

CHAPTER 18

SUBDIVISION AND PLATTING

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18.01 STATUTORY AUTHORIZATION. This chapter is adopted under the authority granted by ss. 59.692(3), 59.693, and 236.45, Wis. Stats., and amendments thereto.

18.02 TITLE. This chapter shall be known as, referred to, or cited as the "SUBDIVISION CONTROL ORDINANCE, LA CROSSE COUNTY, WISCONSIN".

18.03 PURPOSE AND INTENT.

(1) The purpose of this chapter is to regulate and control the division of land within the unincorporated areas of La Crosse County for the following purposes:

- (a) to promote the public health, safety and general welfare;
 - (b) to further the orderly layout and use of land;
 - (c) to prevent the overcrowding of land;
 - (d) to lessen congestion in the streets and highways;
 - (e) to provide for adequate light and air;
 - (f) to facilitate adequate provisions for water, sewerage, storm water conveyance, and other public requirements;
 - (g) to provide for proper ingress and egress; to prevent and control erosion, sedimentation, and other pollution of surface and subsurface waters;
 - (h) to preserve natural vegetation and cover and promote the natural beauty of the County;
 - (i) to ensure adequate legal description and proper survey monumentation of the subdivided land;
 - (j) to provide for the administration and enforcement of this chapter;
- and
- (k) to provide penalties for its violation.

(2) It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations or permits previously adopted or issued pursuant to law. However, whenever this chapter imposes greater restrictions, the provisions of this chapter shall govern.

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

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

18.06 CONFLICTING ORDINANCES. All other ordinances or parts of ordinances of La Crosse County inconsistent or conflicting with this chapter, to the extent of inconsistency only, are hereby repealed. All town ordinances regulating public improvements will apply in the town instead of the provisions of this ordinance unless the town specifically agrees that the La Crosse County regulations of public improvements shall apply within the town boundaries.

18.07 EFFECTIVE DATE. This chapter shall be effective after a public hearing, adoption by the County Board, and publication or posting as provided by law.

DEFINITIONS

18.10 DEFINITIONS. For the purposes of this chapter, 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.

(1) ALLEY. A special public way affording only secondary access to abutting properties.

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

(3) BLOCK. A group of lots existing within well defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers, and having an assigned number, letter or other name through which it may be identified.

(4) BUILDING. Any structure built for the support, shelter, or enclosure of persons, animals, chattels or movable property of any kind, which is permanently affixed to the land.

(5) BUILDING SETBACK LINE. A line parallel to the street line or water line defined by the County Zoning Ordinance beyond which buildings may not be erected.

(6) CLUSTER SUBDIVISION. A compact development of housing or mixed uses, characterized by smaller lots and the existence of undeveloped areas permanently used for natural resource protection, open space, agricultural use or other like uses.

(7) COLLECTOR STREET. A street used, or intended to be used, to carry traffic from minor streets to the major system of arterial streets including principal entrance streets to residential developments.

(8) COUNTY. Reference to County shall mean La Crosse County, including any agency, department or committee thereof.

(9) COUNTY PLANNING COMMITTEE. The Planning, Resources & Development Committee as authorized by ss. 59.69, Wis. Stats.

(10) CUL-DE-SAC STREET. A minor street with only 1 outlet and having a turn around for the safe and convenient reversal of traffic movement.

(11) EROSION CONTROL PLAN. A document outlining erosion control practices for the proposed development pursuant to Chapter 21 of the General Code of La Crosse County.

(12) EXTRATERRITORIAL PLAT APPROVAL JURISDICTION. The unincorporated area within 1 1/2 miles of a fourth-class city or village or within 3 miles of all other cities. Said cities and villages may exercise plat approval provided they have enacted an Official Map Ordinance or Subdivision Control Ordinance in accordance with s. 236.10, Wis. Stats.

(13) FRONTAGE. The length of the front property line of a lot, lots, or tract of land abutting the right-of-way of a public street.

(14) 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.

(15) GRADE. The slope of a road, street, alley, foot path, lot or block, specified in percent.

(16) IMPROVEMENT, PUBLIC. Any sanitary sewer, storm sewer, drainage ditch, water main, roadway, park, parkway, public access, sidewalk, pedestrian way, planting strip, off-street parking area, or other facility for which the County or Town may ultimately assume the responsibility for maintenance and operation.

(17) LOT. A parcel of land having frontage on a public street or other officially approved means of access, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, and other open space provisions of the Zoning Code.

(18) LOT, CORNER. A lot abutting 2 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.

(19) LOT, THROUGH. A lot which has a pair of opposite lot lines along 2 substantially parallel streets, and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines but in the case of 2 or more contiguous through lots, there shall be a common front lot line.

(20) MINOR STREET. A street used, or intended to be used, primarily for access to abutting properties.

(21) MINOR SUBDIVISION. (CERTIFIED SURVEY MAP)

(a) The division of land by the owner or subdivider resulting in the creation of not more than 4 parcels or building sites, any 1 of which is 5 acres in size or less, or the division of a block, lot or outlet within a recorded subdivision plat into not more than 4 parcels or building sites without changing the exterior boundaries of said block, lot or outlet.

