CHAPTER 2

SUBDIVISION REGULATIONS[1]

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2.01 INTRODUCTION

(1) Authority. These regulations are adopted under the authority granted by Section 236.45 of the Wisconsin Statutes.

(2) Purpose. The purpose of this Chapter is to regulate and control the division of land within the corporate limits of the Village of Oostburg, Wisconsin, and its extraterritorial plat approval jurisdiction in order to promote the public health, safety, morals, prosperity, aesthetics, and general welfare of the Village and its environs.

(3) Intent. It is the general intent of this Chapter to regulate the division of land so as to:

(A) Obtain the Wise Use, conservation, protection, and proper development of the Village's soil, water, wetland, woodland, and wildlife resources and attain a proper adjustment of land use and development to the supporting and sustaining natural resource base.

(B) Lessen Congestion in the streets and highways.

(C) Further the Orderly layout and appropriate use of land.

(D) Secure Safety from fire, panic, and other dangers.

(E) Provide Adequate Light and air.

(F) Facilitate Adequate Provision for housing, transportation, water supply, storm water, wastewater, schools, parks, playgrounds, and other public facilities and services.

Secure Safety from flooding, water pollution, disease, and other hazards.

Prevent Flood Damage to persons and properties an minimize expenditures for flood relief and flood control projects.

1 Adopted as Ordinance 2-1998. Adopted on June 8, 1998, Published on June 13, 1998. See Minutes of the Village Board, Vol. 12, pg. 1156.

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Prevent and Control Erosion, sedimentation, and other pollution of surface and subsurface waters.

Preserve Natural Vegetation and Cover and promote the natural beauty of the Village.

Restrict Building Sites in areas covered by poor soils or in other areas poorly suited for development.

Facilitate the Further Division of larger tracts into smaller parcels of land.

Ensure Adequate legal description and proper survey monumentation of subdivided land.

Provide for the Administration and enforcement of this Ordinance.

Provide Penalties for its violation.

Implement those municipal, county, watershed, or regional comprehensive plans or their components adopted by the Village, and in general to facilitate enforcement of Village development standards as set forth in the adopted regional, county, and local comprehensive plans, adopted plan components, Village Zoning Ordinance, and Village Building Code of the Village of Oostburg, Wisconsin.

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

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

Severability. 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.

Disclaimer of Liability. The Village does not guarantee, warrant, or represent that only those areas delineated as floodlands on plats and certified survey maps will be subject to periodic inundation, nor does the Village guarantee, warrant, or represent that the soils shown to be unsuited for a given land use from tests required by the Chapter are the only unsuited soils within the jurisdiction of this Chapter; and thereby asserts that there is no liability on the part of the Village, its Board of Trustees, 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 Chapter.

Repeal. All other Chapters or parts of Chapters of the Village inconsistent or conflicted with this Chapter, to the extent of the inconsistency only, are hereby repealed.

Title. This Chapter shall be known as, referred to, or cited as the "Subdivision Regulations Chapter, Village of Oostburg, Sheboygan County, Wisconsin."

2.02 DEFINITIONS

(1) General Definitions. For the purposes of this Chapter, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory.

(2) Specific Words and Phrases

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

Arterial Street - A street used, or intended to be used primarily for fast or heavy traffic to, from or within the municipality. Arterial streets shall include freeways and expressways as well as standard arterial streets, highways and parkways. An arterial street system is designated on the Village's Official Master Plan.

Block - A tract of land bounded by streets, or a combination of streets, public parks, cemeteries, railroad right-of-way, shorelines of navigable waters, and municipal boundaries.

Building Line - A line parallel to a lot line and at a distance from the lot line to comply with the terms of this Chapter.

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

Community - A town, municipality, or group of adjacent towns and/or municipalities having common social, economic or physical interests.

Comprehensive Plan - The extensively developed plan, entitled "Master Plan, Oostburg, Wisconsin," adopted by the Village Plan Commission, which has been or hereafter is certified to the Village Board pursuant to Sections 61.35 and 62.23 of the Wisconsin Statutes, including detailed neighborhood plans, proposals for future land use, transportation, urban redevelopment and public facilities. Devices for the implementation of these plans, such as zoning, official map, land division, and building line Chapters and capital improvement programs shall also be considered a part of the comprehensive plan.

Cul-de-Sac - A local street with only one (1) outlet and having a widened, paved area appropriate for the safe and convenient reversal of traffic movement.

Extraterritorial Plat Approval Jurisdiction - The unincorporated area within one and one-half (1½) miles of the Village' boundaries. Wherever such statutory extraterritorial powers overlap with those of another city or village, the jurisdiction over the overlapping area shall be divided on a line all points of which are equidistant from each community so that not more than one community exercises extraterritorial powers over any area.

Final Plat - A map prepared in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and this Chapter for the purpose of dividing larger parcels into lots and conveying those lots. The lines showing where lots and other improvements are located are precise.

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

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

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

Irrevocable Letter of Credit (LC) - An agreement guaranteeing payment by a developer for subdivision improvements, entered into by the Village and a bank, savings and loan, or other financial institution which is authorized to do business in this State and which has a financial standing acceptable to the Village, and which is approved, as to form, by the Village Attorney.

Lot - A parcel of land of at least sufficient size to meet minimum zoning requirements for use, width, and area as set forth in the Village of Oostburg Zoning Chapter. (See Illustration No.1)

Lot, Corner - A lot abutting two (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. (See Illustration No.1) Corner lots shall normally be deemed to have two front yards, on side yard, and one rear yard.

Lot, Double Frontage - A lot, other than a corner lot, with frontage on more than one (1) street. Double frontage lots shall normally be deemed to have two (2) front yards and two (2) side yards and no rear yard. Double frontage lots shall not generally be permitted unless the lot abuts an arterial highway. Double frontage lots abutting arterial highways should restrict direct access to the arterial highway by means of a planting buffer or some other acceptable access buffering measure. (See Illustration No. 1)

Minor Land Division - Any division of land not defined as a "subdivision." Minor land divisions include the division of land by the owner or subdivider resulting in the creation of two (2), but not more than four (4), parcels or building sites, any one of which is less than one and one-half (1½) acres; or the division of a block, lot or outlot within a recorded subdivision plat into not more than four (4) parcels or building sites without changing the exterior boundaries of said block, lot, or outlot. Such minor land divisions shall be made by a Certified Survey Map.

Minor Street - A street used, or intended to be used, primarily for access to abutting properties.

Municipality - An incorporated village or city.

National Map Accuracy Standards - Standards governing the horizontal and vertical accuracy of topographic maps and specifying the means for testing and determining such accuracy, endorsed by all federal agencies having surveying and mapping functions and responsibilities.

Navigable Water - Lake Michigan, Lake Superior, all natural inland lakes within Wisconsin, and all streams, ponds, sloughs, flowages, and other water within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of the state. The Wisconsin Supreme Court has declared as navigable, bodies of water with a defined bed and bank and with levels of 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. 2d 492 (1952) & DeGaynor and Co., Inc. v. Department of Natural Resources, 70 Wis. 2d 936 (1975)].

Outlot - A parcel of land, other than a lot or block, so designated on a plat. An outlot can be either redivided into lots, combined with one (1) or more other adjacent outlots, or lots in adjacent subdivisions in the future for the purpose of creating buildable lots or dedicated for permanent open space.

Plat - A map of a subdivision.

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

plat precisely describes the location and exterior boundaries of the parcel proposed to be divided, and shows the approximate location of lots and other improvements.

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

Recording a Plat - The filing of a final plat with the Register of Deeds.

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

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

Soil Mapping Unit - Soil type, slope, and erosion factor boundaries as shown on the operational soil survey maps prepared by the U.S. Soil Conservation Service.

Subdivider - Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor subdivision or replat. Also, the owner of a property which is being subdivided.

Subdivider's Agreement - An agreement by which the Village and Subdivider agree, in reasonable detail, to items pertaining to the division of the subdivider's property, which shall not come into effect unless and until an Irrevocable Letter of Credit or other appropriate surety has been issued to the Village.

Subdivision - The division of a lot, parcel, or tract of land by the owners thereof, or their agents, for the purpose of transfer of ownership or building development where the act of division creates five (5) or more parcels or building sites of one and one-half (1-1/2) acres each or less in area; or where the act of division creates five (5) or more parcels or building sites of one and one-half (1-½) acres each or less in area by successive divisions with in a period of five (5) years. For the purposes of applicable provisions of this Chapter, including, but not limited to design standards, required improvements, construction and fees, the rules of this Chapter shall apply to building sites of all buildings other than single-family, residential whether or not the land is being divided.

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.

Wetland - An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions and / or designated as wetlands by the U.S. Natural Resource Conservation Service, Wisconsin Department of Natural Resources, or the U.S. Army Corps of Engineers.

