

- (7) Setback or building lines.
- (8) Any restrictive covenants, deed restrictions, or conservation easements for the proposed subdivision.
- (9) The legal instruments detailing the ownership of the common open space, as required in section 28-125.
- (10) All the surveying and monumenting requirements of Wis. Stat. § 236.15.
- (11) State plane coordinate system. Where the plat is located within a quarter section, the corners of which have been relocated, monumented, and coordinated by the town, the plat shall be tied directly to two of the section or quarter corners so relocated, monumented, and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and 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.
- (12) Certificates. All final plats shall provide all the certificates required by Wis. Stat. § 236.21. In addition, the surveyor shall certify that the surveyor has fully complied with all sections of this chapter.

The final plat shall be recorded as required by Wis. Stat. § 236.25.

(Ord. No. 2004-02, § 1(18.09(2)), 9-27-2004)

Secs. 28-190—28-220. Reserved.

Article VII. Certified Survey Maps

Sec. 28-221. Compliance.

A certified survey map is required for all minor subdivisions. Certified survey maps shall incorporate conservation values, themes, and goals into their design to meet the purposes of the chapter as indicated under sections 28-2 and 28-86.

(Ord. No. 2004-02, § 1(18.10(1)), 9-27-2004)

Sec. 28-222. Preapplication conference.

Prior to the filing of an application for the approval of a certified survey map, the subdivider shall consult to obtain assistance in planning with the town engineer and the county planning and development department to obtain information concerning this chapter, county ordinances, the county development plan, the town's land use plan, and applicable neighborhood plans.

(Ord. No. 2004-02, § 1(18.10(2)), 9-27-2004)

Sec. 28-223. Initial application; preliminary certified survey maps.

- (a) After the preapplication conference, the subdivider shall submit an executed predevelopment agreement, the fees required above, the checklist for certified survey maps and the preliminary certified survey map to the town engineer for review. As a condition of further review of the preliminary certified survey map, the subdivider shall and hereby does grant permission for town officers, employees and agents to enter upon the subject property in furtherance of their official duties. The town engineer may require the subdivider to submit at the time of the initial application a complete inventory of items listed under section 28-226 as an attachment to the preliminary certified survey map or delineated directing on the map if within 100 feet of the proposed building envelopes.
- (b) The town engineer shall make the determination of whether the initial application is complete. Within 15 days following the filing of a complete initial application, the town engineer shall schedule a meeting with the subdivider to review the initial application.
- (c) Staff from appropriate county and state agencies may also be requested by the town to review the application and the subdivider shall be liable for costs for any reviews.
- (d) The town engineer may also schedule a visit to the site with the subdivider to review the existing features of the site and the preliminary certified survey map. The visit shall occur prior to or as part of the meeting.
- (e) Within 15 days following the meeting, the town engineer shall provide a written report informing the subdivider of any additions, changes, or corrections to the preliminary certified survey map submitted as part of the initial application.
- (f) Before submission of the final certified survey map, the plan commission shall review and discuss the preliminary certified survey map along with the written report from the town engineer. The public shall have an opportunity to speak as to the preliminary map. Notice of the meeting shall be sent in accordance with the procedure set forth in section 28-122(b).

(Ord. No. 2004-02, § 1(18.10(3)), 9-27-2004)

Sec. 28-224. Proof of ownership.

The subdivider shall submit a report of title from a title company acceptable to the town showing current ownership of the property proposed to be divided and all encumbrances shall be detailed on the certified survey map when submitted.

(Ord. No. 2004-02, § 1(18.10(4)), 9-27-2004)

Sec. 28-225. General requirements for final certified survey map.

- (a) The final certified survey map shall comply with the provisions of Wis. Stat. § 236.34, and shall describe the entire lands involved in the process of division, as well as all lands owned or controlled by the subdivider that are contiguous to the land to be divided.