(b) The subdivider shall subdivide by a certified survey and record the same in the office of the Register of Deeds. The certified survey map shall include all parcels of land 5 acres or less in size and may at the owner's direction include any other parcels containing more than 5 acres. Certified survey maps shall be prepared in accordance with ss. 18.60 through 18.63 of this chapter and Chapter 236.34 of the Wisconsin Statutes.

(22) OUTLOT. A parcel of land, other than a lot or block, so designated on the plat, but not of standard size, which can be either redivided into lots or combined with 1 or more other adjacent outlots or lots in adjacent subdivisions or minor subdivisions in the future for the purpose of creating buildable lots.

(23) PLANNING ADMINISTRATOR. The County Surveyor, Director of the Zoning, Planning and Land Information Department, or a person designated by the County Board to administer this chapter.

(24) PRELIMINARY PLAT. A map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.

(25) PUBLIC WAY. Any public road, street, highway, walkway, drainageway, or part thereof.

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

(27) SANITATION CODE. Reference to the Sanitation Code shall mean Chapter 12 of the General Code of La Crosse County.

(28) STORM WATER MANAGEMENT PLAN. A document outlining storm water management practices for the proposed development in accordance with the appropriate post construction water quality requirements of NR151 and the water quantity requirements set forth in this chapter or any other as adopted in this Code.

(29) SURETY BOND. A bond guaranteeing performance of a contract or obligation through forfeiture of the bond if said contract or obligation is unfulfilled by the subdivider.

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

(31) SUBDIVISION. A division of a lot, parcel or tract of land by the owner thereof or his or her agent for the purpose of sale or of building development where: The act of division creates 5 or more parcels or building sites of 1-1/2 acres each or less in area; or 5 or more parcels or building sites of 1-1/2 acres each or less in area are created by successive divisions within a period of 5 years.

(32) TOWN. Reference to Town shall mean any Town of the County including the Town Board, Town Clerk or any other designated Town Committee.

(33) ZONING CODE. Reference to the Zoning Code shall mean the General Code of La Crosse County, Chapter 17.

GENERAL PROVISIONS

18.20 JURISDICTION.

(1) The jurisdiction of this chapter shall include all unincorporated lands within the County. The provisions of this chapter as it applies to divisions of tracts of land shall not apply to:

(a) Transfers of interest in land by will or pursuant to court order.

(b) Leases for a term not to exceed 10 years, mortgages or easements.

(c) Sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by these regulations, the Zoning Code, or other applicable laws or ordinances.

(2) This chapter applies to condominium developments in the same way it would apply to physically identical developments under a different form of ownership, as provided under s. 703.27, Wis. Stats.

18.21 COMPLIANCE.

(1) No subdivider shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision or a replat as defined herein; no such subdivision or replat shall be entitled to record; and, no improvements shall be made to land without compliance with all requirements of this chapter, and:

(a) County Comprehensive Plans or plan components as approved by County Board action including the Zoning Code and Sanitation Code, and all applicable local ordinances.

(b) Provisions of Chapter 236, Wis. Stats.

18.22 LAND SUITABILITY.

(1) No land shall be subdivided which is held unsuitable for any proposed use by the County Planning Committee for reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities or any other feature likely to be harmful to the health, safety, or welfare of future residents of the proposed subdivision or of the community.

(2) The County Planning Committee in applying the provisions of this chapter shall in writing cite the particular facts upon which it bases its conclusions that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such suitability at a public hearing. Thereafter, the County Planning Committee may affirm, modify or withdraw its determination of unsuitability.

18.23 VARIANCES.

(1) In any particular case where the subdivider can show that by reason of exceptional topographic or other physical conditions, strict compliance with any requirement of this chapter would cause practical difficulty or exceptional and undue hardship, the County Planning Committee may relax such difficulty or hardship, provided such relief may be granted without detriment to the public good and without impairing the intent and purpose of this chapter or the desirable general development of the County. A majority vote of the entire membership of the County Planning Committee shall be required to grant any modification to these regulations.

(2) Any modification thus granted shall be entered in the minutes of the Committee setting forth the reasons, which in the opinion of the Committee, justified the modification. No variance shall be granted by the County Planning Committee which is contrary to the provisions of the Wisconsin Administrative Code or the Wisconsin Statutes.

18.24 VIOLATIONS AND PENALTIES.

(1) VIOLATIONS. It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this chapter or the Wisconsin Statutes and no person, firm or corporation shall be issued a Sanitary Permit and/or a Zoning/Occupancy Permit authorizing the building on or improvements of any subdivision or replat within the jurisdiction of this chapter and not of record as of the effective date of this chapter until the provisions and requirements of this chapter have been fully met. The County may institute appropriate action or proceedings to enjoin violations of the chapter or the applicable Wisconsin Statutes.

(2) PENALTIES. Any person, firm or corporation that fails to comply with the provisions of this chapter shall upon conviction, thereof forfeit not less than \$100 nor more than \$1,000 and the cost of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until the payment thereof, but not exceeding 6 months. Each day a violation exists or continues shall constitute a separate offense.