2.03 GENERAL PROVISIONS

Jurisdiction. Jurisdiction of these regulations shall include all lands within the corporate limits of the Village of Oostburg, Wisconsin, and those lands within the extraterritorial jurisdiction of the Village as established in Sections 61.35 and 62.23(2), 62.23(2)(7a), 66.32, and 236.10 of the Wisconsin Statutes. The provisions of this Chapter as it applies to divisions of tracts of land into less than two (2) parcels shall not apply to:

(1) Transfer of Interests in land by will or pursuant to court order.

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

(3) 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 Chapters, or other applicable laws or Chapters.

(4) Cemetery Plats made under Wisconsin Statutes 157.07.

(5) Assessors' Plats made under Wisconsin Statutes 70.27 but such assessors' plats shall comply with Wisconsin Statutes 236.15(1)(a) to (g) and 236.20(1) and (2)(a) to (e).

(2) Compliance. No person or other legal entity shall divide any land located within the jurisdictional limits of these regulations so that such division results in a subdivision, minor land division, replat, or condominium plat as defined herein; no such subdivision, minor land division, replat, or condominium plat shall be entitled to recording; and, no street shall be laid out or improvements made to land, without compliance with all requirements of this Chapter and the following documents:

(6) Chapter 236, Wisconsin Statutes.

(7) Rules of the Wisconsin Department of Commerce regulating lot size and lot elevation if the land to be subdivided is not served by a public sewer and provisions for such service have not been made.

(8) Rules of the Wisconsin Department of Transportation relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the subdivider abuts on a state trunk highway or connecting street.

(9) Rules of the Wisconsin Department of Natural Resources setting water quality standards preventing and abating pollution, and regulating development within floodland, wetland, and shoreland areas.

(10) Duly Approved Comprehensive Plan or comprehensive plan component of the Village of Oostburg, Wisconsin.

(11) The Village of Oostburg Zoning Chapter and all other applicable local and county Chapters.

(12)

(3) Dedication and Reservation of Lands

(A) Streets, Highways, and Drainageways: Whenever a tract of land to be divided within the jurisdiction of this Chapter encompasses all or any part of an arterial or collector street, drainageway, or other public way which has been designated on a duly adopted village or regional comprehensive plan or comprehensive plan component, said public way shall be made part of the plat or certified survey map and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan or component and as set forth in Section 8, Design Standards, of this Chapter.

(B) Parks and Playgrounds: Whenever a tract of land to be divided within the Village of Oostburg encompasses all or any part of a park or playground which has been designated on a duly adopted village or regional comprehensive plan or comprehensive plan component, said park of playground shall be made a part of that plat or certified survey map and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan and in accordance with the procedures set forth in Section VIII.09 of this Chapter.

(4) Improvements. Before final approval of any plat or certified survey map located within the jurisdictional limits of this Chapter, the subdivider shall install street and utility improvements as hereinafter provided. If such improvements are not installed as required at the time that the final plat is submitted for approval, the subdivider shall, before the recording of the plat, enter into a contract with the Village agreeing to install the required improvements and shall file with said contract, a bond or irrevocable letter of credit meeting the approval of the Village Attorney or a certified check in an amount equal to 115 percent of the estimated cost of the improvements -- said estimate to be made by the Village Board after review and recommendation by the Village Engineer -- 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 and as a further guarantee that all obligations to subcontractors for work on the development are satisfied. In addition:

(A) Engineering Reports, Construction Plans, and Specifications. As required by Section 4 of this Chapter, Land Division Procedures, engineering reports, plans and proposed specifications shall be submitted simultaneously with the filing of the Preliminary Plat. At the Final Plat stage, construction plans for the required

improvements conforming in all respects with the standards of the Village Engineer and the ordinances of the Village shall be prepared at the subdivider's expense by a professional engineer who is registered in the State of Wisconsin, and said plans shall contain the professional engineer's seal. Such plans, together with the quantities of construction items, shall be submitted to the Village Engineer for his approval and for his estimate of the total cost of the required improvements; upon approval they shall become a part of the contract required. Simultaneously with the filing of the Final Plat with the Village Clerk or as soon thereafter as practicable, copies of the construction plans and specifications shall be furnished for the following public improvements:

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

(2) Sanitary Sewer plans and profiles showing the locations, grades, sizes, elevations, and materials of required facilities.

(3) Storm Sewer and Open Channel design computations, plans and profiles showing the locations, grades, sizes, cross sections, elevations, and materials of required facilities.

(4) Site Grading Plans showing the existing and proposed final grades of the lot lines, building pads, and drainage flow patterns.

(5) Erosion and Sedimentation Control plans showing those structures required to retard the rate of runoff water and those grading and excavating practices that will prevent erosion and sedimentation. Such plans shall comply with the Village's Erosion Control Chapter (Building Code), if applicable.

(6) Planting Plans showing the locations, age, caliper, species, and time of planting of any required grasses, vines, shrubs, and trees.

(7) Additional special plans or information as required by Village officials.

(B) Action by the Village Engineer. The Village Engineer shall review or cause to be reviewed the plans and specifications for conformance with the requirements of this Chapter and other pertinent Village ordinances and design standards recommended by the Village Engineer and approved by the Village Board. If the Village Engineer rejects the plans and specifications, he shall notify the owner, who shall modify the plans or specifications or both accordingly. When the plans and specifications are corrected, the Village Engineer shall approve the plans and specifications for transmittal to the Village Board. The Village Board must approve the plans and specifications before the improvements may be installed and construction commenced.

(C) Construction Inspection

(i) Prior to starting any of the work covered by the plans approved above, written authorization to start the work shall be obtained from the Village Engineer upon receipt of all necessary permits and in accordance with the construction methods of this Chapter. Building permits shall not be issued until all improvements required by this Chapter are satisfactorily completed.

(ii) During the course of construction, the Village Engineer shall make such inspections as he, or the Village Board, deems necessary to ensure compliance with the plans and specifications as approved. The subdivider shall pay the actual cost incurred by the Village for such inspections.

(D) Subdivider to Reimburse the Village for Costs Sustained. The subdivider of land divisions within the Village shall reimburse the Village for its actual cost of reviews, design, inspection, testing, construction, and associated legal and real estate fees for the required public improvements for the land division. The Village's costs shall be determined as follows:

(i) The cost of Village employees' time engaged in any way with the required public improvements based on the hourly rate paid to the employee multiplied by a factor determined by the Village Clerk to represent the

Village's cost for expenses, benefits, insurance, sick leave, holidays, vacation and similar benefits.

(ii) The cost of Village equipment employed.

(iii) The cost of mileage reimbursed to Village employees which is attributed to the land division.

(iv) The actual costs of Village materials incorporated into the work, including transportation costs plus a restocking and / or handling fee not to exceed ten percent (10%) of the cost of the materials.

(v) All consultant fees associated with the public improvements at the invoiced amount plus administrative costs. Unless the amount totals less than fifty dollars ($50.00), the Village may bill the subdivider monthly for expenses incurred by the Village. Statements outstanding for more than thirty (30) days shall accrue interest at the rate of one percent (1%) per month. Bills outstanding for more than ninety (90) days shall be forwarded to the subdivider's surety agency for payment. Amounts less than fifty dollars ($50.00) shall be held for billing by the Village until amounts total more than fifty dollars ($50.00) or until the conclusion of project activities.

(E) Record Plans. After completion of all public improvements and prior to final acceptance of said improvements, the subdivider shall make or cause to be made two (2) copies of record plans showing the actual "as-built" location of all valves, manholes, stubs, sewers, and water mains and such other facilities as the Village Engineer shall require. These plans shall be prepared on the original mylars of the construction plans and shall bear the signature and seal of a professional engineer registered in Wisconsin. The presentation of the record plan shall be a condition of final acceptance of the improvements and release of the surety bond assuring the completion. The subdivider shall also deliver the construction plans on electronic media in a format acceptable to the Village.

(5) Variances

(A) Where, in the judgement of the Village Plan Commission, it would be inappropriate to apply literally the provisions of Section 8 and 9 of this Chapter because of the proposed subdivision being located outside of the corporate limits, or because exceptional or undue hardship would result, the Village Plan Commission may grant a variance from any requirement to the extent deemed just and proper provided that such variance from any requirement shall not have the effect of nullifying the intent and purpose of this Chapter. No variance to the provisions of this Chapter shall be granted unless the Village Plan Commission finds that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

(i) Exceptional Circumstances: There are exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Chapter would result in severe hardship. (Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that the Land Division Chapter should be changed).

(ii) Preservation of Property Rights: That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.

(iii) Absence of Detriment: That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Chapter or the public interest.

(B) Unanimous vote of the Village Plan Commission shall be required to grant any variance of this Chapter.

(C) The Village Board may waive the placing of monuments, required under Section 236.15(b), (c), and (d), for a reasonable time, not to exceed one year on condition that the subdivider execute a surety bond to ensure the placing of such monuments within the required time limits established by statute. Additional time may be granted upon show of cause.

