Wisconsin Statutes for the purpose of providing a system, or systems, of water works, such plans and standard specifications shall also be subject to review and approval by the Sanitary District commission.

5.9 Other Utilities

The subdivider shall cause gas, electrical power, telephone, and cable television facilities to be installed, where available, in such a manner as to make service available to each lot in the subdivision.

5.10 Street Lights

- A. In all subdivisions served by public sanitary sewer, the installation of streetlights shall be required at the intersection of all streets and at such mid-block intervals as required by the Town Board. The street light design shall be approved by the Town Engineer prior to installation. In all subdivisions not served by public sanitary sewer, the Town Board may require streetlights.
- B. Multifamily lots will require the installation of streetlights at the intersection of all streets and driveways. The street light design shall be approved by the Town Engineer prior to installation.

5.11 Street Trees

The subdivider shall at the time of final plat approval or certified survey map approval, provide a landscaping plan with a minimum of one (1) tree per lot on private property with minimum two (2) inch diameter trees.

5.12 Stormwater Management/Erosion Control

- A. Storm Water Runoff Control  
Land development activity will increase flood stages, significantly increase water pollution, or otherwise adversely affect property or the public health, safety or welfare. The subdivider shall provide a drainage plan to construct, install, furnish and provide adequate facilities for storm and surface water drainage for all disturbed areas. The drainage plan

with storm water calculations shall bear the signature and certification of a registered engineer, land surveyor or architect as described in Chapter A-E of the Wisconsin Administrative Code and required by the Department of Licensing and Regulations. The plan shall contain all information that the Town Engineer may need to evaluate determinations of runoff rates and volumes and their control.

Storm water management facilities shall be constructed to ensure that the calculated post-development peak flow discharge rates of storm water runoff shall not exceed the pre-development discharge rate for all of the following: the two (2) year twenty-four (24) hour design storm, the ten (10) year twenty-four (24) hour design storm, the twenty-five (25) year twenty-four (24) hour design storm, and the one hundred (100) year twenty-four (24) hour design storm. Detention facilities shall be provided for detention of stormwater runoff in excess of the calculated peak runoff rate of the property prior to the development activity for the same design storm. If the subdivider chooses to release more runoff than under existing conditions, the subdivider is required to provide adequate outlet facilities downstream to accommodate the increased runoff. Designing facilities and computing runoff shall be based upon standards contained in the Technical Guide for Dodge County and the Engineering Field Manual for Conservation Practices, by the United States Department of Agriculture Soil Conservation Service.

Storm water runoff shall be treated to remove, on an average annual basis, a minimum of eighty percent (80%) of the total suspended solids load. To achieve this level of control, storm water best management practices shall be designed to accommodate, at a minimum, the runoff volume resulting from 1.5 inches of rainfall over a four (4) hour period. Any best management practice that relies on ponding runoff and settling the suspended solids shall be designed for five (5) microns or larger in size.

B. Erosion Control

The subdivider shall cause all grading, excavations, open cuts, side slopes, and other land surface disturbances to be mulched, seeded, sodded, or otherwise protected so that erosion, siltation, sedimentation, and washouts are prevented, in accordance with plans and specifications approved by the Town.

Side slopes shall be covered with a minimum of four (4) inches of topsoil, prepared, seeded or sodded, fertilized, watered and maintained for a sufficient period to provide adequate grass cover, prior to acceptance by the Town Board. No greater than five (5) percent weed seeds. Unless otherwise provided by the Town, all slopes steeper than three (3) horizontal to one (1) vertical shall be sodded and staked by the subdivider.

Sod shall be laid in strips at those intervals necessary to prevent erosion and at right angles to the direction of drainage. Temporary vegetation and mulching shall be used to protect critical areas, and permanent vegetation shall be installed as soon as practical.

Tree cutting and shrubbery clearing shall not exceed 50 percent of the lot or tract and shall be conducted so as to prevent erosion and sedimentation; preserve and improve scenic qualities; and during foliage, substantially screen any development. The subdivider shall protect and retain existing trees, shrubbery, vines, and grasses not actually lying in public roadways, building foundation sites, private driveways, soil absorption waste disposal areas, paths and trails. Trees are to be protected and preserved during construction in accordance with sound conservation practices, including by well islands or retaining walls whenever abutting grades are altered.