(a) Recordation improperly made has penalties as provided in s. 236.30, Wis. Stats.

(b) Conveyance of lots in unrecorded plats has penalties as provided for in s. 236.31, Wis. Stats.

(c) Monuments disturbed or not placed have penalties as provided for in s. 236.32, Wis. Stats.

(d) An assessor's plat may be ordered by the County Planning Committee when a subdivision is created by successive divisions, as provided in s. 236.31(2), Wis. Stats.

18.25 APPEALS. Any person aggrieved by an objection to a plat or failure to approve a plat may appeal there from as provided in ss. 236.13(5) and 62.23(7), Wis. Stats.

18.26 APPLICABILITY TO PENDING PRELIMINARY PLATS. The provisions of this chapter shall not apply to preliminary subdivision plats which have been filed with the County Planning Committee prior to the effective date of this chapter.

PROCEDURE

18.30 PRE-APPLICATION.

(1) Prior to the filing for the approval of a preliminary plat the subdivider shall consult with the County Planning Administrator, Department of Zoning, Planning and Land Information, and Department of Land Conservation in order to obtain advice and assistance. The consultation is intended to inform the subdivider of the purpose and objectives of these regulations, the adopted county comprehensive plans or adopted plan components, and duly adopted plan implementation ordinances of the County and to otherwise assist the developer in planning his subdivision. In so doing, both the subdivider and planning agency may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and County, and the subdivider will gain a better understanding of the subsequent required procedures.

(2) It is deemed essential that determination of the land for residential, commercial or industrial purposes be made by the agency responsible for zoning. Therefore, no plat shall be submitted for approval until the real estate encompassed therein has been first zoned to its appropriate classification.

18.31 PRELIMINARY PLAT REVIEW.

(1) Before submitting a final plat for approval, the subdivider shall prepare a preliminary plat as defined and in accordance with this chapter. Unless other arrangements have been made between the County and a town, the subdivider shall file a letter of application with the County Planning Administrator and the required copies of the preliminary plat as outlined herein, at least 15 working days prior to the County Planning Committee meeting at which it will be considered:

(a) The County Planning Administrator, shall, within 2 days after filing, transmit copies of the plat to the following approved agencies:

1. Four copies to the County Planning Committee.
2. Two copies to the applicable Town Clerk.
3. Two copies to the clerk of an adjoining city or village if the subdivision lies within the extraterritorial plat approval jurisdiction of the city or village and they exercise this authority.

(b) The County Planning Administrator, shall also within 2 days, transmit copies of the plat to the following agencies having authority to object to the plat:

1. Necessary copies to the State Agencies as defined in s. 236.12, Wis. Stats.

18.32 PRELIMINARY PLAT APPROVAL.

(1) The objecting agencies shall, within 20 days of the date of receiving their copies of the preliminary plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of a copy of the plat and shall return that copy to the County Planning Committee. If an objecting agency fails to act within 20 days, it shall be deemed to have no objections to the plat.

(2) The County Planning Committee shall review the plat for conformance with this chapter and all other ordinances, rules, regulations and adopted county comprehensive plans or adopted plan components which affect the plat.

(3) The County Planning Committee within 40 days of the date of filing of the preliminary plat with the County Planning Administrator shall approve, approve conditionally, or reject such plat unless the time is extended by agreement with the subdivider. One copy of the plat shall thereupon be returned to the subdivider with the date and action thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejections shall accompany the plat.

(4) Failure of the County Planning Committee to act within 40 days of the filing date shall constitute an approval as provided in s. 36.11(1)(a), Wis. Stats.

(5) Approval or conditional approval of a preliminary plat shall not constitute automatic approval of the final plat, except that if the final plat is submitted within 12 months of the approval of the preliminary plat and conforms substantially to the preliminary plat layout as indicated in s. 236.11(1)(b), Wis. Stats., the final plat shall be entitled to approval with respect to such layout.

18.33 FINAL PLAT REVIEW.

(1) The subdivider shall prepare a final plat as defined and in accordance with this chapter and shall file the required number of copies of the final plat as outlined in s. 18.31 of this chapter and a letter of application to the County Planning Administrator.

(2) The County Planning Administrator shall, within 2 days after filing, transmit copies of the plat to the agencies identified in s. 18.31 of this chapter which are required to review the plat.

(3) ALTERNATE PROCEDURE. In accordance with s. 236.12(6), Wis. Stats., the subdivider or his/her agent may submit the original drawing of the final plat directly to the appropriate state agency. When this procedure is used it shall be the responsibility of the subdivider or his/her agent to submit copies of the plat to the approving agencies as specified in s. 18.31 of this chapter.

(4) PARTIAL PLATTING. The final plat may, if permitted by the County Planning Committee, constitute only that portion of the approved preliminary plat which the subdivider proposes to record at that time.

18.34 FINAL PLAT APPROVAL.

(1) The objecting agencies shall, within 20 days of the date of receiving their copies of the final plat, notify the subdivider and all other approving and objecting agencies of any objections.