(6) Land Suitability. No land shall be subdivided for residential use which is determined to be unsuitable for such use by the Village Plan Commission, upon the recommendation of the Village Engineer or any other agency as determined by the Plan Commission, for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography, or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or of the Village.

(A) The Village Plan Commission, in applying the provisions of this section shall, in writing, recite the particular facts upon which it bases its conclusion that the land is unsuitable for residential use and afford the subdivider an opportunity to present evidence in rebuttal to such finding of unsuitability if he so desires. Thereafter the Village Plan Commission may affirm, modify, or withdraw its determination of unsuitability.

(7) Violations. It shall be unlawful to build upon, divide, convey, record or place monuments on any land in violation of this Chapter or the Wisconsin Statutes; and no person, firm, or corporation shall be issued a building permit by the Village of Oostburg authorizing the building on, or improvement of, any subdivision, minor land division, replat, or condominium plat within the jurisdiction of this Chapter not of record as of the effective date of this Chapter until the provisions and requirements of this Chapter have been fully met. The Village may institute appropriate action or proceedings to enjoin violations of this Chapter or the applicable Wisconsin Statutes.

(8) Penalties and Remedies. Any person, firm, or corporation who violates or fails to comply with the provision of this Chapter shall, upon conviction thereof, forfeit no less than $100 nor more than $1,000 plus the costs of prosecution for each offense and the penalty for default of payment of such forfeiture and costs shall be imprisonment in the County Jail until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense. Compliance may also be enforced by injunctional order at the suit of the Village. Violations and concomitant penalties shall include:

(A) Recordation improperly made carries penalties as provided in Section 236.30 of the Wisconsin Statutes.

(B) Conveyance of lots in unrecorded plats carries penalties as provided for in Section 236.31 of the Wisconsin Statutes.

(C) Monuments disturbed or not placed carries penalties as provided for in Section 236.32 of the Wisconsin Statutes.
An assessor's plat made under Section 70.27 of the Wisconsin Statutes may be ordered as a remedy by the Village Board, at the expense of the subdivider, when a subdivision as defined herein is created by successive divisions.

(9) Appeals. Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal such objection or failure to approve as provided in Sections 236.13(5) of the Wisconsin Statutes, within 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 authority or objecting agency is arbitrary, unreasonable, or discriminatory.

2.04 LAND DIVISION PROCEDURES

(1) Pre-Application. It is recommended that, prior to the filing of an application for the approval of a preliminary plat, the subdivider consult with the Village Clerk, Village Plan Commission, its staff, and / or the Village Engineer in order to obtain their advice and assistance. This consultation is neither formal nor mandatory, but is intended to inform the subdivider of the purpose and objectives of these regulations, the comprehensive plan, comprehensive plan components, neighborhood plan, and duly adopted plan implementation devices of the Village and to otherwise assist the subdivider with the plat approval process. During discussions, 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 community.

(2) Preliminary Plat Review. Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat and a letter of application. The Preliminary Plat shall be prepared in accordance with this Chapter, and the subdivider shall file 10 copies of the Plat and the application with the Village Clerk at least 30 days prior to the meeting of the Village Plan Commission at which consideration is desired. In addition:

(A) The Village Clerk shall also transmit 10 copies of the Preliminary Plat to the Village Plan Commission and to the Public Works Superintendent, all affected village committees, commissions or departments for their review and recommendations concerning matters within their jurisdiction. The clerk shall also transmit copies of the plat to other agencies in accordance with 236.12(2) of the State Statutes. The recommendations of Village boards, commissions, and departments shall be transmitted to the Village Plan Commission within 30 days from the date the Preliminary Plat is filed. The Preliminary Plat shall then be reviewed by the Village Plan Commission for conformance with this Chapter and all Chapters, rules, regulations, comprehensive plans and comprehensive plan components, and neighborhood plans.

(3) Preliminary Plat Approval. The reviewing agencies shall, within 30 days of the date of receiving their copies of the Preliminary Plat, notify the Plan Commission of any objections. If there are no objections, they shall so certify on the face of the copy of the Preliminary Plat and shall return that copy to the Village Clerk. If a reviewing agency fails to act within 30 days, it shall be deemed to have no objection to the Plat.

(A) The Village Plan Commission shall, within 90 days of the date of filing of a Preliminary Plat with the Village Clerk, approve, approve conditionally, or reject such Preliminary Plat. One (1) copy of the Preliminary Plat shall thereupon be returned to the subdivider with the date and action endorsed thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejection shall accompany the Preliminary Plat. One (1) copy each of the Preliminary Plat and letter shall be placed in the Village Plan Commission's permanent file.

(B) Failure of the Village Plan Commission to act within 60 days shall constitute an approval of the Plat as filed unless the review period is extended by mutual consent.

(C) Approval or Conditional Approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within six (6) months of preliminary plat approval and conforms substantially to the Preliminary Plat layout as indicated in Section 236.11(1)(b) of the Wisconsin Statutes, the Final Plat shall be entitled to approval with respect to such layout. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the Final Plat which will be subject to further consideration by the Village Plan Commission and Village Board.

(4) Final Plat Review. The subdivider shall prepare a Final Plat and a letter of application in accordance with this Chapter and shall file an adequate number of copies of the Plat and the application with the Village Clerk at least 30 days prior to the meeting of the Village Plan Commission at which action is desired. In addition:

(A) Submit the Original Drawing of the Final Plat directly to the Director of the Planning Function of the Wisconsin Department of Development who will prepare and forward copies of the plat at the subdivider's expense to the reviewing agencies. It is the responsibility of the subdivider to submit sufficient additional copies of the final plat to the Village Clerk for review by the Village Plan Commission.

(B) The Village Plan Commission shall examine the Final Plat as to its conformance with the approved Preliminary Plat; any conditions of approval of the Preliminary Plat; this Chapter and all Chapters, rules, regulations, comprehensive plans and comprehensive plan components which may affect it and shall recommend approval, or rejection of the Final Plat to the Village Board.

(C) Partial Platting: If permitted by the Village Board, the approved Preliminary Plat may be final platted in phases with each phase encompassing only that portion of the approved Preliminary Plat which the subdivider proposed to record at one time,

however, it is required that each such phase be final platted and be designated as a phase of the approved Preliminary Plat.

(5) Final Plat Approval. The reviewing agencies shall, within 20 days of the date of receiving their copies of the Final Plat, notify the Plan Commission of any objections. If there are no objections, reviewing agencies shall so certify on the face of the copy of the Final Plat and shall return that copy to the Village Plan Commission. If a reviewing agency fails to act within 20 days, it shall be deemed to have no objection to the Plat. In addition:

(A) Submission: If the first phase of the Final Plat is not submitted within six (6) months of the last required approval of the Preliminary Plat, the Village Board may refuse to approve the Final Plat.

(B) The Village Plan Commission shall, within 30 days of the date of filing of the Final Plat with the Village Clerk, recommend approval or rejection of the Plat and shall transmit the Final Plat and application along with its recommendations to the Village Board.

(C) Notification: The Village Plan Commission shall, at the time it recommends approval or rejection of a Final Plat to the Village Board, give at least 10 days prior written notice of its recommendation to the clerk of any municipality within 1,000 feet of the Final Plat.

(D) The Village Board shall, within 60 days of the date of filing the original Final Plat with the Village Clerk, approve or reject such Plat unless the time is extended by agreement with the subdivider. 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 Village Board may not inscribe its approval of the Final Plat unless the Village Clerk certifies on the face of the Plat that the copies were forwarded to reviewing agencies as required herein, the date thereof, and that no objections have been filed within 20 days or, if filed, have been met.

(E) If the Village Board fails to take action on the Final Plat within 60 days, the time having not been extended and no unsatisfied objections having been filed, and all fees payable by the subdivider having been paid, the Final Plat shall be deemed approved.

(F) Recordation: After the Final Plat has been approved by the Village Board and required improvements either installed or a contract and sureties insuring their installation is filed, the Village Clerk shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Village Clerk shall record the Plat with the County Register of Deeds. The Register of Deeds shall not record the Plat unless it is offered within 30 days from the date of the last approval.

(G) Copies: The subdivider shall file five (5) copies of the recorded Plat with the Village Clerk for distribution to the Village Engineer, Building Inspector, Assessor, and other affected departments for their files.

(6) Minor Land Division (Certified Survey Map). When it is proposed to create a minor land division as defined in Section 2.2.2(II). The subdivider shall prepare the Certified Survey Map in accordance with this Chapter and shall file sufficient copies of the Map and the letter of application with the Village Clerk at least 30 days prior to the meeting of the Village Plan Commission at which action is desired.

(A) Pre-Application Conference similar to the consultation suggested in Section 2.4.1 of this Chapter is recommended. A preliminary certified survey map may be required when the division provides for land to be dedicated to the public.

(B) The Village Clerk shall, within two (2) normal work days after filing, transmit the copies of the Map and letter of application to the Village Plan Commission.

