

CHAPTER 3 SPECIAL DISTRICTS

Part 4: Conservation/Cluster Developments

Sec. 13-3-11 Conservation/Cluster Developments.

- (a) **Title.** These regulations shall specifically be known cited and referred to as the Conservation/Cluster Development Ordinance of the City of Onalaska.
- (b) **Purposes.** This Ordinance is adopted for the following purposes:
 - (1) To guide future growth and development consistently with the City of Onalaska Comprehensive Plan.
 - (2) To guide the detailed analysis of the development parcel so as to locate and coordinate appropriate areas for development and conservation.
 - (3) To preserve scenic views by minimizing views of new development from long distances and in some cases existing roadways.
 - (4) To encourage well-planned neighborhoods through creative and imaginative planning and development.
 - (5) To provide for cost savings in infrastructure installation and energy use.
 - (6) To create more functional active and passive recreation areas.
 - (7) To achieve beneficial land use relationships.
 - (8) To foster development compatible with local environmental objectives.
 - (9) To preserve cultural and historic resources.
- (c) **Statutory Authorization.** This Ordinance is adopted pursuant to the authority contained in Sec. 236.45 and Sec. 62.23(7) of the Wis. Stats.
- (d) **Jurisdiction.** Jurisdiction of this Ordinance shall include all lands within the corporate limits of the City of Onalaska and those lands within the extraterritorial jurisdiction of the City as established in Sec. 62.23(2), 66.32, and 236.10 of the Wis. Stats.
- (e) **Definitions.** See Section 13-1-31.
- (f) **Applicability.**
 - (1) A Conservation/Cluster Development may be used as a custom zoning district for any land use or combination of land uses.
 - (2) Conservation/Cluster Developments may be applied to any division of a parcel containing twenty (20) or more acres where the division creates four (4) or more parcels. The overall development density for the conservation/cluster development shall be the same as would be allowed with conventional zoning except for those developments which qualify for development bonuses as outlined in this Article.
 - (3) **Condominium Plats.** A Condominium Plat prepared under Chapter 703 of the Wis. Stats., creating at least four (4) units with a parent parcel of twenty (20) acres or more shall be reviewed by the City in the same manner as a conservation subdivision as set forth in this ordinance and shall comply with the applicable design standards and required improvements of this Ordinance.
- (g) **Fees**
 - (1) The developer shall pay a Seven Hundred Dollar (\$700.00) fee at the time of filing an application for a Traditional Neighborhood Development.
 - (2) The developer shall pay all other applicable fees including but not limited to storm sewer fees, sanitary sewer fees, park fees, connection fees, and topographic fees unless otherwise waived by the Common Council.

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(h) Classification

- (1) Conservation/Cluster Developments shall be signified in the Zoning Map and Ordinance as a CCD.

(i) Size

- (1) Conservation/Cluster Developments shall be on a tract of land not less than twenty (20) acres.

(j) Ownership

- (1) An application for a Conservation/Cluster Development must be filed by the owner or owners or an authorized agent of the owner or owners.

(k) Abrogation and Greater Restrictions

- (1) **Public Provisions.** These regulations are not intended to interfere with, abrogate, or annul any other Ordinance, rule or regulation, statute, or other provision of law except as provided in these regulations. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, the provision that is more restrictive or imposes higher standards shall control.
- (2) **Private Provisions.** These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement impose duties and obligations more restrictive than these regulations, and the private provisions are not inconsistent with these regulations, then the private provisions shall be operative and supplemental to these regulations and the determinations made under the regulations.
- (3) **Interpretation.** In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. These regulations shall be construed broadly in favor of the City to promote the purposes for which they are adopted.
- (4) **Separability.** If any part or provision of these regulations or the application of these regulations to any person or circumstances is adjudged invalid by any court of competent jurisdiction, the judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which the judgment shall be rendered. It shall not affect or impair the validity of the remainder of these regulations or the application of them to other persons or circumstances. When other regulations provide “dual” standards, the more stringent provisions should govern. In limited instances, special site conditions may require more stringent standards, often included in an Ordinance to protect the whole if a section is declared invalid. The City hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application, which is judged to be invalid.

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(l) Enforcement, Violations, Penalties.