(a) If there are no objections, they shall so certify on the face of a copy of the plat and shall return that copy to the County Planning Committee.

(b) If an objecting agency fails to act within 20 days, it shall be deemed to have no objection to the plat.

(c) When the plat is submitted under the alternate procedure listed in s. 18.33 of this chapter, the head of the planning function shall have 30 days in which to object to the plat.

(2) The County Planning Committee shall examine the final plat as to its conformance with the approved preliminary plat; any conditions of approval of the preliminary plat; this chapter and all ordinances, rules, regulations and adopted regional and county comprehensive plans or adopted plan components which may affect the plat.

(3) The County Planning Committee shall within 60 days of the date of filing of the final plat with the County Planning Administrator, approve, approve conditionally or reject the plat unless the time is extended by agreement with the subdivider.

(a) If the plat is rejected, the reasons shall be stated in the minutes of the meeting, a written statement of the reasons forwarded to the subdivider.

(b) If the plat is approved, the County Planning Committee shall not inscribe its approval on the face of the original final plat until the County Planning Administrator certifies on the face of the original final plat that copies were forwarded as required by s. 18.33 of this chapter, the date thereof, and that no objections have been filed within 20 days, or if filed have been satisfied.

(c) If the plat was submitted under the alternate procedure outlined in s. 18.33 of this chapter, certification of no objections on the face of the final plat shall be signed by the appropriate state agency.

(4) Failure of the County Planning Committee to act within 60 days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved as provided in s. 236.11(1)(a), Wis. Stats.

18.35 RECORDATION. After the final plat has been approved by the County Planning Committee, the Town Board and any other approving agencies, the subdivider shall record the plat with the County Register of Deeds in accordance with s. 236.25, Wis. Stats.

18.36 REPLAT.

(1) In accordance with s. 236.36, Wis. Stats., a replat of all or any part of a recorded subdivision which does not alter areas previously dedicated to the public may be made by complying with ss. 18.30 through 18.35 of this chapter.

(2) When a proposed replat involves alteration or vacation of areas previously dedicated to the public, the subdivider shall vacate or alter the recorded plat in accordance with ss. 236.40 through 236.44, Wis. Stats.

18.37 DISCONTINUANCE OF STREETS BY COUNTY BOARD. Pursuant to s. 236.445, Wis. Stats., the County Board may alter or discontinue any street or alley in any recorded plat in any town in La Crosse County. Any person petitioning to discontinue any street or alley shall pay a fee as determined by the County Board to the Treasurer of the County at the time such petition is being filed. Failure to do so shall be grounds for rejection of such petition.

PRELIMINARY PLAT

18.40 GENERAL.

(1) A preliminary plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and the plat prepared on reproducible material at a scale of not more than 100' to the inch and shall show correctly on the face the following information:

(a) Title. The title under which the proposed subdivision is to be recorded.

(b) Location. The location of proposed subdivision by: government lot, quarter section, township, range, county, state, and relative location to a nearby community.

(c) Date, scale and north arrow.

(d) Names and addresses. Names and addresses of the owner, subdivider and land surveyor preparing the plat.

(e) Contiguous area. The entire area contiguous to the proposed plat owned or controlled by the subdivider shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development. The County Planning Committee may waive this requirement where it is unnecessary to fulfill the purposes and intent of this chapter and undue hardship would result from strict application thereof.

18.41 PLAT DATA.

(1) All preliminary plats shall show the following:

(a) Length and Bearing. Approximate length and bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the U.S. Public Land Survey and the total acreage encompassed thereby.

(b) Contours. Contours at vertical intervals of not more than 2' where the slope of the ground surface is less than 10% and of not more than 5' where the slope of the ground is 10% or more. Elevations shall be marked on such contours based on mean sea level datum or where in the judgment of the County Planning Administrator undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used, provided, a permanent bench mark is established, and shown on the preliminary plat.

(c) Water Elevations. Water elevations of adjoining lakes and streams at the date of the survey, approximate high and low water elevation, all referenced to the same datum used for the contours.

(d) Location, Right-of-Way, Width and Names. Location, right-of-way, width and names of all existing and proposed streets, alleys or other public ways; all proposed public utility and drainage easements and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.

(e) Location and Names. Location and names of any adjacent subdivisions, parks, schools and cemeteries, and owners of record of abutting unplatted land.

(f) Adjacent Features. Location of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other similar significant features within the tract being subdivided or immediately adjacent thereto.

(g) Dimensions. Approximate dimensions of all lots together with proposed lot and block numbers.

(h) Public and Non-Public Sites. Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, or other public use or which are to be used for group housing, shopping center, church sites, or other non-public uses not requiring lotting.

(i) Radii of All Curves. Approximate radii of all curves that have a radius of less than 500'.

(j) Zoning and Proposed Use. Existing zoning and proposed use on and adjacent to the proposed subdivision.

(k) Corporate Limit Lines. Corporate limit lines.