(C) The Village Clerk shall transmit a copy of the Map to all affected Village boards, commissions, or departments for their review and recommendations concerning matters within their jurisdiction. Their recommendations shall be transmitted to the Village Plan Commission within 30 days from the date the Map is filed. The Map shall be reviewed by the Village Plan Commission for conformance with this Chapter and all Chapters, rules, regulations, comprehensive plans, comprehensive plan components, and neighborhood plans.

(D) The Village Plan Commission shall, within 60 days from the date of filing of the Map, recommend approval, conditional approval, or rejection of the Map, and shall transmit the Map along with its recommendations to the Village Board.

(E) The Village Board shall approve, approve conditionally, and thereby require resubmission of a corrected Map, or reject such Map within 90 days from the date of filing of the Map unless the time is extended by 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. If the Map is approved, the Village Board shall cause the Village Clerk to so certify on the face of the original Map and return the Map to the subdivider.

(F) Recordation: After the Certified Survey Map has been approved by the Village Board, the Village Clerk shall cause the certificate to be inscribed upon the Map attesting to such approval and the Village Clerk shall record the Map with the County Register of Deeds. The Register of Deeds shall not record the Map unless it is offered within 30 days from the date of the last approval.

(G) Copies: The subdivider shall file five (5) copies of the Certified Survey Map with the Village Clerk for distribution to the Village Engineer, Building Inspector, Assessor, and other affected departments for their files.

(7) Review and Approval of Extraterritorial Plats and Certified Survey Maps. When it is proposed to divide lands located in the unincorporated area within one and one-half (1½) miles of the corporate limits of the Village of Oostburg, the subdivider shall proceed as specified in Sections 2.4.1 through 2.4.6 of this Chapter, with the following exceptions or additions:

(A) Transmittal Responsibility: The Town Clerk, or County Planning, Zoning, and Sanitation Department, to whomever the plat or Certified Survey Map is first submitted shall be responsible for transmitting copies of the Plat or Map to designated reviewing agencies unless the subdivider has specifically requested that the Village assume the responsibility of transmitting all review copies. The subdivider shall specify in his letter of application to whom the original application was submitted.

(B) Improvement and Design Requirements: If the Extraterritorial Plat or Certified Survey Map contains lands located within the adopted Sanitary Sewer Service Area of the Village of Oostburg, the subdivider shall comply with all of the improvement requirements of Section 9 of this Chapter and with all of the design requirements of Section 9 of this Chapter. If the Extraterritorial Plat or Certified Survey Map does not contain lands located within the Village's Sanitary Sewer Service Area, the subdivider shall comply with all of the design requirements of Section 7 of this Chapter. In either event, the subdivider shall not be required to dedicate park and open space land to the Village or be required to pay a public site fee to the Village.

(8) Replat. When it is proposed to replat a recorded subdivision, or part thereof, so as to change the boundaries of a recorded subdivision, or part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded Plat as provided in Sections 236.40 through 236.44 of the Wisconsin Statutes. The subdivider, or person wishing to replat, shall then proceed as specified in Sections 2.4.1 through 2.4.5.

The Village Clerk shall schedule a public hearing before the Village Plan Commission when a Preliminary Plat of a replat of lands within the Village or its extraterritorial jurisdictional limits is filed, and shall cause notices of the proposed Replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed Replat and to the owners of all properties within 200 feet of the exterior boundaries of the proposed Replat.

(9) Condominium Plats. A condominium plat prepared pursuant to Section 703.11 of the Wisconsin Statutes shall be reviewed in the same manner as a subdivision plat as set forth in Sections 2.4.1 through 2.4.5 of this Chapter.

2.05 PRELIMINARY PLAT REQUIREMENTS

(1) General. 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 tracing cloth, reproducible drafting film, or paper of good quality. It shall be clearly marked "Preliminary Plat," and shall be in sufficient detail to determine whether the Final Plat will meet layout requirements, be at a map scale of not more than 100 feet to the inch, and shall show correctly on its face the following information:

(A) Title or name under which the proposed subdivision is to be recorded. Such title shall not be the same or similar to a previously approved and recorded plat, unless it is an addition to a previously recorded plat and is so stated on the plat.

(B) Property Location of the proposed subdivision by: government lot, quarter-section, township, range, county, and state.

(C) General Location Sketch showing the location of the subdivision within the U.S. Public Land Survey section.

(D) Date, Graphic Scale and North Arrow.

(E) Names and Addresses of the owner, subdivider, and land surveyor preparing the plat.

(F) 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 Village Plan Commission may waive this requirement where it is unnecessary to fulfill the purposes and intent of the Chapter and severe hardship would result from strict application thereof.

(2) Plat Data. All preliminary plats shall show the following:

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

(B) Existing and Proposed Contours at vertical intervals of not more than two (2) feet where the slope of the ground surface is less than 10%, and of not more than five (5) feet where the slope of the ground surface is 10% or more. Elevations shall be marked on such contours based on National Geodetic Vertical Datum of 1929 (mean sea level).

(C) Water Elevations of adjoining lakes and streams at the date of the survey and approximate high and low water elevations, all referred to mean sea level (1929) datum.

(D) Floodplain Limits and the contour line lying a vertical distance of three (3) feet above the elevation of the 100-year recurrence interval flood, or where such data is not available, five (5) feet above the elevation of the maximum flood of record.

(E) Location, Right-of-Way Width and Names of all existing streets, alleys, or other public ways, easements, railroad and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.

(F) Type, Width, and Elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations, all to mean sea level (1929) datum.

(G) Location and Names of Any Adjacent Subdivisions, parks, and cemeteries and owners of record of abutting unplatted lands.

(H) Location, Size, and Invert Elevation of any existing sanitary or storm sewers, culverts, and drain pipes, the location of manholes, catch basins, hydrants, power and telephone poles, and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sanitary or storm sewers or water mains are located on, or immediately adjacent to, the land being platted, the nearest such sewers or water mains which might be extended to serve such lands shall be indicated by their direction and distance from the nearest exterior boundary of the plat and their size and invert elevations.

(I) Locations of All Existing Property Boundary Lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other

similar significant natural or manmade features within the tract being subdivided or immediately adjacent thereto.

(J) Location, Width, and Names of all proposed streets and public rights-of-way such as alleys and easements.

(K) Approximate Dimensions and Area of All Lots together with proposed lot and block numbers.

(L) Location and Approximate Dimensions and Size of any sites to be reserved or dedicated for parks, playgrounds, drainageways, or other public use or which are to be used for group housing, shopping centers, church sites, or other private uses not requiring lotting.

(M) Approximate Radii of All Curves.

(N) Existing Zoning on, and adjacent to, the proposed subdivision.

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

(P) Any Proposed Lake and Stream Improvement or relocation.

(Q) Soil Type, Slope, and Boundaries as shown on the detailed operational soil survey maps prepared by the U.S. Soil Conservation Service.

(3) Engineering Data. The Village Plan Commission, upon the recommendation of the Village Engineer, may require that the subdivider provide additional information including, but not limited to, the following:

(A) Street Plans, Typical Sections, 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 National Geodetic Vertical Datum (NGVD), and plans and profiles shall meet the approval of the Village Engineer.

(B) Master Site Grading Plan showing existing and proposed building pad elevations, proposed elevations at all lot corners, contours, and drainage patterns including surrounding contours and drainage areas sufficient to describe the entire area contributing storm water to the site. Plan will also show existing culverts, ditches, and storm sewer main with sizes, grades, and materials of each, storm water detention basins and other storm drainage facilities.

(C) Sanitary Sewer and Water Conceptual Layouts showing existing and proposed invert and rim elevation, pipe size, and pipe slope for sanitary sewer and water main size, hydrant location, valve location, and proposed water pressure at critical hydrant.

(4) Testing. The Village Plan Commission, upon the recommendation of the Village Engineer, may require that borings and soundings be made in specified areas to ascertain subsurface soil, rock, and water conditions, including depth to bedrock and depth to groundwater table. The Village does not guarantee, warrant, or represent that those soils tested and shown to be unsuited for specific uses are the only unsuited soils within the Village and thereby asserts that there is no liability on the part of the Village Board of Trustees, its agencies, or employees for sanitation problems or structural damages that may occur as a result of reliance upon, and conformance with, this Chapter. Where the subdivision will not be served by public sanitary sewer service, the provisions of Chapter Comm 85 of the Wisconsin Administrative Code shall be complied with; and the appropriate data submitted with the Preliminary Plat.

(5) Soil and Water Conservation. The Village Plan Commission, upon the recommendation of the Village Engineer, after determining from a review of the Preliminary Plat, that the soil, slope, vegetation, and drainage characteristics of the site are such as to require substantial cutting, clearing, grading, and other earthmoving operations in the development of the subdivision or otherwise entail a severe erosion hazard, shall require the subdivider to provide soil erosion and sedimentation control plans and specifications. Such plans shall generally follow the guidelines and standards set forth in the Wisconsin Construction Site Best Management Practices Handbook, the Natural Resources Conservation Service Field Office Technical Guide and shall be in accordance with standards set forth in Section 2.9.13 of this Chapter.