- (1) **Violations.** It shall be unlawful to build upon, divide, convey, record, or monument any land in violation of this Ordinance or state law, and no person shall be issued a building permit by the City authorizing the building on or improvement of any subdivision within the jurisdiction of this Ordinance not of record as of the effective date of this Ordinance until the requirements of this Chapter have been fully met. The City may institute appropriate action or proceedings to enjoin violations of this Ordinance or applicable state law.
- (2) **Penalties.** See Section 1-1-7.

Sec. 13-3-12 Development and Design Standards – Performance Standards

(a) General Considerations.

- (1) Conservation subdivisions shall identify a conservation theme or themes. This theme shall be identified at the time of the initial application. Conservation themes may include, but are not limited to, forest stewardship, water quality preservation, farmland preservation, natural habitat restoration, view shed preservation, or archaeological and historic properties preservation. The Plan Commission shall have the ability to specify which areas shall be preserved.

(b) Residential Lot Requirements.

- (1) The residential lot shall be large enough to accommodate a house and two (2) car garage.

(c) Setbacks.

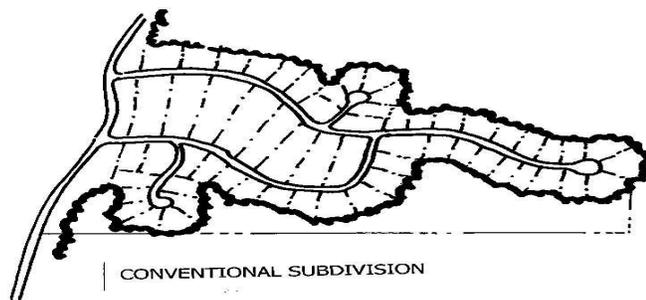
- (1) Setbacks may be flexed at the Plan Commission's discretion based on the General Concept Plan but shall in no case result in the deterioration of scenic view sheds, the need for excessively steep driveways, non-gravity sanitary sewer systems or inconsistency between adjacent lots where it is found by the Plan Commission to be problematic.

(d) Lot Configuration.

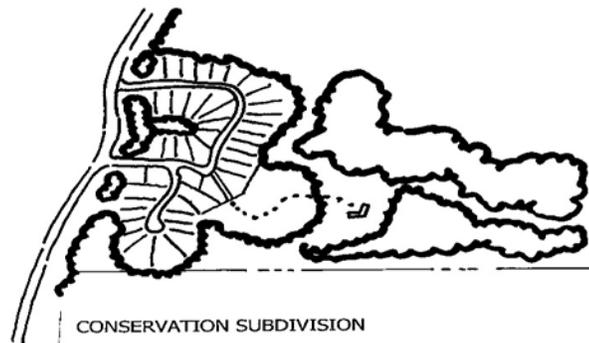
- (1) Lots shall be configured to minimize the amount of impervious surfaces. Maximum Lot Coverage: thirty-five percent (35%) - includes buildings and other impervious surfaces.
- (2) Most lots shall take access from interior local streets.
- (3) Existing farmsteads to be preserved will have a driveway as part of the historic landscape that does not access a local street but should be preserved.
- (4) Lots shall be configured to minimize the amount of road length required for the subdivision.
- (5) Development envelopes shall be configured to minimize loss of woodlands.
- (6) All lots within a neighborhood shall abut open space on at least one (1) side. A local street may separate lots from the open space.
- (7) Lots shall be oriented around one (1) or more of the following:
 - a. A central green or square.
 - b. A physical amenity such as a meadow, a stand of trees, or some other natural or restored feature.
 - c. Development envelopes should not be located on ridges, hilltops, along peripheral public roads or in other visually prominent areas.