(l) Covenants. A brief description of any proposed restrictive covenants.

(m) Lake and Stream Access. Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.

(n) Lakes and Streams. Any proposed lake and stream improvement or relocation, and proposed filling, grading, lagooning, and dredging within the exterior boundaries of the plat and the notice of application for approval by the Department of Natural Resources, when applicable.

(o) Restricted Development Areas. All such areas as defined in Chapter 21 of this Code shall be delineated on the preliminary plat.

(p) Seasonally Wet Areas. Seasonally wet areas which will be subject to temporary or permanent flooding after the plat is developed.

(q) Water Runoff Patterns. Existing and proposed water runoff patterns.

18.42 STREET PLANS AND PROFILES.

(1) The subdivider shall provide street plans and profiles showing existing ground surface, proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested by the County Planning Administrator. All plans and profiles shall meet the approval of said Administrator.

(2) Preliminary plans may be submitted as a rough draft. All final plans and profiles shall meet the approval of said Administrator.

18.43 SUBDIVISION GRADING PLAN. The County Planning Administrator may require cross sections and a grading plan approved by said Administrator for the areas that are at a lower elevation than the established street grade directly opposite the proposed building site; the intent being to establish adequate drainage away from the building area.

18.44 ADDITIONAL INFORMATION.

(1) Where the County Planning Administrator finds that he or she requires additional information relative to a particular problem presented by a proposed development to review the preliminary plat, he shall have the authority to request in writing such information from the subdivider.

(2) The County Planning Administrator or his or her designee shall submit the plat to the County Highway Commissioner for comment if the plan is immediately adjacent to a County Trunk Highway. Any access restriction required by the County Highway Commissioner shall be properly noted on the plat.

18.45 EROSION CONTROL AND STORM WATER MANAGEMENT PLANS. The County Planning Committee shall require the subdivider to provide;

(1) A soil erosion plan subject to Chapter 21 of the La Crosse County Code of Ordinances.

(2) A storm water management plan which meets the appropriate post-construction water quality requirements of NR151 of the Wisconsin Administrative Code and the water quantity requirements set forth in this chapter or any other provisions of this Code.

18.46 UTILITIES.

(1) The surveyor may show on the preliminary plat, or he/she shall submit a letter accompanying the plat, detailing the nature of the proposed utilities that will be included in the plat, and in which manner the utilities are to be installed, and shall include sanitary sewers, storm sewers, water systems, natural gas mains, and electrical and telephone transmission lines.

(2) If no sewer or water system is located on or immediately adjacent to the plat, he or she shall describe the feasibility of extending the nearest sewer and water main to the plat.

18.47 SUBDIVISIONS NOT SERVED BY PUBLIC SEWER. The surveyor shall show on the preliminary plat the exact location of the soil boring and percolation tests that were taken, and submit a copy of the report on soil borings and percolation tests to the County Planning Administrator.

18.48 AFFIDAVIT. The surveyor preparing the preliminary plat shall certify on the face of the plat that he or she has fully complied with the provisions of this chapter.

18.49 PRELIMINARY PLAT REVIEW FEE. A review fee shall be charged for a preliminary plat at the time of initial submission. If the information is insufficient, a resubmittal fee shall be assessed for each subsequent plat re-review. The fees shall be determined by the County Board.

FINAL PLAT

18.50 GENERAL. A final plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of s. 236.20, Wis. Stats.

18.51 ADDITIONAL INFORMATION.

(1) The final plat shall show correctly on its face, in addition to the information required by s. 236.20, Wis. Stats., the following:

(a) Street Width. Exact street width along the line of any obliquely intersecting street.

(b) Setbacks or Building Lines. Setbacks or building lines where deemed necessary by the County Planning Administrator.

(c) Reserved Lands. All lands reserved for future public acquisition or reserved for the common use of property owners within the plat. If common property is located within the plat, then provisions for its use and maintenance must also be provided with the plat. These lands shall also include any lands set aside as drainage easements.

(d) Special Restrictions. Special restrictions required by any approving or objecting agency relating to access control along public ways or to the provisions of planting strips.

(e) Restricted Development Areas. All such areas as defined in Chapter 21 of the La Crosse County Code of Ordinances shall be noted in narrative form on the final plat.

18.52 DEED RESTRICTIONS. Any deed restrictions attached to the subdivision shall be filed with, or placed on the face of the final plat.

18.53 SURVEYING AND MONUMENTING. All final plats shall meet all the surveying and monumenting requirements of s. 236.15, Wis. Stats.

18.54 CERTIFICATES. All final plats shall provide all the certificates required by s. 236.21, Wis. Stats.; and, in addition, the surveyor shall certify that he or she has fully complied with all the provisions of this chapter and provide a certificate for County Planning Committee approval.

CERTIFIED SURVEY MAP

18.60 GENERAL. A certified survey map prepared by a land surveyor registered in Wisconsin shall be required for all minor subdivisions. It shall comply in all respects with the requirements of s. 236.34, Wis. Stats. The minor subdivision shall comply with the design standards and the improvement requirements established for subdivision plats in this chapter.