(6) Covenants. The Village Plan Commission shall require submission of a draft of protective covenants, where a covenant is proposed, whereby the subdivider intends to regulate land use in the proposed subdivision and otherwise protect the proposed development. The covenants shall be subject to the review and the approval of the Village Attorney as to form.

(7) Affidavit. The surveyor preparing the Preliminary Plat shall certify on the face of the plat that it is correct representation of all existing land divisions and features and that he has fully complied with the provisions of this Chapter.

2.06 FINAL PLAT REQUIREMENTS

(1) 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 Section 236.20 of the Wisconsin Statutes.

(2) Additional Information. The Plat shall show correctly on its face, in addition to the information required by Section 236.20 of the Wisconsin Statutes, the following:

(A) Utility and/or Drainage Easements.

(B) All Lands Reserved for future public acquisition or reserved for the common use of property owners within the plat.

(C) Special Restrictions required by the Village Plan Commission relating to access control along public ways or to the provision of planting strips.

(D) Wetland areas and shoreland areas.

(3) Deed Restrictions. The Village Plan Commission may require that deed restrictions be filed with the Final Plat and shall be recorded with the approved Final Plat.

(4) Survey Accuracy. The Village Engineer shall examine all Final Plats within the Village and may make, or cause to be made by a registered land surveyor under the supervision or direction of the Village Engineer, field checks for the accuracy and closure of survey, the proper kind and location of monuments and the legibility and completeness of the drawing. In addition:

(A) Maximum Error of Closure before adjustment of the survey of the exterior boundaries of the subdivision shall not exceed, in horizontal distance or position, the ratio of one (1) part in 10,000, nor in azimuth, of four (4) seconds of arc per interior angle. If field measurements exceed this maximum, new field measurements shall be made until a satisfactory closure is obtained. When a satisfactory closure of the field measurements has been obtained, the survey of the exterior boundary shall be adjusted to form a closed geometric figure.

(B) The Village Board shall receive the results of the Village Engineer's examination prior to approving the Final Plat.

(5) Surveying and Monumenting. All final plats shall meet all the surveying and monumenting requirements of Section 236.15 of the Wisconsin Statutes.

(6) State Plane Coordinate System. Where the Plat is located within a U. S. Public Land Survey quarter-section the corners of which have been relocated, monumented, and coordinated by the Village of Oostburg, Sheboygan County, the Plat shall be tied directly to one of the section or quarter corners so relocated, monumented, and coordinated as required by Section 2.36.20(3)(b) of the Wisconsin State Statutes. The exact grid bearing and distance of such tie shall be determined by field measurements, and shown on the Plat and the material and Wisconsin State Plane Coordinates of the monument marking the relocated section or quarter corner to which the Plat is tied shall be indicated on the Plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone.

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

(8) Recordation. The Final Plat shall only be recorded with the County Register of Deeds after the certificates of the Wisconsin Department of Development, of the Village Board, of the Surveyor, and those certificates required by Section 236.21 of the Wisconsin Statutes are placed on the face of the Final Plat. The Final Plat shall be recorded by the Village Clerk within 30 days of its approval by the Village Board.

2.07 CERTIFIED SURVEY MAP

(1) General. A Certified Survey Map prepared by a registered land surveyor shall be required for all minor land divisions. It shall comply in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. The minor subdivision shall comply with the design standards and improvement requirements set forth in Sections 8 and 9 of this Chapter.

(2) Required Information. The Map shall show correctly on its face, in addition to the information required by Section 236.34 of the Wisconsin Statutes, the following:

- (A) All Existing Structures, water courses, drainage ditches, and other features pertinent to proper land division.
- (B) Utility and/or Drainage Easements.
- (C) All Lands Reserved for future acquisition.
- (D) Date of the Map.
- (E) Floodplain Limits and the contour line lying a vertical distance of two (2) feet above the elevation of the 100-year recurrence interval flood, or where such data is not available, five (5) feet above the elevation of the maximum flood of record.
- (F) North Arrow.
- (G) Name and Address of the owner, subdivider, and surveyor.

(3) State Plane Coordinate System. Where the Map is located within a U.S. Public Land Survey quarter-section the corners of which have been relocated and monumented, the Map shall be tied directly to two (2) of the sections or quarter corners so relocated and monumented. The exact grid bearings and distance of such tie shall be determined by field measurements, and shown on the map, 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.

(4) Certificates. The surveyor shall certify, on the face of the Map, that he has fully complied with all the provisions on this Chapter. The Village Board, after a recommendation by the reviewing agencies, shall certify its approval on the face of the Map.
In addition, dedication of streets and other public areas shall require, the owner's certificate and the mortgagee's certificate in substantially the same form as required by Section 236.21(2)(a) of the Wisconsin Statutes.

(5) Recordation. The Certified Survey Map shall only be recorded with the County Register of Deeds after the certificates of the Village Board and the surveyor are placed on the face of the Map. The Map shall be recorded by the Village Clerk within 30 days of its approval by the Village Board.

2.08 DESIGN STANDARDS

(1) Street Arrangement. In any new subdivision, the street layout shall conform to the arrangement and location indicated on the Village Master Plan, County jurisdictional highway system plan, comprehensive plan, and / or plan component, and / or precise neighborhood unit development plan of the Village of Oostburg, Wisconsin. In areas for which such plans have not been completed, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams, and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street. In addition:

- (A) Arterial Streets shall be arranged so as to provide ready access to centers of employment, centers of governmental 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 practicable, continuous and in alignment with existing or planned streets with which they are to connect.
- (B) 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 the mass transportation system, to special

traffic generators such as schools, churches, and shopping centers and other concentrations of population and to the major streets to which they connect.

(C) Minor Streets 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 adequate street area necessary to provide safe and convenient access to abutting property.

(D) Proposed Streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Village Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts.

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

(F) Stream or Lake Shores shall have a minimum of 60 feet of public access platted to the low water mark at intervals of not more than one-half mile as required by Section 236.16(3) of the Wisconsin Statutes.

(G) Alleys shall be provided in commercial and industrial areas for off-street loading and service areas unless otherwise exempted by the Village Plan Commission, but shall not be approved in residential districts. Dead end alleys shall not be approved, and alleys shall not connect to an arterial street.

(H) Street Names shall not duplicate or be similar to existing street names elsewhere in the Village, and existing street names shall be projected wherever possible.

(2) Limited Access Highway and Railroad Right-of-Way Treatment. Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:

(A) When Lots Within the Proposed Subdivision back upon the right-of-way of an existing or proposed limited access highway or a railroad, a planting strip, at least 20 feet in depth, shall be provided adjacent to the highway or railroad right of way 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, the building of structures heron is prohibited."

(B) Commercial and Industrial Properties shall have streets provided, on each side of the limited access highway or railroad, approximately parallel to, and at a suitable distance from, such highway or railroad. The suitable distance shall accommodate the appropriate use of the land between such streets and highway or railroad, but shall not be less than 150 feet.

(C) Streets Parallel to a Limited Access Highway or Railroad Right-of-Way, when intersecting a major street and highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of 250 feet from said highway or railroad right-of-way.

(D) Minor Streets immediately adjacent to arterial streets and highways and to railroad rights-of-way shall be avoided in residential areas.

(3) Street and Pedestrian Way Design Standards. The minimum right-of-way and roadway width of all proposed streets shall be as specified by the Village Master Plan, Master Plan component, official map, neighborhood development study; or jurisdictional highway system plan; or if no width is specified therein, the minimum widths shall be as shown on Figure 1. Street sections are for standard arterial streets only. Cross-sections for freeways, expressway and parkways should be based upon detailed engineering studies. In addition:

(A) Cul-de-Sac Streets designed to have one end permanently closed shall not exceed 750 feet in length. All urban cul-de-sac streets designed to have one end permanently closed without a center planting island shall terminate in a tear-drop turn-around having a minimum right-of-way radius of 55 feet and a minimum outside curb radius of 45 feet.

(B) Temporary Termination of streets intended to be extended at a later date shall be accomplished with a temporary cul-de-sac in accordance with the standards set forth above, or by construction of a paved temporary "T" intersection 33 feet in width and abutting the right-of-way lines of the access street on each side.

(C) Street Grades: Unless necessitated by exceptional topography subject to the approval of the Plan Commission, the maximum centerline grade of any street or public way shall not exceed the following:

(i) Arterial Streets: six (6%) percent.

(ii) Collector Streets: eight (8%) percent.

(iii) Minor Streets, alleys, and frontage streets: eight (8%) percent.

(iv) Pedestrian Ways: ten (10%) percent, unless steps or stairs of acceptable design are provided.