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- d. Residential structures shall be oriented to maximize solar gain in the winter months.
 - e. A thirty (30) foot native vegetation buffer shall be maintained around open water areas, unless a specific common beach or grassed area is identified.
 - f. The development should capture eighty percent (80%) of the sediments/pollutants from the one (1) year storm event.
- (e) **Building Height.**
- (1) **Maximum Building Height: thirty-five (35) feet**
- (f) **Residential Cluster Siting Standards.**
- (1) All residential lots and dwellings shall be grouped into clusters. Each cluster shall contain no more than twenty (20) dwelling units and no less than five (5) units.
 - (2) Residential clusters shall be located to minimize negative impacts on the natural, scenic and cultural resources of the site and conflicts between incompatible uses.
 - (3) Residential clusters shall avoid encroaching on rare plant communities, high quality sites, or endangered species identified by the Department of Natural Resources.
 - (4) Whenever possible, open space shall connect with existing or potential open space lands on adjoining parcels and local or regional recreational trails.
 - (5) Residential clusters should be sited to achieve the following goals, to the extent practicable.
 - (6) Minimize impacts to prime farmland soils and large tracts of land in agricultural use, and avoid interference with normal agricultural practices.
 - (7) Minimize disturbance to woodlands, wetlands, grasslands, and mature trees.
 - (8) Prevent downstream impacts due to runoff through adequate on-site storm water management practices.
 - (9) Protect scenic views of open land from adjacent roads. Visual impact should be minimized through use of landscaping or other features.
 - (10) Protect archaeological sites and existing historic buildings or incorporate them through adaptive reuse.
 - (11) Landscaping around the cluster may be necessary to reduce off site views of residences.



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- (g) **Open Space Design**
- (1) Common Open Space. The minimum open space required shall be owned and maintained under one (1) of the alternatives listed in Section 5, as approved by the City.
 - (2) The uses within the open space shall be accessible to the residents of the development.
 - (3) These uses may also be available to the general public providing the proper approvals are received.
 - (4) The required open space shall be undivided and restricted in perpetuity from future development, as specified in Section 5.
 - (5) Open space shall be designated as part of the development.
 - (6) The minimum required open space is sixty percent (60%) of the gross acreage.
 - (7) Open Space Conservation Ranking (in order of significance). The areas to be preserved shall be identified on a case-by-case basis in an effort to conserve and provide the best opportunities to restore and enlarge the best quality natural features of each particular site.
 - a. First priority will be given to intact natural communities, rare and endangered species, environmental corridors, natural and restored prairies, significant historic and archaeological properties, and steep slopes.
 - b. Second priority will be given to areas providing some plant and wildlife habitat and open space values.
 - c. Third priority will be given to areas providing little habitat but providing view shed, recreation, or a sense of open space.
 - (8) The following areas or structures may be located within the open space area and shall be counted toward the overall open space percentage required: parking areas for access to and use of the open space developed at a scale limited to the potential users of the open space; privately-held buildings or structures provided they are accessory to the use of the open space; shared septic systems and shared potable water systems.
 - (9) Road rights of way shall not be counted towards the required minimum open space.
 - (10) No more than fifty percent (50%) of the required open space may consist of water bodies, ponds, floodplain, or wetlands.
 - (11) That portion of open space designed to provide plant and animal habitat shall be kept as intact as possible. Trails shall be designed to avoid fragmenting these areas.

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- (12) Accessible open space in upland areas shall be available for recreational uses such as trails, play fields, or community gardens but should be designed in a manner that avoids adversely impacting archeological sites.
 - (13) A pathway system connecting open space areas accessible to neighborhood residents, and connecting these areas to neighborhood streets and to planned developed trails on adjacent parcels shall be identified in the plan.
- (h) **Street Standards.**
- (1) Neighborhood streets may take the form of a two (2) way street, a pair of one (1) way streets on either side of a landscaped median, or a one (1) way loop street around a small neighborhood green. Streets shall be developed according to the following standards that promote road safety, assure adequate access for fire and rescue vehicles, and promote adequate vehicular circulation:
 - a. The applicant must demonstrate that access to the development has the capacity to handle traffic generated by the proposed project, and will not endanger the safety of the general public.
 - (2) Streets shall have the following design standards:
 - a. Right-of-way widths. The right-of-way width for each road shall be wide enough to provide for all public services, including roadway drainage, sidewalks, trails, and walkways, utilities, and snow storage. The minimum right-of-way shall be provided in accordance with the following:
 - 1. Right of Way: sixty (60) feet minimum.
 - 2. Street Width: thirty-two (32) feet minimum back of curb to back of curb.
 - 3. Curb and Gutter: twenty-four (24) inch - City Standards unless otherwise approved by the City Engineer.
 - b. Additional Standards:
 - 1. Design Speed: Maximum twenty-five (25) miles per hour.
 - 2. Road Grades: Maximum grade eight percent (8%).
 - 3. Bridges: Width shall be traveled way, plus two (2) feet each side. Design Loading for Structural Capacity HS-20, plus five (5) feet sidewalk necessary to maintain pedestrian crossing.
 - 4. Cul-de-sacs should be designed as semi-circular and circular loop roads. Minimum thirty (30) feet outside radius around a landscaped island with a minimum ten (10) feet radius. Open space internal to these road features can be counted toward the open space requirements.
 - 5. Sidewalks, trails, and other walkways. Minimum five (5) feet width.
 - 6. Shade trees shall be planted on both sides of the street.
 - 7. Street connections to adjacent parcels shall be provided in logical locations to avoid creating landlocked parcels and provide for connecting street patterns.
 - 8. Streets that serve as collectors, interconnecting subdivisions and other major traffic generators, shall be designed according to the City' standards for collector roads.