- (b) If any lots in the certified survey map are not served by municipal sanitary sewer, soil and site evaluations shall be submitted for approval to the county code administration office and/or the department of commerce according to the procedure and standards established under the applicable rules of Wis. Admin. Code ch. Comm 83.
 - (c) Where the subdivider owns or controls land that is contiguous to the land being divided, a conceptual development plan shall be submitted along with the proposed final certified survey map. The plan shall be drawn to scale, and shall identify proposed future development of the parcels, including approximate street, driveway and building locations.
- (Ord. No. 2004-02, § 1(18.10(5)), 9-27-2004)

Sec. 28-226. Detailed requirements.

A certified survey map shall comply with the provisions of Wis. Stats. § 236.34, applicable sections of this chapter, and shall set forth the following:

- (1) Date of map.
- (2) Graphic scale, location map and north point.
- (3) Name and address of the owner, subdivider, and surveyor.
- (4) All existing buildings, watercourses, drainage ditches, existing and required easements, and other features pertinent to proper division.
- (5) Names of adjoining streets, highways, parks, cemeteries, subdivisions, ponds, streams, lakes, flowages and wetlands.
- (6) Soil boring locations on sites to be served with a private on-site wastewater treatment system.
- (7) All lands reserved for future public acquisition or dedication.
- (8) Floodland and shoreland boundaries and the contour line lying at a vertical distance of two feet above the elevation of the 100-year recurrence interval flood.
- (9) Significant natural resource features on the site, including wetlands, floodplains, watercourses, shoreland boundaries, existing wooded areas, slopes of 20 percent or greater, drainageways, rare, threatened and endangered species, all environmental corridors as mapped by the Southeastern Wisconsin Regional Planning Commission ("SEWRPC") and the county, and other natural resource features, views and other prominent visual features.
- (10) Where the map is located within a quarter section, the corners of which have been relocated, monumented and placed on the Wisconsin State Plan Coordinate System by the state department of transportation, Southeastern Wisconsin Regional Planning Commission, the county or any city, village or

town, the map shall be tied directly to one of the section or quarter corners so coordinated. The exact grid bearings and distance of such tie shall be determined by field measurements, and the material and Wisconsin State Plan Coordinate System, south zone, and adjusted to the county control survey.

- (11) The surveyor shall certify on the face of the map that it fully complies with all the provisions of this chapter.
- (12) Any additional information required by the town board.

(Ord. No. 2004-02, § 1(18.10(6)), 9-27-2004)

Sec. 28-227. Final map review and approval procedures.

- (a) *Subdivider to file with town engineer.* Following review and comment of the town engineer on the initial application, the subdivider shall file with the town engineer 18 copies of the proposed final certified survey map, along with an application for review and approval of a certified survey map by the town plan commission. One additional copy of the certified survey map shall be provided to the town attorney.
- (b) *Referral; administrative staff and utility commission reviews.* The town engineer shall provide copies of the certified survey map to town department heads and to the appropriate utilities for their review and comment. The town staff and utility comments will be forwarded to the town plan commission and town board for consideration during the review process.

(Ord. No. 2004-02, § 1(18.10(7)), 9-27-2004)

Sec. 28-228. Plan commission review and informational meeting.

The clerk-treasurer shall give notice of the plan commission's review of the certified survey map by listing it as an agenda item in the plan commission's meeting notice. The notice shall include the name of the applicant, the address of the property in question, and the requested action. The clerk-treasurer may schedule an informational meeting. Notice of the plan commission review and informational meeting shall be sent to neighboring property owners in accordance with the procedures set forth in article V of this chapter. The cost for such written notice shall be borne by the subdivider.

(Ord. No. 2004-02, § 1(18.10(8)), 9-27-2004)

Sec 28-229. Plan commission recommendation.

After review of the certified survey map and discussions with the subdivider on changes and the type and extent of public improvements that will be required, if any, the plan commission shall recommend to the town board disapproval, approval, or conditional approval of the certified survey map within 45 days of the filing date of the proposed final certified survey map.

(Ord. No. 2004-02, § 1(18.10(9)), 9-27-2004)

Sec. 28-230. Board action.