(v) The grade of any street shall in no case exceed 8% or be less than one-half (0.5) of one percent.

Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and general levelling of the topography. All changes in street grades exceeding 0.4% shall be connected by vertical curves of a minimum length equivalent in feet to 15 times the algebraic difference in the rates of grade for arterial streets, and one-half (½) this minimum for all other streets.

(D) Radii of Curvature: When a continuous street centerline deflects at any one 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:

(i) Arterial streets and highways: 500 feet.

(ii) Collector streets: 300 feet.

(iii) Minor streets: 200 feet.

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

(E) 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 new half-streets shall not be permitted.

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

(A) The Number of Streets Converging at one intersection shall be reduced to a minimum, preferably not more than two (2).

(B) The Number of Intersections along major streets and highways shall be held to a minimum. Whenever practicable, the distance between such intersections shall not be less than 1,200 feet.

(C) Minor Streets shall not necessarily continue across arterial or collector streets; but if the centerlines of such minor streets approach the major streets from opposite sides within 250 feet of each other, measured along the centerlines of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the major or collector street is continuous; and a jog is avoided.

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

(A) The Length of Blocks in residential areas shall not, as a general rule, be less than 600 feet, nor more than 1,500 feet, in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

(B) Pedestrian Ways of not less than 10 feet in width may be required near the center and entirely across any block over 900 feet in length where deemed essential by the Village Plan Commission to provide adequate pedestrian circulation or access to schools, parks, shopping centers, churches or transportation facilities.

(C) The Width of Blocks shall be wide enough to provide for two (2) tiers of lots of appropriate depth except where other wise required to separate residential development from through traffic. Width of lots or parcels reserved or laid out for

commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.

(D) Utility Easements for electric power, telephone service, and cable television shall, where practical, be placed on mid-block easements along rear lot lines and side lot lines where necessary.

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

(A) Side Lot Lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.

(B) 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.

(C) Access: Every lot shall front or abut for a distance of at least 50 feet at the right of way on a public cul de sac and every other lot shall front or abut for a distance at least 90 feet on a public street.

(D) Area and Dimensions of all lots shall conform to the requirements of the Village of Oostburg Zoning Chapter for the subdivisions within the Village and to the Sheboygan County Zoning Chapter within the Village's extraterritorial jurisdictional limits. Those building sites in the extraterritorial plat approval jurisdiction not served by a public sanitary sewerage 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 Chapter Comm 83 of the Wisconsin Administrative Code. The width and area of lots located on soils suitable for the use of an on-site soil absorption sewage disposal system shall not be less than 150 feet in width and 40,000 square feet in area.

(E) Depth of Lots shall be a minimum of 120 feet. Excessive depth in relation to width shall be avoided and a proportion of two to one (2:1) shall be considered a desirable ratio under normal conditions. Depth of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated.

(F) Width of Lots shall conform to the requirements of the Village Zoning Chapter, or other applicable ordinance.

(G) Corner Lots shall have an extra width of 20 feet to permit adequate building setbacks from side streets.

(H) 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 any plat abutting a lake or stream.

(7) Building Setback Lines. Building setback lines appropriate to the location and type of development contemplated, which are more restrictive than the regulation of the zoning district in which the Plat is located, may be required by the Village Plan Commission and shall be shown on the Final Plat or Certified Survey Map. Examples of the application of this provision would include requiring greater setbacks on cul-de-sac lots to achieve the necessary lot width at the setback line, requiring greater setbacks to conform to setbacks of existing adjacent development, or setting special yard requirements to protect natural resource elements.

(8) Easements. The Village Plan Commission may require utility easements of widths deemed adequate for the intended purpose on each side of all rear lot lines and on side lot lines or across lots where necessary or advisable for electric power, cable television, communication lines, wires, conduits, storm and sanitary sewers, and gas, water, and other utility lines. Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, or occupied by stormwater detention or retention facilities, an adequate easement shall be

provided as may be required by the Village Plan Commission. The location, width, alignment, and improvement of such drainageway or easement shall be subject to the approval of the Village Engineer; and parallel streets or parkways may be required in connection therewith. Where necessary stormwater drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow, the design details are subject to review and approval by the Village Engineer.

(9) Public Sites and Open Spaces

(A) Dedication and Reservation of Lands. Whenever a tract of land to be subdivided embraces all or any part of a street, drainageway, or other public way which has been designated in the Master Plan, Comprehensive Plan component, or on the Village Master Plan, said public way shall be made part of the plat and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan or maps and in accordance with this section.

(B) Determination. Whenever a proposed school site, park, playground, greenway, open space, or other public land, other than streets or drainageways, designated in the Master Plan is embraced, all or in part, in a tract of land to be subdivided, these proposed public lands shall be made a part of the plat and shall be dedicated to the public at the rate of one (1) acre for each 15 proposed dwelling units; and said proposed public lands, other than streets or drainageways, in excess of the rate established herein shall be reserved for a period not to exceed one (1) year from the date of final plat approval unless extended by mutual agreement for purchase by the public agency having jurisdiction, or unless extended by a mutual agreement for acquisition by the Village. The purchase price shall be the present fair market value of said lands in an undeveloped state as indicated by impartial appraisal. Costs for said appraisal are to be shared equally between the developer and the Village.

(C) Proportionate Payments in Lieu of Dedication.

(i) If the amount of land required to be dedicated, other than for streets and drainageways as indicated on the Village Master Plan, comprehensive plan component or official map of the Municipality totals less than the ratio of one (1) acre for each 15 proposed dwelling units, the subdivider shall pay to the Village a fee equivalent to the fair market value of the amount of land representing the difference between the amount of land required to be dedicated, other than the streets and drainageways, as indicated on said plans or maps and the rate of dedication established herein.
Said fees required in lieu of dedication shall be paid to the municipal treasurer at the first time of first application for approval of a final plat of said subdivision.

(ii) Special Fund. All funds so collected by the Municipality shall be deposited as "Special Fund for the Acquisition and Development of Public Sites, Recreation Areas, Open Spaces, and Greenways" and that said fund so levied and collected shall be used for such purposes at such places and in such manner as shall be approved, ordered and directed by the Municipality upon recommendation by the Plan Commission and which shall be consistent with this Ordinance, the Master Plan, comprehensive plan component or official map of the Municipality and authorization for creation of said fund is hereby granted. Any and all interest accumulated upon such funds shall be added to the Special Fund and be used only for acquisition and developments for said purposes.

(D) Development of Dedicated Area. It shall be the duty of the Municipality to properly develop and maintain the dedicated areas and the owner who dedicated said land shall in no way be responsible for its development, maintenance or liability thereon except that said owner shall not develop the surrounding area in a manner which would unduly depreciate the purpose, use or value of the dedicated property and except if such owner shall reside on one of the subdivided parcels in which case he

shall be responsible for the maintenance of adjacent public property as may be required in other laws of the Municipality.

2.09 REQUIRED IMPROVEMENTS[2]

(1) Survey Monuments. The subdivider shall install survey monuments placed in accordance with the requirements of Chapter 236.15 of the Wisconsin Statutes.

(2) Grading. The subdivider shall grade each land division in order to establish street, block, and lot grades in proper relation to each other and to topography as follows:

(A) Site/lot Grading

(i) The subdivider shall have prepared, in accordance with requirements and standards of the Village, plans and profile drawings together with typical street cross sections and specifications which indicate the proposed established grades of all the streets shown on the plat. The subdivider shall also have prepared a Master Site Grading Plan for the entire subdivision. This plan shall be prepared in accordance with Section 2.5.2 of this Chapter and the requirements and standards of the Village Board.

(ii) After approval of these plans by the Village Engineer, the full width of the right-of-way of the proposed streets within the subdivision and the entire subdivision lot area including storm drainage ways and stormwater retention ponds shall be graded in accordance with the Master Site Grading Plan.

(iii) Following grading, the lots shall be seeded in conformance with the "Wisconsin Construction Site Best Management Practice Handbook."

(iv) All stumps, trees which cannot be saved, boulders, and other similar items shall be removed.

(v) Upon completion of all street and subdivision grading, the grades shall be checked and certified by the Village Engineer to determine that the completed grading work is in accordance with the Master Site Grading Plan.

(vi) The cost of all required grading work, supervision, certification, inspection, and engineering fees shall be paid for by the subdivider.

(B) Right-of-Way Grading. The subdivider shall grade the full width of the right-of-way of all proposed streets in accordance with the approved plans, including the grading of site triangles at each intersection.

(C) Miscellaneous Grading Requirements.

(i) Lot grading shall be completed so that water drains away from each building site toward public drainage facilities at a minimum grade of two percent (2%) and provisions shall be made to prevent drainage onto properties adjacent to the land division unless to a public drainage facility.

(ii) Grading activities shall not result in slopes greater than three to one (3:1) on public lands or lands subject to public access.