Sediment basins shall be installed and maintained at all drainage ways to trap, remove and prevent sediment and debris from being washed outside the area being developed.



The Town Board shall require the subdivider to provide or install certain protection and rehabilitation measures, such as fencing, sloping, riprap, revetments, jetties, clearing, dredging, snagging, drop structures, brush mats, willow poles, and grade stabilization structures.

5.13

Curb and Gutter

In all subdivisions served by public sanitary sewer, the installation of curb and gutter shall be required on both sides of the street for all newly constructed streets. In all subdivisions not served by public sanitary sewer, the Town Board may require curb and gutter at their discretion. The construction of all curb and gutters shall be in accordance with plans and standard specifications approved by the Town Board, upon the recommendation of the Town Engineer.

5.14

Sidewalks

In all subdivisions served by public sanitary sewer, the subdivider shall be required to construct a concrete sidewalk five (5) feet in width on both sides of all streets within the subdivision. In all subdivisions not served by public sanitary sewer, the Town Board may require the subdivider to construct a concrete sidewalk on both sides of all streets within the subdivision. The construction of all sidewalks shall be in accordance with plans and standard specifications approved by the Town Board, upon the recommendation of the Town Engineer.

ARTICLE VI - DESIGN STANDARDS – MINOR SUBDIVISION

6.1.1 Lot and Block Layout

Lot and block layouts shall recognize the capacity of the soil and water resources and shall be designed to least disturb the existing terrain, flora, fauna, and water regimen and to meet the County Zoning and Sanitary Ordinances.

A. Lots

The size, shape and orientation of lots shall be appropriate for their location and the type of development contemplated, and shall conform to the following lot size, width and density requirements.

1. Minimum Lot Size and Width

- a. Lots served with public sanitary sewer shall be a minimum of eighteen thousand (18,000) square feet. The lot width shall be a minimum of eighty (80) feet of width at the building line. A minimum of eighty (80) feet of width is required at the front lot line of the street or road, except in areas of excessive curve or on cul-de-sacs where a minimum of sixty (60) feet of width at the front lot line shall be required.
- b. Lots not served with public sanitary sewer, which shall have access onto a minor street or onto an arterial or collector street, as identified on the Town of Ashippun Official Map, shall be a minimum of one (1) acre and a maximum of two (2) acres with at least one hundred fifty (150) feet of width at the building line and front lot line at the street or road while maintaining adequate site distance between driveways.

2. Density / Use Standards

*Non-farm Residential Uses in Agricultural Districts A-2 as shown on the County Maps for the Town of Ashippun:*

Single-family residential dwellings, including previously existing farm dwellings and buildings resulting from farm consolidation, that are located on separate non-farm residential lots or parcels divided from a farm parent tract are subject to the following limitations and requirements:

- a. The number of non-farm lots that can be divided from a parent tract shall be limited in order to provide for the retention of the remaining lands for exclusively agricultural purposes. Therefore, parent tracts comprised of a minimum of 15 contiguous, gross acres are granted limited non-farm development rights as provided below.

The right to divide and develop one (1) non-farm lot is granted for the first fifteen (15) contiguous acres and one (1) additional non-farm development right for each additional fifty (50) acres. As an example,

the total number of non-farm lots that can be divided from parent tracts of a given size are noted as below:

Parent Tract Size (contiguous acres)	Total Development Rights: Non-Farm Lots	Total Development Rights: Non-Farm plus Farm (includes one development right per farm parent tract)
0-14.9	0	1
15.0-64.9	1	2
65.0-114.9	2	3
115.0-164.9	3	4