After receipt of the town plan commission's recommendation, the town board shall, within 90 days of the date the proposed final certified survey map was filed with the town engineer, approve, approve conditionally, or reject such certified survey map and shall state, in writing, conditions of approval or reasons for rejection. Unless the time is extended by agreement with the subdivider, failure of the town board to act within 90 days or extension thereof shall constitute an approval of the proposed final certified survey map. The clerk-treasurer shall communicate to the subdivider the action of the town board. If the certified survey map is approved, the town engineer shall endorse it for the town board. The certified survey map shall be recorded with the register of deeds office for the county within 12 months after final town board approval and within 36 months after the first approval of the map.

Sec. 28-231. Public improvements.

In the event public improvements are required plans, computations and specifications, which conform to the provisions, required for subdivision improvements shall be submitted to the town engineer at the time of submission of the proposed certified survey map. Such plans must be approved by the town engineer before town board approval of the certified survey map. Prior to, or as a condition of, town board approval of the certified survey map, the subdivider shall enter into a development agreement pursuant to section 28-48 and deposit required fees (the "Development Agreement"). In cases where public lands or rights-of-way are reserved or dedicated for future construction of public improvements, the subdivider shall enter into an agreement with the town concerning future costs and liability prior to, or as a condition of, certified survey map approval.

(Ord. No. 2004-02, § 1(18.10(11)), 9-27-2004)

Secs. 28-232—28-260. Reserved.

Article VIII. Modifications Or Waivers

Sec. 28-261. Authority; application.

- (a) Where, in the judgment of the town board, it would be inappropriate to apply literally the provisions of this chapter because an exceptional circumstance exists, the town board may waive or modify any requirements to the extent deemed just and proper.
- (b) Application for any such modification or waiver shall be made in writing by the subdivider at the time when the concept plan or preliminary plat is filed for consideration whichever occurs first, stating fully all facts relied upon by the subdivider, and shall be supplemented with maps, plans, or other additional data that may aid the town board in the analysis of the proposed project.
- (c) Before the town board may act on a request for modification or waiver, the application and all supporting material must first be presented to the plan commission for its review and recommendation based upon the factors set forth in section 28-262. The

Sec. 28-82. Easements.

- (a) The town board may require easements of widths deemed adequate by the board 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 poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains, or other utility lines. Wherever possible, the stormwater drainage shall be maintained by either landscaped open channels or enclosed conduits of adequate size and grade to hydraulically accommodate maximum potential volumes of flow.
- (b) Where a subdivision or minor subdivision is traversed by a watercourse, drainageway, channel or stream, an adequate drainageway or easement shall be provided as required by the town board. The location, width, alignment and improvement of such drainageway or easement shall be subject to the approval of the town board. Where a subdivision or minor subdivision is traversed by a public or private drainage tile line, the town board may require that provision be made for the reconstruction, relocation or replacement of any such tile line which may be disturbed by the development of such subdivision or minor subdivision so as to provide for the continued operation of such tile line as before development of such subdivision or minor subdivision.

(Ord. No. 2004-02, § 1(18.06(2)), 9-27-2004)

Sec. 28-83. Blocks.

The lengths, widths 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.

(Ord. No. 2004-02, § 1(18.06(3)), 9-27-2004)

Sec. 28-84. Lots.

- (a) In addition to complying with applicable provisions of this section, a lot created by subdivision or condominium plat shall comply with the additional lot requirements set forth in section 28-125.
- (b) The size, shape and orientation of the lots shall be appropriate for the location of the subdivision or minor subdivision and for the type of development and use contemplated. The lots shall be designed to provide an aesthetically pleasing building site, and a proper architectural setting for the buildings contemplated.
 - (1) *Shape.* Lots shall be approximately rectangular, with the exception of lots located on a curved street or on a cul-de-sac turnabout.
 - (2) *Flag lots.* Flag lots shall not be approved.
- (c) Every lot shall front or abut on a public street, or other officially approved means of access.