(iii) The topsoil stripped for grading shall not be removed from the site unless identified in the erosion control plan approved by the Village Engineer as not being necessary for erosion control or site landscaping purposes. Topsoil shall be uniformly returned to the lots when rough grading is finished. Topsoil piles shall be leveled and seeded for erosion control prior to the Village releasing the one (1) year guarantee provision on public improvements in the streets adjacent to the lots on which the topsoil is stockpiled.

(iv) Such grading shall not result in detriment to any existing developed lands, either within or outside the corporate limits.

(3) Erosion Control

(A) Purpose. The Village finds that urbanizing land uses have accelerated the process of soil erosion, runoff, and sediment deposition in the waters of the Village. Therefore, it is declared to be the purpose of this Section to control and prevent soil erosion and minimize storm water runoff increases and thereby to preserve the

[2] Ordinance 3-2025 on March 10, 2025.

natural resources, control floods, and prevent impairment of dams and reservoirs, protect the quality of public waters, protect wildlife, protect the tax base, and protect and promote the health, safety and general welfare of the people of the Village.

(B) Land Disturbing Activities Subject to Erosion and Sediment Control.

(i) General Requirement. Any owner, occupant, or user who undertakes, commences, or performs any land division activities; or who permits another person to do the same on land under his control shall be subject to this section.

(ii) Control Plan Required.

a. Every land division involving construction of public improvements shall include a plan to control erosion, sedimentation, and runoff which would result from the proposed activity with the design of the public improvements submitted to the Village Engineer for review.

b. Land divisions not involving construction of public improvements are exempted from the requirement of the submission of a control plan if: the proposed land division involves one (1) acre or less of land, and the applicant agrees to install all the control devices and to implement all the control techniques which are set out in this Section.

(iii) Contents of the Control Plan. The control plan required above shall contain such information needed to determine soil erosion, sedimentation and runoff control:

a. A map of the site location showing the location of the predominant soil types.

b. A topographic map of the site location, including the contiguous properties, existing drainage patterns, and water courses affected by the proposed development of the site and the existing vegetative cover.

c. A plan of the site showing:

1. Name, address, and telephone number of the occupant and party responsible for maintaining erosion control.
2. Limits of natural floodplain(s), based on a 100-year flood, if any.
3. A timing schedule indicating the anticipated starting and completion dates of the development sequence.
4. Proposed topography of the site location with a maximum of two (2) foot contour intervals showing:
   i. Location of activity, disturbance of protective cover, any additional structure on the site, areas to be seeded or mulched, areas to be vegetatively stabilized, and areas to be left undisturbed.
   ii. Elevations, dimensions, location of all activities including where topsoil will be temporarily stockpiled.
   iii. The finished grade, stated in feet horizontal to feet vertical of cut and fill slopes.
   iv. Kinds of utilities and areas of installation, including special erosion control practices for utility installation.
   v. Paved and covered areas in square feet or to scale on a plan map.
   vi. Makeup of surface soil (upper six (6) inches) on areas not covered by buildings, structures, or pavements.
   vii. Kind of cover on areas not covered by buildings, structures, or pavements.

d. Plans and hydraulic computations for all structural or nonstructural measures or other protective devices to be constructed in connection with the proposed work showing:
   1. Estimated rate of discharge in cubic feet per second to all structural or nonstructural measures, and the point of discharge from the site location based upon ten (10) year frequency storm event.
   2. The storm event frequency discharge rate in cubic feet per second upon which the design of plans for the site location is based.
   3. Provisions to carry runoff to the nearest adequate public drainage facility(ies).
      i. Design computations and applicable assumptions for all structural measures for erosion and sediment pollution control and water management. Volume and velocity of flow must be given for all surface water conveyance measures and pipe outfalls.
      ii. Provisions for perpetual maintenance of control facilities including easements.
      iii. Seeding mixtures and rates, lime and fertilizer application rates, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

e. Methods to prevent tracking of soil off the site of the activity.

(C) Review of Control Plan. The Village Engineer shall review all control plans, and shall determine if measures are adequate to meet all the applicable standards as set out in this Chapter. The applicant will be informed in writing whether the control plan is approved, disapproved, requires modification, or if additional information is required. In the event that the plan is not approved, the applicant shall resubmit a new control plan.

(D) Conditions. All approvals under this Section shall be issued subject to the following conditions and requirements:
   (i) All land disturbances will be done pursuant to the approved control plan and the requirements of this Section.
   (ii) The subdivider shall give two (2) working days' notice in advance of the start of any activity.
   (iii) The subdivider shall file a notice within ten (10) days after completion of land disturbing activities.
   (iv) Approval in writing shall be obtained prior to any modifications to the approved control plan.
   (v) The subdivider shall be responsible for maintaining all proposed public roads, road right-of-ways, streets, runoff and drainage facilities and drainageways as specified in the approved plan until they are accepted and become the responsibility of the Village.
   (vi) The subdivider shall be responsible, at his own expense, for repairing any damage to all adjoining surfaces and drainageways caused by runoff and / or sedimentation resulting from the permittee's activities.
   (vii) The subdivider shall provide and install, at his own expense, all drainage, runoff control, and erosion control improvements as required by this Article and the approved control plan and shall provide for the perpetual maintenance of all private control facilities or through dedication to, and acceptance by, the Village.
   (viii) No portion of the land which is disturbed will be allowed to remain uncovered for greater than two (2) weeks after the work activity is completed if the Village Engineer determines there exists a potential for erosion to leave the site of the work or the boundaries of the land division.

(ix) The subdivider agrees to permit the Village Engineer to enter onto the land regulated under this Section for the purpose of inspecting for compliance with the approved control plan.

(x) The subdivider authorizes the Village to cause or perform any work or operations necessary to bring the condition of the lands into conformity with the approved control plan and further consents to the Village collecting the total of the costs and expenses of such work and operating as a special charge against the property for current services rendered as provided by law.

(4) Surfacing. After the installation of all utility and stormwater drainage improvements, the subdivider shall surface all roadways in streets proposed to be dedicated to the widths prescribed by these regulations and the Comprehensive Plan or the Comprehensive Plan Components of the Village.
All roadways shall be surfaced in accordance with Figure 1 contained in this Chapter. The binder course being placed initially upon completion of the utilities, and the surface course being placed at such time that 75% of the lots within the subdivision have been developed, but not sooner than one (1) year after the date the binder course was placed. All failures in the binder course shall be repaired and no asphalt surface course pavement shall be laid later than October 1 of any given year. Said surfacing shall be done in accordance with plans and standard specifications approved by the Village Plan Commission, upon the recommendation of the Village Engineer.

(5) Curb and Gutter. In all subdivisions, the Village Board shall require the subdivider to construct concrete curb and gutters in accordance with plans and standard specifications approved by the Village Plan Commission, upon the recommendation of the Village Engineer. The cost of installation of all inside curbs and gutters for dual roadway pavements on the established arterial street and highway system for the Village shall be borne by the Village.

(6) Rural Street Sections. When permanent rural street sections have been approved by the Village Board, the subdivider shall finish grade all shoulders and road ditches, install all necessary culverts at intersections and, if required, surface ditch inverts to prevent erosion and sedimentation in accordance with plans and standard specifications approved by the Village Plan Commission, as recommended by the Village Engineer and as set forth in Section 2.9.3 of this Chapter.

(7) Sidewalks. In all subdivisions, Chapter 10 of the Village Code regulates the construction of sidewalks.

(8) Public Sanitary Sewerage. When the proposed subdivision or Certified Survey Map is located within the adopted sanitary sewer service area of the Village of Oostburg, the subdivider shall construct sanitary sewerage facilities in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision. In addition:

(A) The Village 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 specifications approved by the Village Plan Commission, upon recommendation of the Village 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 existing or proposed streets shall be backfilled with granular material conforming to the requirements of the "Standard Specifications." Excavated material may be used for trench backfill outside of existing or proposed roadways. Backfill shall be consolidated by mechanical compaction as specified in the "Standard Specifications." Backfill consolidation by flooding is prohibited.

(C) The Subdivider Shall Assume the cost of installing all sanitary sewers, sewer laterals, and sewer appurtenances within the proposed subdivision, except for the added cost of installing sewers greater than eight (8) inches in diameter which are necessary to serve tributary drainage areas lying outside of the proposed subdivision.

(9) Storm Water Drainage Facilities. The subdivider shall construct storm water drainage facilities, adequate to serve the subdivision which may include curbs and gutters, catch basins and inlets, storm sewers, storm sewer laterals, road ditches, open channels, water retention structures, and settling basins.

(A) Unpaved Road Ditches and street gutters shall be shaped and seeded and/or sodded as grassed waterways. Where the velocity of flow is in excess of four (4) feet per second on soils having a severe or very severe erosion hazard and in excess of six (6) feet per second on soils having moderate, slight, or very slight erosion hazard, the subdivider shall install a paved invert or check dams, flumes, or other energy dissipating devices.