18.61 ADDITIONAL INFORMATION.

(1) The map shall show correctly on its face, in addition to the information required by s. 236.34, Wis. Stats., the following:

(a) Date, Name and Address. The date of the map and name and address of the owner, subdivider and surveyor.

(b) Existing Buildings and Structures. All existing buildings, water courses, drainage ditches and other features pertinent to proper division. Parcels along County Roads and State Highways shall show the location of existing driveways and access points.

(c) Adjoining Features and Names. Names and adjoining streets, highways, parks, cemeteries, subdivisions, ponds, streams, lakes, flowages and wetlands.

(d) Setbacks or Building Lines. Setbacks or building lines where deemed necessary by the County Planning Administrator.

(e) Floodplain and Shoreland Boundaries. Where applicable, a note stating that portions of the map are impacted by floodplain and shoreland boundaries.

(f) Additional Information. Where the County Planning Administrator finds that he or she requires additional information relative to a particular problem presented by a proposed development to review the certified survey map, he or she shall have the authority to request, in writing, such information from the subdivider.

(g) County Highways. The County Planning Administrator shall submit all CSM's that are immediately adjacent to County Trunk Highways to the County Highway Commissioner for comment.

(2) When strict compliance with a provision of this section will result in undue or unnecessary difficulty and hardship, or tend to render the plat more difficult to read, the Planning Administrator may waive such strict compliance.

18.62 CERTIFICATES.

(1) The surveyor shall certify on the face of the map that he or she has fully complied with all provisions of this chapter. The County Planning Administrator, upon reviewing the plat for compliance with this chapter, shall certify his or her approval on the face of the plat.

(2) Dedication of streets and other public areas shall require in addition, the owner's certificate, mortgagee's certificate and certification of approval by the Town Board in substantially the same form as required by s. 236.21(2)(a), Wis. Stats.

18.63 RECORDATION. The certified survey map shall only be recorded with the County Register of Deeds after the certificate of the County Planning Administrator is placed on the face of the map.

18.64 PLAT REVIEW FEES. A review fee shall be charged for review of a certified survey map at the time of initial submittal. Should the first submittal of a certified survey map be found not to be in compliance with this section, a resubmittal fee shall be charged for each subsequent submittal. The fees shall be determined by the County Board.

DESIGN STANDARDS

18.70 STREET ARRANGEMENT.

(1) The subdivider shall dedicate land for and improve streets as provided herein. Streets shall conform to any applicable official map ordinance in effect. In areas for which an official map has not been completed, the street layout shall recognize the functional classification of various street types and shall be developed and located in proper relation to existing and proposed streets, with due regard to topographical conditions, natural features, utilities, land uses and public convenience and safety.

(2) All streets shall be laid out on the contour whenever practical.

(3) The subdivision shall be so designed so as to provide each lot with satisfactory access to a public street as provided herein.

(4) The following conditions shall apply for street arrangement in all proposed subdivisions:

(a) Arterial Streets. Arterial streets shall be arranged so as to provide ready access to centers of employment; high density residential areas; centers of government activity, community shopping areas; community recreation; and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as is practicable, continuous and in alignment with existing or planned streets with which they are to connect.

(b) Collector Streets. Collector streets shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the major street and highway system and shall be properly related to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the major streets into which they feed.

(c) Minor Streets. Minor streets shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.

(d) Proposed Streets. Proposed streets shall normally extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Town Board or County Planning Committee, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of adjacent land tracts. Such streets shall terminate with a temporary turnaround of 50' right-of-way radius and a roadway of not less than 35' in radius.

(e) Arterial Street and Highway Protection. Whenever the proposed subdivision contains or is adjacent to a major street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a non-access reservation along the rear property line, or by the use of frontage streets.

(f) Reserve Strips. Reserve strips controlling access to streets or alleys shall be prohibited except where their control is definitely placed with the Town or County.

(g) Alleys. Alleys may be required in commercial and industrial districts to provide for off-street loading and service access, but shall not be approved in residential districts unless required by unusual topography or other exceptional conditions. Dead-end alleys shall not be approved, and alleys shall not connect to a Federal, State or County Highway.

(h) Street Names. Street names shall not duplicate or be similar to existing street names in a locality, and existing street names shall be projected or continued whenever possible.

18.71 LIMITED ACCESS HIGHWAY AND RAILROAD RIGHT-OF-WAY TREATMENT.

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

(a) When lots within the proposed subdivision back upon the right-of-way of an existing or proposed limited access highway or railroad, a planting strip at least 30' in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees and shrubs and the building of all structures, excepting public or private utility structures hereon is prohibited".

(b) Commercial and Industrial Districts shall have provided, on each side of the limited access highway or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad, but not less than 150'.

(c) Streets parallel to a limited access highway or railroad right-of-way, when intersecting a major street, highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of 250' from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of grades by means of appropriate approach gradients.

(d) Minor streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of minor streets immediately adjacent to arterial streets and highways and to railroad rights-of-way shall be avoided in residential areas.