- (d) Except as otherwise provided in this section, lot dimensions shall conform to the minimum requirements of the county zoning ordinance and the county subdivision control ordinance, as amended from time to time and any applicable statutes and regulations, provided that:
- (1) A lot created by certified survey map and served by public sanitary sewer shall have an area of not less than one acre, exclusive of areas dedicated for public rights-of-way, and at least 150 feet of frontage on a public street and at the setback line as measured from side lot line to side lot line.
 - (2) A lot created by certified survey map and not served by public sanitary sewer shall have an area of not less than three acres, exclusive of areas dedicated for public rights-of-way, and at least 300 feet of frontage on a public street or at the setback line as measured from side lot line to side lot line.
 - (3) The ratio of the length of the side of a residential lot to the frontage on the public street shall not be greater than 2.5:1.
 - (4) A lot on a cul-de-sac must satisfy the front footage requirements on the right-of-way or at the setback line.
 - (5) If the above density, area or front footage requirements conflict with the town's land use plan, the provision which is more restrictive or imposes higher standards shall control, except that parcels located within the boundaries of the Village of Union Grove Urban Service Area: 2020 shall comply with the densities set forth for the "suburban residential," "low density residential," and "medium density residential" categories.
- (e) Side lot lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face.

(Ord. No. 2004-02, § 1(18.06(4)), 9-27-2004)

Sec. 28-85. Sites.

- (a) *Public reservation.* In the design of the plat, due consideration shall be given to the reservation of suitable sites of adequate area for future schools, parks, playgrounds, drainage ways and other public purposes.
- (b) *Scenic and historic preservation.* In the design of the subdivision or minor subdivision, consideration shall be given to the preservation of scenic, historic and archaeological sites, including historic buildings and their settings.

(Ord. No. 2004-02, § 1(18.06(5), (6)), 9-27-2004)

Sec. 28-86. Open space and conservation.

- (a) *Consideration.* Every subdivider shall consider the creation, preservation, and restoration of open and natural spaces within a subdivision and a minor subdivision, including farmland and agricultural soils, natural habitats for rare, threatened and

Sec. 28-89. Landscape plan.

- (a) A landscape plan shall be required for all subdivisions and minor subdivisions, except those preparing a stewardship plan under in section 28-125(f)(8). Eighteen full-size copies of a landscape plan shall be submitted with the final certified survey map or the final plat. The landscape plan shall be prepared on paper of good quality at a map scale of not more than 100 feet to one inch and shall show correctly the following information:
- (1) The proposed name of the certified survey map or subdivision.
 - (2) The location of the proposed certified survey map or subdivision.
 - (3) The names, addresses, and telephone numbers of the owners and/or subdividers and of the designer of the plan.
 - (4) The boundary line of the site with dimensions, indicated by a solid line, and the total land area encompassed by the site.
 - (5) The boundary lines of all proposed lot lines and open space areas.
 - (6) The location, extent, type (common name and scientific name in the case of plant materials), and sizes of all existing trees and natural resource features in all areas of subdivision or minor subdivision to be maintained and credited toward the landscaping requirements of this chapter. If any existing vegetation or other natural resource features are to be demolished or mitigated, the extent of such demolition or area to be mitigated shall also be clearly delineated and so noted on the plan.
 - (7) The location, extent, type (common name and scientific name in the case of plant materials), and sizes of proposed landscaping and landscape planting in all areas, including any landscaped entrances or other special landscaped features of the subdivision or minor subdivision.
- (b) All new landscape plant material shall be grown in a nursery located in plant hardiness zone 4 and shall conform to the applicable requirements as specified in the current edition of American Standard for Nursery Stock as approved by the American National Standards Institute, Inc., and sponsored by the American Association of Nurserymen, Inc. The American Joint Committee on Horticultural Nomenclature shall in accordance with the current edition of Standardized Plant Names prepare botanical plant names.
- (c) Areas of a subdivision or minor subdivision designated as landscape easement areas shall be maintained and kept free of all debris, rubbish, and noxious weeds by the property owner.