(B)[3] Stormwater Detention/Retention Facilities.

(i) Discharge Rates. By design, storm water management practices shall be employed to maintain or reduce the 2, 10 and 100-year, 24 hour, post construction, peak runoff discharge rates, to the maximum extent practicable, as compared to pre-development conditions. Pre-development conditions shall assume "good hydrologic conditions" for appropriate land covers as identified in TR-55 or an equivalent methodology. The meaning of "hydrologic soil group" and "runoff curve number" are as determined in TR-55. However, when pre-development land cover is cropland, rather than using TR-55 values for cropland, the runoff curve numbers in Table 1 shall be used.

Table 1 - Maximum Pre-Developments Runoff Curve Numbers for Cropland Areas

Hydrologic Soil Group	A	B	C	D
Runoff Curve Number	56	70	79	83

(ii) Hardship. If, in the opinion of the Village Engineer, the above-referenced peak discharge requirements cannot be met, then peak discharge shall be reduced to an amount that shall not exceed the downstream conveyance or storage facilities. It shall be the responsibility of the designer of the proposed facilities to evaluate the downstream hydraulic capacities of the existing conveyance and storage facilities and provide sufficient calculations and evidence that the proposed facilities will not exceed the hydraulic capacity of the downstream conveyance or storage facility.

(iii) Exceptions. This subsection does not apply to any of the following:

a. A post-construction site where the change in hydrology due to development does not increase the existing surface water elevation at any point within the downstream receiving water by more than 0.01 of a foot for the 2-year, 24-hour storm event.

b. A redevelopment post-construction site.

c. An in-fill development area less than 5 acres.

(C) Shoreland Drainage facilities shall, if required, include water retention structures and settling basins so as to prevent erosion and sedimentation where such facilities discharge into streams or lakes. The design criteria, the size, type, grades, and installation of all stormwater drains and sewers and other cross-section, invert and erosion control paving check dams, flumes, or other energy dissipating structures and seeding and/or sodding of open channels and unpaved road ditches proposed to be constructed shall be in accordance with the plans and standard specifications approved by the Village Engineer.

[3] Added through Ordinance 7-2005, Adopted 10/10/2005, See Minutes of the Village Board, Vol. 17, pg. 1409.

(D) The Subdivider Shall Assume the cost of installing all storm sewers within the proposed subdivision.

(E) Storm Sewer Laterals six (6) inches in diameter minimum shall be installed to the street side lot lines for each lot.

(10) Water Supply Facilities. When the proposed subdivision or Certified Survey Map is located within the adopted water service area of the Village of Oostburg. In addition:
(A) The Village 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 the Village Master Plan and standard specifications approved by the Village Plan Commission, upon the recommendation of the Village Engineer.
(C) The Subdivider Shall Assume the cost of installing all water mains, water laterals, and water system appurtenances within the proposed subdivision except for the added cost of installing water mains greater than eight (8) inches in diameter. Residential lot water laterals shall be one (1) inch in diameter minimum and extended to the edge of the street right-of-way.

(11) Other Utilities. The subdivider shall cause gas, electrical power, cable TV, and telephone facilities to be installed in such manner as to make adequate service available to each lot in the subdivision. No such utilities shall be located on overhead poles. In addition, plans indicating the proposed location of all gas lines required to service the Plat shall be approved by the Village Engineer.

(12) Street Lamps. The subdivider shall install street lamps of a design approved by the Village Engineer. Street lamps shall be installed at all intersections and at other locations at a spacing required to provide to meet the Illuminating Engineering Society's roadway/area lighting standards.

(13) Street Signs. The subdivider shall pay to the Village the cost to install street signs of a design approved by the Village Engineer at the intersection of all streets to be dedicated.

2.10 CONSTRUCTION

(1) Commencement. No construction or installation of improvements shall commence in a proposed subdivision until the Preliminary Plat or Certified Survey Map has been approved by the Village Board and the Village Engineer has given written authorization. Inspection fees shall be required as specified in Section 11 of this Chapter.

(2) Building Permits. No building, zoning, or sanitary permits shall be issued for erection of a structure on any lot not of record until all the requirements of this Chapter have been met.

(3) Plans. The following plans and accompanying construction specifications shall be required by the Village Plan Commission and reviewed by the Village Engineer before authorization of construction or installation of improvements:
(A) Street Plans and Profiles showing existing and proposed grades, elevations, and cross-sections of required improvements.
(B) Sanitary Sewer plans and profiles showing the locations, grades, sizes, elevations, and materials of required facilities.
(C) Storm Sewer plans and profiles showing the locations, grades, sizes, cross-sections, elevations, and materials of required facilities.
(D) Water Main plans and profiles showing the locations, sizes, elevations, and materials of required facilities.
(E) Erosion and Sedimentation Control Plans showing those structures required to retard the rate of run-off water and those grading and excavating practices that will prevent erosion and sedimentation. The time span that soil will be exposed, and plans to protect existing vegetation (fences, tree wells, etc.) shall be prepared and such plans shall generally follow the guidelines and standards set forth in the publication, "Wisconsin Construction Site Best Management Practice Handbook," prepared by the Wisconsin Department of Natural Resources.

(F) Grading Plan showing existing contours at a one foot contour interval, proposed ground grades at all lot corners, and proposed building locations with first floor elevations noted.

(G) Additional special plans or information as required.

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

(5) Inspection. The subdivider, prior to commencing any work within the subdivision, shall notify the Village Clerk to make arrangements with the Village Engineer to provide for adequate inspection.

2.11 FEES[4]

(1) General. The subdivider shall pay to the Village Clerk/Treasurer all fees as hereinafter required and at the times specified before being entitled to a review or recording of a Plat or Certified Survey Map.

(2) Preliminary Plat or Certified Survey Map Review Fee. The subdivider shall pay the Preliminary Plat or Certified Survey Map Review Fee in the amount established in the Village's Fee Schedule at the time of first application for approval of any Preliminary Plats or Certified Survey Maps.

(3) Inspection Fee. The subdivider shall reimburse the Village an amount equal to the actual cost to the Village for such inspections as the Village Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications, and regulations of the Village or any other governmental authority.

(4) Final Plat Review Fee. The subdivider shall pay the Final Plat Review Fee in the amount established in the Village's Fee Schedule at the time of first application for Final Plat approval.

(5) Reapplication Fee. A subdivider seeking approval of a plat or map which has previously been reviewed shall pay a Re-Application Fee in the amount established in the Village's Fee Schedule.

[4] Adopted as Ordinance 8-2011 on August 8, 2011. See Minutes of Village Board Vol. 21, Page 1677.

Table 1
Required Street Cross-Sections in the Village of Oostburg and in the Village's Extraterritorial Plat Review Jurisdiction

Type of Street or Public Way	Urban Street Sections		Rural Street Sections	
	Minimum Right o Way to be Dedicated	Minimum Dimensions	Minimum Right of Way to be Dedicated	Minimum Dimensions
Arterial Streets (four lane)	120 feet	· Dual 36-foot pavement (face of curb to face of curb) · 24-foot median · 5-foot tree banks (curb lawn) · 5-foot sidewalks · 1-foot outside sidewalks	130 feet	· Dual 24-foot pavement · 18-foot median · 10-foot outside shoulders · 6-foot inside shoulders · 16-foot roadside ditches
Arterial Streets (two lane)	80 feet	· 48-foot pavement (face of curb to face of curb) · 9½-foot tree banks (curb lawn) · 5-foot sidewalks · 1-foot outside sidewalks	100 feet	· 24-foot pavement · 10-foot shoulders · 28-foot roadside ditches
Collector Streets	66 feet	· 42-foot pavement (face of curb to face of curb) · 5-foot tree banks (curb lawn) · 5½-foot sidewalks · 1-foot outside sidewalks	None	None
Minor Street	66 feet	· 42-foot pavement (face of curb to face of curb) · 5½-foot tree banks (curb lawn) · 5-foot sidewalks · 1-foot outside sidewalks	66 feet	· 22-foot pavement · 6-foot shoulders · 16-foot roadside ditches
Minimum Cul de Sac (w/center island, teardrop design)	55-foot radius	· 15-foot radius median · 45-foot outside curb · 5-foot tree banks (curb lawn) · 4-foot sidewalks	--	--

		· 1-foot outside sidewalks		
Minimum Cul de Sac (w/o center island; teardrop design)	55-foot radius	· 45-foot radius pavement · 5-foot tree banks (curb lawn) · 4-foot sidewalks · 1-foot outside sidewalks	66-foot radius	· 45-foot radius pavement · 5-foot shoulders · 16-foot roadside ditches
Cul de Sac Barrel	60 feet	· 36-foot pavement (face of curb to face of curb) · 7-foot tree banks (curb lawn) · 4-foot sidewalks · 1-foot outside sidewalks	66 feet	· 22-foot pavement · 6-foot shoulders · 16-foot roadside ditches