18.72 STREET DESIGN STANDARDS.

(1) The minimum right-of-way of all proposed streets and alleys shall be as specified by the comprehensive plan, comprehensive plan component, official map, or neighborhood development plan, if any; or if no width is specified therein, the minimum widths shall be as follows:

Type of Street	Minimum Right-of-Way	Annual Predicted Average 24 Hour Traffic
Arterial Streets	120 feet	4,000 to 20,000
Collector Streets	80 feet	1,000 to 4,000
Minor Streets	66 feet	Under 1,000
Frontage Streets	45 feet	Under 250

(2) ROADWAY WIDTH AND SURFACE WIDTH. Minimum roadway width and surface width of all new subdivision roads shall comply with the Town Road Standards contained in s. 86.26, Wis. Stats., unless locally adopted Town Road standards require a greater width.

(3) CUL-DE-SAC STREETS. Cul-de-sac streets designed to have 1 end permanently closed shall not normally exceed 750' in length. Such streets shall terminate in a circular turn-around having a minimum right-of-way radius of 50' and a minimum roadway radius of 40'.

(4) STREET GRADES.

(a) Unless necessitated by exceptional topography, subject to the approval of the County Planning Committee, the maximum centerline grade of any street or public way shall not exceed the following:

1. Arterial streets 6%.
2. Collector streets 8%.
3. Minor and frontage streets 12%.

(b) The grade of any street or alley shall not be less than .5% where curb and gutter are planned to be installed.

(c) Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and general leveling of topography. All changes in street grades shall be connected by vertical parabolic curves of a minimum length equivalent in feet to 15 times the algebraic difference in the rates of grade for major streets and 1/2 this minimum for all other streets.

(5) RADII OF CURVATURE.

(a) When a continuous street centerline deflects at any point by more than 10 degrees a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

1. Arterial streets and highways 500'.
2. Collector streets 300'.
3. Minor streets 100'.

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

(6) HALF-STREETS. Where an existing dedicated or platted half-street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider. The platting of half-streets shall not be permitted.

(7) SLOPES. All cuts shall not exceed 2:1 slopes and all fill slopes shall not exceed 3:1 unless prior approval is granted by the County Planning Committee. Road layout shall conform to topography to the maximum extent practicable, subject to the County Planning Committee's approval.

18.73 STREET INTERSECTIONS.

(1) Streets shall intersect each other as nearly as possible at right angles and not more than 2 streets shall intersect at 1 point unless approved by the County Planning Committee.

(2) NUMBER OF INTERSECTIONS. The number of intersections along major streets and highways shall be held to a minimum. Wherever practicable, the distance between such intersections should not be less than 1,200'.

(3) STREET JOGS. Street jogs with centerline offsets of less than 125' shall not be approved.

18.74 BLOCKS.

(1) The widths, lengths, and shapes of blocks shall be suited to the planned use of the land; zoning requirements; need for convenient access, control and safety of street traffic and topography.

(2) LENGTH. Blocks in residential areas shall not normally be less than 700' nor more than 1,500' in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

(3) PEDESTRIAN WAYS. Pedestrian ways of not less than 10' in width may be required near the center and entirely across any block over 900' in length where deemed essential by the County Planning Committee to provide adequate circulation or access to schools, shopping centers, churches, transportation facilities and recreational facilities.

(4) WIDTH.

(a) Blocks shall have sufficient width to provide 2 tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic, public grounds, railroad right-of-way, shorelines of waterways, corporate boundaries or except as may be necessary due to extreme topography.

(b) Width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service parking required by the use contemplated and the area zoning provisions for such use.

18.75 LOTS.

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

(2) SIDE LOT LINES. Side lot lines shall generally be at right angles to straight street lines or radial to curved street lines on which the lot faces. Lot lines shall follow municipal boundary lines rather than cross them.

(3) DOUBLE FRONTAGE AND REVERSE FRONTAGE LOTS. Double frontage and reverse frontage lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.

(4) ACCESS. Every lot shall front or abut for a distance of at least 40' on a public street or have an access easement approved by the applicable Town Board. An access easement which is intended to serve more than 1 lot must be approved by the County Planning Committee and the applicable Town Board, using the relevant standards established under s. 82.50, Wis. Stats., or any amendments thereto.

(5) AREA AND DIMENSIONS. Area and dimensions of all lots shall conform to the requirements of the County Zoning Ordinance, and those building sites not served by a public sanitary sewer system or other approved system shall be sufficient to permit the use of an on-site soil absorption sewage disposal system designed in accordance with the County Sanitary Ordinance.

(6) TRACT SUBDIVIDED INTO PARCELS. Whenever a tract is subdivided into parcels, 5 acres or less in area and more than twice the minimum lot area required for the zoning district in which such parcel is located, the Planning Committee may require such parcels to be arranged and dimensioned so as to allow resubdivision of any such parcels in accordance with the provisions of this chapter and the County Zoning Ordinance.

(7) DEPTH. Lots not served with public sewers shall have a minimum average depth of 150'. Lots that abut County, State or Federal highways shall have a minimum average depth of 200'. Excessive depth in relation to width shall be avoided and a proportion of 2 to 1 shall be considered a desirable ratio under normal conditions.