(Ord. No. 2004-02, § 1(18.06(10)), 9-27-2004)

provision of law, the provision, which is more restrictive or imposes higher standards shall control.
(Ord. No. 2004-02, § 1(18.02(1)), 9-27-2004)

Sec. 28-4. Conservation subdivisions.

Conservation subdivisions are required for land divisions resulting in the creation of a subdivision on any parent parcel.
(Ord. No. 2004-02, § 1(18.02(2)), 9-27-2004)

Sec. 28-5. Condominium plats.

A condominium plat prepared under Wis. Stats. ch. 703, which divides land and meets the definition of a subdivision under this chapter, shall be reviewed by the town in the same manner as a conservation subdivision plat as set forth in this chapter and shall comply with the applicable design standards and required improvements of this chapter.
(Ord. No. 2004-02, § 1(18.02(3)), 9-27-2004)

Sec. 28-6. Minor subdivisions.

No person shall divide any land located within the limits of the town which shall result in a minor subdivision without complying with the provisions of this chapter with respect to minor subdivisions, including, but not limited to required improvements under article II, design standards under article III, and certified survey map procedures under article VII.
(Ord. No. 2004-02, § 1(18.02(4)), 9-27-2004)

Sec. 28-7. Land suitability.

No land shall be subdivided which is held to be unsuitable for any proposed use if identified as environmentally sensitive. Areas identified as environmentally sensitive include, but are not limited to:

- (1) All areas mapped as floodplain by the Federal Emergency Management Agency (FEMA), state department of natural resources, or other public or private entity.
- (2) All wetlands as defined in Wis. Admin. Code § NR 103.02(5), including buffers as required under Wis. Admin. Code ch. NR 151.
- (3) All areas within 75 feet of the ordinary high-water mark of navigable streams and lakes, as identified by state department of natural resources.
- (4) All areas having slopes greater than 20 percent.
- (5) Areas that are known to provide habitat for rare, threatened or endangered species.

- (6) Burial sites and Indian mounds.
- (7) Drainageways that contain running water during spring runoff, during storm events or when it rains. A 25-foot buffer from the edge of the drainageway shall be included.
- (8) Areas otherwise held by the town board to be unsuitable for such use by reason of bad drainage, adverse earth or rock formation or topography, or any other feature likely to be harmful to the health, safety or welfare of the future residents of the community.
- (9) Areas not designated for land divisions by the town's land use plan.

Areas determined to be environmentally sensitive may be included as common open space in a conservation subdivision but shall not be included in the development yield analysis in section 28-122(a)(2) or in the net density calculation as defined in section 28-9 unless otherwise included or excluded in those sections. These lands shall be identified as an out lot or other designation that indicates the land is not available for land division.

(Ord. No. 2004-02, § 1(18.02(5)), 9-27-2004)

Sec. 28-8. Remedies; exceptions.

- (a) *Remedies.* Failure to comply with the requirements of this chapter shall invalidate purported transfers of titles at the option of the purchaser in accordance with the provisions of Wis. Stat. § 236.31(3). The town may also take any action authorized under Wis. Stats. ch. 236. Building permits shall not be issued by the building inspector for construction on sites created in violation of these requirements.
- (b) *Exceptions.* The provisions of this chapter shall not apply to:
 - (1) Transfers of interest in land by will or pursuant to court order.
 - (2) Cemetery plats under Wis. Stats. § 157.07.
 - (3) Assessors' plats made under Wis. Stats. § 70.27, but such plats shall comply with Wis. Stats. § 236.15(1)(a)-(g) and Wis. Stats. § 236.20(1),(2) (a)-(e).
 - (4) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this chapter, the county zoning ordinance or other applicable laws or ordinances.

(Ord. No. 2004-02, § 1(18.02(6), (7)), 9-27-2004)

Sec. 28-9. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section. All other pertinent terms shall be as defined in Wis. Stat. ch. 236. Words used in the present tense shall include the future tense. Words used in the singular form shall include the plural form. Words used in the plural form shall include the singular form. The word "shall" is mandatory and the word "may" is permissive.