- a. Except for lots created to include previously existing farm dwellings and other farm buildings, non-farm lots created by division from a parent tract shall be limited in size as established in 6.1.A.1.a or 6.1.A.1.b of this code, whichever applies, with a preference for the smallest practical size necessary to accommodate on-site sanitary disposal requirements except where soil and other characteristics of the land necessitate larger lots in order to accommodate safe and efficient septic system location, vehicle access, and logical land division.
- b. The maximum lot area requirement may be increased where the creation of a lot equal or less than the two (2) acre maximum requirement would result in the creation of outlots that cannot be logically included as part of the original agricultural land and used for agricultural purposes, or where, in the opinion of the Plan Commission, an increase in the maximum area will result in a more logical layout or parcel configuration; or where in the opinion of the Planning Commission the intended use of the parcel is for agricultural or recreational use (i.e. wetlands or woodlands).
- c. Non-farm lots that include previously existing farm dwellings and other farm buildings shall have a minimum area in accordance with 6.1.A.1.a or 6.1.A.1.b of this code.
- d. In approving the creation of new parcels and for granting Conditional Use Permit for non-farm uses in the Agricultural District, the Plan Commission shall make the following determinations:
  - The proposed non-farm uses will not adversely affect agricultural operations in surrounding areas.
  - The Dodge County Soils Survey Map will be referenced to determine if Class I or Class II soils are within the proposed site. (See Appendix A for list of Class I and Class II Soils). Areas with Class I Soils shall be preserved for farming activity. Areas with Class II and other soils may be used for proposed non-farm uses if they are not well suited for

agricultural use by virtue of wooded areas, topography, or shape or parcel; The site(s) proposed for non-farm uses is particularly well suited for such use as indicated by rolling topography, wooded areas, soil types, vistas, proximity to lakes, streams, or other similar factors, proximity to school bus routes, traffic access and safety and adequacy of area schools to accommodate increased enrollment that might result from such development;

- Where and when practical, non-farm lots should be located on that area of a parent tract that is less suitable for agricultural uses than other areas within the parent tract; the configuration and layout of non-farm lots should follow existing tree lines, stone fences, and similar features, preserve such features as a natural buffer between said lots and agricultural uses of adjacent areas, and where, necessary, accommodate existing buildings and structures. The length of shared property lines between farm and non-farm lots shall be minimized.
- The proposed non-farm use would be in conformance with the Town of Ashippun Comprehensive Plan

3. Side Lot Lines

Side lot lines shall be at right angles to street lines on which the lots face, wherever possible. If not practical, side lot lines may be modified to 80-100 degrees to the street lines on which the lots face. Lot lines shall not cross municipal boundaries. Driveway access shall not be placed in a side lot.

4. Double Frontage and Reverse Frontage Lots

Double frontage and reverse frontage lots are prohibited except where necessary to separate development from through traffic or to overcome specific disadvantages of topography and orientation.

5. Depth

Lots shall normally have a minimum depth of one hundred fifty (150) feet. Excessive depth in relation to width shall be avoided. A proportion of two to one (2:1) is normally considered desirable. Depth of lots or parcels laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by zoning for the use contemplated.

6. Waterfronts

Lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in plats abutting a lake or stream. All lands under option to the subdivider or to which he holds any interest that abut the proposed subdivision and a lake or stream shall also be included.

6. Access

All lots must abut a public street. Under special conditions a private road may be utilized in accordance with the applicable provisions of the Dodge County Zoning ordinance.

On County roads (including but not limited to CTH O, CTH P, CTH MM, and CTH EE), driveway spacing shall be a minimum of 500 ft. apart or shall meet the requirements of the Dodge County Highway Access Ordinance. Driveway spacing on STH 67 shall meet the requirements set forth by the Wisconsin Department of Transportation.

Shared driveways shall not be allowed, but shared access points may be acceptable, depending on the circumstances. If driveways share an access point, a culvert shall be placed the required distance with a band at the property line for easy removal of the culvert sections for future maintenance.

The minimum driveway width shall be a minimum of twelve (12) feet and a maximum of twenty-four (24) feet for residential use. . A shared access point shall have a minimum width of twenty (20) feet with a maximum of twenty-four (24) feet with the center of the driveway at the property line.