(8) WIDTH. Width of lots served by public sewers shall not be less than 75' in width at the building setback line. Width of lots not served by public sewers shall not be less than 100' in width at the building setback line. Corner lots shall be designed with extra width to permit adequate building setback from both streets.

18.76 BUILDING SETBACK LINES. Building setback lines, appropriate to the location and type of development contemplated, which are more restrictive than the regulations of the zoning district in which the plat is located, may be required by the County Planning Committee.

18.77 EASEMENTS.

(1) The County Planning Committee may require easements of width deemed adequate for the intended purpose on the property side of front lot lines, on each side of all rear lot lines, on each side of all side lot lines or across lots where necessary or advisable for electric power and communication facilities; storm and sanitary sewers; water mains; gas lines; and any other utility line. All easements shall be noted on the final plat.

(2) DRAINAGE EASEMENTS. Where a subdivision is traversed by a drainageway or stream, an adequate easement shall be provided as may be required by the County Planning Committee. The location, size, alignment, and improvement of such drainageway or easement shall be subject to the approval of the County Planning Committee; and parallel streets or parkways may be required in connection therewith.

18.78 EROSION CONTROL AND STORM WATER MANAGEMENT.

(1) EROSION CONTROL. All erosion control shall meet the requirements of Chapter 21 of the La Crosse County Code of Ordinances.

(2) Storm Water Management. All storm water management practices shall be designed and installed to meet:

(a) the water quality standards of NR151.

(b) runoff rates to accomplish the following:

1. Maintain predevelopment peak runoff rates for the 2-year, 24 hour storm event.
2. Maintain predevelopment peak runoff rates for the 10-year, 24 hour storm event.
3. Safely pass the 25-year, 24 hour storm event.

PLANNED RESIDENTIAL UNIT DEVELOPMENT

18.80 PURPOSE. Grouping of residences in cluster subdivisions will permit individual minimum lot sizes to be reduced provided overall density within the subdivision is maintained. The remaining undeveloped area within the subdivision is to be used to provide common open space and preserve the scenic qualities of an applicable area. Grouping of residences facilitates common water supply and sewage disposal systems and encourages the improved use of land in proper respect to the preservation of natural resources.

18.81 REVIEW. Planned Residential Unit Development Subdivisions shall be submitted for review in the same manner as any other subdivision as outlined in ss. 18.30 through 18.36 of this chapter.

18.82 REQUIREMENTS.

(1) Proposed cluster developments shall include a minimum of 5 acres and shall be platted according to the requirements of this chapter.

(2) The maximum permitted number of lots in such development shall be determined by dividing the total area of the subdivision, excluding streets, by the minimum lot sizes required by the County Zoning Ordinance.

(3) The minimum yard and setback requirements of the County Zoning Ordinance shall apply.

(4) Excess land not used for lots and streets shall be dedicated for open space purposes. This may be accomplished by conveyance in common to each of the owners of lots in the development or by dedication to the County or Town. Lands dedicated to the public must be accepted by appropriate action of the governing body of the accepting unit of government. If the land is to be conveyed to owners of lots in the development, a homeowners association or similar legally constituted body shall be created to maintain the open space land.

(5) Any restriction placed on platted land by covenant, grant of easement or any other manner which was required by a public body or which names a public body as grantee, promisee or beneficiary, shall vest in the public body the right to enforce the restriction at law or in equity against anyone who has or acquires an interest in the land subject to the restriction. These restrictions shall be subject to acceptance of the County Planning Committee.

(6) Water supply and sewage disposal shall meet the minimum standards of the Department of Health and Human Services, the Department of Natural Resources, the County Sanitary Ordinance, and other applicable regulations.

CONSTRUCTION STANDARDS

18.90 COMMENCEMENT. No construction, earth moving or installation of improvements shall commence in a proposed subdivision until the preliminary plat and an Erosion Control Plan have been approved by the County Planning Committee.

18.91 BUILDING (Zoning Occupancy) PERMITS.

(1) No Zoning Occupancy land-use permit and/or building permit shall be issued for erection of a structure on any lot not of record until all the requirements of this chapter have been met.

(2) ACCESS. The County Zoning Administrator and/or their designee shall have access to premises and structures during reasonable hours to make those inspections as deemed necessary to ensure compliance with this chapter. If, however, the Administrator or designee is refused entry after presentation of proper identification, the Administrator or designee may procure a special inspection warrant in accordance with s. 968.10, Wis. Stats.

18.92 PLANS.

(1) The following plans and accompanying construction specifications shall be submitted to the Planning Committee concurrently with the preliminary plat.

(a) Street Plans and Profiles. Street plans and profiles showing existing and proposed grades, elevations and cross sections of required improvements.

SUBDIVISION AND PLATTING 18.92(1)(b)

(b) Storm Sewer and Open Channel Plans. Storm sewer and open channel plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials or required facilities.

(c) Additional Information. Additional special plans or information as required.