Certified survey map means a map showing a division of land, conforming to Wis. Stats. § 236.34 and the Town Code, and prepared by a land surveyor registered in the state.

Common facilities means those facilities which are designated, dedicated, reserved, restricted or otherwise set aside for the use and enjoyment by residents of the development.

Common open space means undeveloped land within a subdivision, minor subdivision, or conservation subdivision that has been designated, dedicated, reserved, or restricted in perpetuity from further development and is set aside for the use and enjoyment by residents of the development and for the preservation, restoration and management of historical, agricultural or environmentally sensitive features. Common open space shall not be part of individual residential lots. It shall be substantially free of structures, but may contain historical structures and archaeological sites including Indian mounds and/or such recreational facilities for residents as indicated on the approved development plan. It shall be restored and managed in accordance with a stewardship plan that shall be prepared for the open space.

Condominium means a community association combining individual unit ownership with shared use or ownership of common property or facilities, established in accordance with the requirements of the Condominium Ownership Act, Wis. Stats. ch. 703. A condominium is a legal form of ownership of real estate and not a specific building type or style. All sections of this chapter that apply to subdivisions shall apply to a condominium.

Conservation easement means a nonpossessory interest in real property designed to protect natural, scenic and open space values in perpetuity as defined in the Uniform Conservation Easement Act, Wis. Stats. § 700.40, and section 170(h) of the Internal Revenue Code.

Conservation subdivision means a subdivision in which dwelling units are concentrated and/or clustered in specific areas in order to allow other portions of the subdivision to be preserved for common open space, including restoration and management of historical, agricultural or environmentally sensitive features. All sections of this chapter that apply to subdivisions shall apply to a conservation subdivision.

Density factor means the number of dwelling units permitted per acre according to the town's land use plan, applicable neighborhood plans, the town's ordinances, and applicable zoning regulations.

Development envelopes mean areas within which pavement and buildings will be located.

Dwelling means a detached building designed or used exclusively as a residence or sleeping place, including a manufactured home located outside of a mobile home park, but does not include boardinghouses or lodginghouses, motels, hotels, tenements, or cabins.

Ecological restoration means to protect, enhance, recreate or remediate functional and healthy plant and animal communities. Ecological restoration is accomplished by implementing a stewardship plan for uplands, wetland areas, and aquatic resource areas, which include specific remedial and management activities for sustainable maintenance of each of these areas and the planting of those varieties of plants that are indigenous to the area.

Flag lots means a lot with access to the public street only by a narrow strip of land, easement, or private right-of-way and with otherwise insufficient frontage to be considered a buildable lot. Flag lots generally are not considered to conform to sound planning principles.

Homeowners' association means a community association, incorporated or not incorporated, combining individual home ownership with shared use or ownership of common property or common facilities.

Manufactured home means a structure certified and labeled as a manufactured home under 42 USC 5401-5426.

Minor subdivision means any division of land, whether by one or successive owners, which does not constitute a subdivision and which creates one or more parcels or building sites, any one of which is 15 acres or less in size. The remnant parcel, if any, shall count as one of the parcels or building sites created by said division.

Net density means the number of dwelling units permitted in the subdivision prior to calculating and adding any development yield bonus under section 28-125(a). This number is obtained by performing the following calculation:

- (1) Derive the net acreage for the parent parcel by subtracting from the gross acreage of the parent parcel the acreage consisting of the following: any land defined to be unsuitable under section 28-7, existing, dedicated or reserved street rights-of-way, restrictive utilities rights-of-way, and navigable streams, ponds or lakes;
- (2) Determine the density factor as permitted for the parent parcel, taking into account the town preference, if any is indicated on the land use plan, as well as adjustments made by the town board to ensure a density factor that is consistent with the surrounding neighborhood; and
- (3) Multiply the net acreage result under subsection (1) of this definition times the applicable density factor under subsection (2) of this definition to obtain the net density for the parent parcel.