## ARTICLE VI - REQUIRED IMPROVEMENTS

7.1

### Improvements

Before final approval of any plat or map the subdivider shall install all improvements as herein provided. If such improvements are not installed as required at the time that the final plat or certified survey map is submitted for approval, the subdivider shall, before the recording of such plat or map, enter into a contract with the Town agreeing to install the required improvements and shall file with said contract a certified check in an amount equal to the estimated cost of the improvements, said estimate to be made by the Town Board, as a guarantee that such improvements will be completed by the subdivider or his subcontractors not later than one (1) year from the date of recording of the plat or map, and as a further guarantee that all obligations to subcontractors for work on the development are satisfied. Government units to which these bond and contract provisions apply may file, in lieu of said contract and bond, a letter from officers authorized to act on their behalf agreeing to comply with the provisions of this section.

Contractors and subcontractors who are to be engaged in the construction of improvements on dedicated street right-of-ways shall be subject to the approval of the Town Board.

Before final approval of any plat or map located within the Town, which is also located within the Ashippun Sanitary District, Inc. the subdivider shall furnish written evidence of satisfactory arrangements and co-ordination with the Ashippun Sanitary District, Inc. Supervisors, signed by the President of said District.

The adequacy of improvements and their proper installation shall be subject to review by the Town Planning Commission, Engineer, and Attorney and approval of the Town Board prior to approval of the Final Plat or Map.

Construction or installation of improvements shall not commence until the Preliminary Plat and the construction plans have been approved by all agencies having authority to review the plat.

Noxious weeds shall be controlled by the subdivider during the entire time of development.

7.2

### Required Installation

Prior to Final Plat or Map approval by the Town Board, the subdivider shall provide and dedicate the following improvements all of which must be installed or provided for within the time required by the Town Board:

- A. Survey monuments placed in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and as may be required by the Town Engineer.
- B. Streets graded and surfaced.
- C. Street signs.
- D. Drainage ditches, culverts, and other facilities necessary to provide for surface water and storm water drainage.
- E. Sanitary sewer system where available.
- F. Underground tanks for fire protection shall be installed per fire department requirements
- G. Stream or lake shores shall have sixty (60) feet of public access platted to the low-water mark at intervals of no more than one-half mile as required by Chapter 236 of the Wisconsin Statutes.

- H. The subdivider shall ensure future long-range availability of water within the subdivision without unreasonable impairment of existing and future water supplies to neighboring property. Upon request of the Town Board, the subdivider shall provide evidence of geographical and exploratory drilling or other evidence of adequate near-surface water supply. The Town Board may, based upon available evidence as to future long-range availability of water in the area, require the subdivider to install and dedicate well and water pumping, holding and distribution facilities.
- I. Facilities for distribution of electric, telephone, and gas utility service located within a subdivision shall be installed underground except where the Town Board, upon recommendation of the Town Board, find that conditions make such installation prohibitively expensive or impractical. Transformer junction boxes, meter points, or similar equipment may be installed upon the ground surface. Any landscape screening required for above-ground equipment shall be approved by the utility.

7.3

Other Improvements

Prior to final approval by the Town Board, the subdivider shall provide and dedicate any of the improvements listed below which are required by the Town Board. Such improvements must be installed or provided for within the time required by the Town Board:

- A. Street Lighting.
- B. Street Trees.
- C. Erosion and sedimentation control measures.
- D. Curb and gutter instead of road shoulders and ditches.
- E. Sidewalks.
- F. The Town Board may require the size of all culverts to be utilized by the future lot owners of the development to be noted on a copy of the Final Plat or Map. This information does not need to be placed on the Final Plat or Certified Survey Map to be recorded.

7.4

Building or Occupancy Permits

No building or occupancy permits shall be issued for erection of a structure on any lot not of record until all the requirements of this or another ordinance have been met, or on a lot of record in a new development whose improvements have not been approved and accepted by the Town, unless specifically authorized by the Town Board.

Adopted this 4th day of April 2007.

Amended this 3rd day of March 2016.

Amended this 12<sup>th</sup> day of February 2020.