Nonprofit conservation organization means any charitable corporation, charitable association or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space

use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property.

Owner includes the plural as well as the singular and may mean either a natural person, division, firm, association, syndicate, partnership, limited liability company, private corporation, public or quasi-public corporation or similar organization or any combination of these having legal title or sufficient proprietary interest to seek development of land. For purposes of successive division of a parcel of land by certified survey map, by one owner or successive owners, "owner" shall be taken to include any person, division, firm, association, syndicate, partnership, limited liability company, private corporation, public or quasi-public corporation or similar organization to whom conveyance has been made within seven years of application for approval of a certified survey map.

Parent parcel means the existing parcel of record, as of the effective date of the ordinance from which this chapter is derived or the entire proposed development if combining any existing parcels.

Plan commission means the plan commission of the town.

Primary environmental corridor means a concentration of significant natural resources at least 400 acres in area, at least two miles in length, and at least 200 feet in width, as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.

Professional ecological services means an individual or firm with professional qualifications to prepare and implement an ecological stewardship plan for upland, wetland areas, and aquatic resource areas, including specific remedial and management activities for sustainable management of each of these areas and the planting of those variety of plants that are indigenous to the area.

Racine County Subdivision Ordinance means chapter 18 of the county Code, as amended from time to time.

Racine County Zoning Ordinance means chapter 20 of the county Code, as amended from time to time.

Secondary environmental corridor means a concentration of significant natural resources at least 100 acres in area and at least one mile in length. Where such corridors serve to link primary environmental corridors, no minimum area or length criteria apply. Secondary environmental corridors are delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.

Single-family dwelling means a building designed and/or used exclusively for residential purposes for one family only and containing not more than one dwelling unit.

Stewardship plan means a comprehensive management plan for the long term enhancement and sustainability of natural ecosystems (uplands - including farmlands, woodlands, prairies, meadows, wetlands, shorelands, lakes, river systems and similar ecosystems). Such plans shall include but not be limited to management goals, implementation and monitoring schedules, identification and description of measures to be taken should degradation of the system(s) be noted, and programs for the removal and control of invasive vegetation species.

Stormwater treatment train means a combination of physical and biological features that are constructed or planted to convey, cleanse, and enhance stormwater quality before the remaining water is released to receiving waters.

Street means a public way for pedestrian and vehicular traffic whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.

Subdivide means the act of dividing land which constitutes a subdivision or minor subdivision under this chapter.

Subdivider means any person, corporation, partnership, association, individual, firm, trust or agent dividing or proposing to divide land resulting in a subdivision or minor subdivision.

Subdivision means the division of a lot, parcel or tract of land by the owners thereof or their agents, where:

- (1) The act of division of a parent parcel creates four or more parcels or building sites; or
- (2) The act of division creates four or more parcels or building sites by successive divisions within a period of seven years. The term includes resubdivision, and when appropriate to the context, shall relate to the process of subdividing or to the land subdivided, whether by one owner or successive owners.

In determining the number of parcels or building sites created by the division of land, the remnant parcel, if any, shall count as one of the parcels or building sites created by said division.

Two-family dwelling means a building used for residential occupancy by two families living independently of each other.

(Ord. No. 2004-02, § 1(18.03), 9-27-2004; Ord. No. 2005-02, § 1, 10-10-2005)

Cross reference— Definitions generally, § 1-2.

Sec. 28-10. Adoption of state statutes and county ordinance.

Except as otherwise properly provided in this chapter, and subject to section 28-3(b)(9), the provisions of Wis. Stats. ch. 236 and the county subdivision control ordinance are hereby adopted by reference and made a part of this chapter.

(Ord. No. 2004-02, § 1(18.04), 9-27-2004)

Sec. 28-11. Fees.

The town board may, by resolution, establish reasonable fees for the administration of this chapter.

(Ord. No. 2004-02, § 1(18.12), 9-27-2004)