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9. Where streets will connect with streets having differing standards, the street dimensions shall be the same as those of the connecting street. All street widening shall occur at the nearest intersection.
 10. The developed area should have sidewalks on at least one (1) side of the street.
- (i) **Financial Guarantee.**
- (1) A financial guarantee ensuring the construction and completion of the common facilities shall be submitted to the Planning Department, Land Use and Development Director.
- (j) **Ownership and Maintenance of Open Space and Common Facilities**
- (1) **Alternatives.**
 - a. The designated common open space and common facilities may be owned and managed by one (1) or a combination of the following:
 1. A homeowners' association.
 2. A condominium association established in accordance with the Condominium Ownership Act, Chapter 703 of the Wis. Stats.
 3. A nonprofit conservation organization.
 4. The City or another governmental body empowered to hold an interest in real property when approved by the City Park Board and Common Council.
 5. An individual who will use the land for open space purposes as provided by a conservation easement.
 - (2) **Homeowners Association.**
 - a. A homeowners association shall be established if the common open space is proposed to be owned by a homeowners association. Membership in the association is mandatory for all purchasers of homes in the development and their successors.
 - b. The homeowners association bylaws, guaranteeing continuing maintenance of the open space and other common facilities, and the declaration of covenants, conditions and restrictions of the homeowners association shall be submitted for approval to the City as part of the information required for the preliminary plat.
 - c. The homeowners association bylaws or the declaration of covenants, conditions and restrictions of the homeowners association shall contain the following information:
 1. The legal description of the common land;
 2. A description of common facilities;
 3. The restrictions placed upon the use and enjoyment of the lands or facilities;
 4. Persons or entities entitled to enforce the restrictions;
 5. A mechanism to assess and enforce the common expenses for the land or facilities including upkeep and maintenance expenses, real estate taxes and insurance premiums;
 6. A mechanism for resolving disputes among the owners or association members;
 7. The conditions and timing of the transfer of ownership and control of land facilities to the association;
 8. Any other matter the developer deems appropriate.

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- (3) **Condominium Associations.**
 - a. If the common open space and facilities is to be held under the Condominium Ownership Act, Chapter 703 of the Wis. Stats., the condominium instruments shall identify the restrictions placed upon the use and enjoyment of the common open space. All common open space shall be held as a “common element” as defined in Sec. 703.01(2) of the Wis. Stats.
- (4) **A Nonprofit Conservation Organization.**
 - a. If the common open space is to be held by a nonprofit conservation organization, the organization must be acceptable to the City. The conveyance to the nonprofit conservation organization must contain appropriate provisions for reversion in the event that the organization becomes unwilling or unable to uphold the terms of the conveyance.
- (5) **Public Dedication of Open Space and Streets.**
 - a. The City may accept the dedication of fee title or dedication of a conservation easement to the common open space provided that:
 - 1. The common open space is accessible to the residents of the City of Onalaska;
 - 2. The City agrees to and has access to maintain the common open space;
 - 3. Streets or other public ways, which have been designated on a duly adopted official map or element of the City Comprehensive Plan, shall be dedicated or reserved by the subdivider to the City;
 - 4. The street or public way shall be made a part of the plat in the locations and dimensions indicated in the Comprehensive Plan and as set forth in this Ordinance.
- (6) **Individual Ownership.**
 - a. An individual may hold fee title to the land while a nonprofit or other qualified organization holds a conservation easement uses for the common open space.
- (7) **Maintenance Plan.**
 - a. Every conservation subdivision must include a plan that provides evidence of a means to properly manage the common open space in perpetuity and evidence of the long-term means to properly manage and maintain all common facilities, including any storm water facilities. The plan shall be approved by, the Plan Commission prior to final plat approval.
 - b. The plan shall do the following:
 - 1. Designate the ownership of the open space and common facilities in accordance with this Chapter.
 - 2. Establish necessary regular and periodic operation and maintenance responsibilities.
 - 3. Estimate staffing needs, insurance requirements, and other associated costs and define the means for funding the same on an on-going basis.
 - 4. Include a land stewardship plan specifically focusing on the long-term management of common open space lands. The land stewardship plan shall include a narrative, based on the site analysis required in this Chapter, describing:

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- i. Existing conditions including all natural, cultural, historic, and scenic elements in the landscape.
- ii. The proposed end state for each common open space area; and the measures proposed for achieving the end state.
- iii. Proposed restoration measures, including: measures for correcting increasingly destructive conditions such as erosion, and measures for restoring historic features and habitats or ecosystems.
- iv. The operations needed for maintaining the stability of the resources including: mowing schedules, weed control, planting schedules, clearing and cleanup. At the City's discretion, the applicant may be required to place in escrow sufficient funds for the maintenance and operation costs of common facilities for a maximum of one (1) year.
- v. In the event that the organization established to own and maintain the open space and common facilities, or any successor organization, fails to maintain all or any portion of the common facilities in reasonable order and condition upon the residents and owners of the open space and common facilities, setting forth the manner in which the organization has failed to maintain the common facilities in reasonable condition. Such notice shall set forth the nature of corrections required and the time within which the corrections shall be made. Upon failure to comply within the time specified, the organization, or any successor organization, shall be considered in violation this Ordinance, in which case the bond, if any, may be forfeited, and any permits may be revoked or suspended. The City may enter the premises and take corrective action.
- vi. The costs of corrective action by the City shall be assessed ratably, in accordance with tax assessments, against the properties that have the right of enjoyment of the common facilities and shall become a lien on said properties. The City, at the time of entering upon such common facilities for the purpose of maintenance, shall file a notice of such lien in the office of the County Register of Deeds upon the properties affected by such lien.
- vii. Management plans can be amended by the owner identified with the approval of the City.

Sec. 13-3-13 Concurrent Development Review.

(a) Combined Applications.

- (1) An application for a Planned Unit Development may be accompanied by all other discretionary requests including but not limited to Subdivision Review, Conditional Use Permit applications and Site Plan applications in order to minimize review periods.

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- (b) **Authority.**
 - (1) Authority is given to the Plan Commission to combine separate permit applications into one application for the convenience of the applicant and the City.
- (c) **Dedications.**
 - (1) Dedication or offers to dedicate interest in real property for specific purposes shown in the General Development Plan may be required as a condition of approval of the PUD if they are found by the Plan Commission to be in the public interest and/or are consistent with the City of Onalaska Comprehensive Plan.
- (d) **Improvements.**
 - (1) Improvements may be required as a condition of approval for PUD's. Required improvements in multi-phase projects shall be applied to each Final Implementation Plan submittal.

Sec. 13-3-14 Review and Approval Procedures.

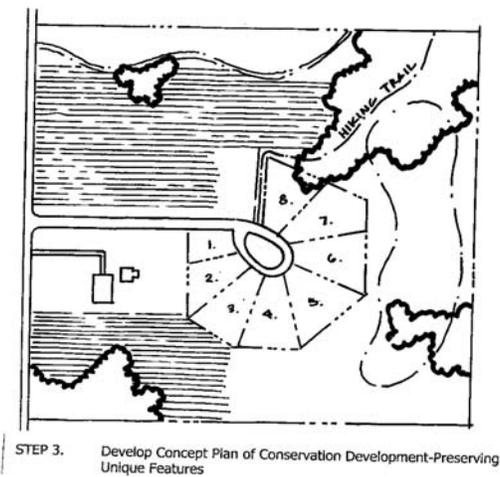
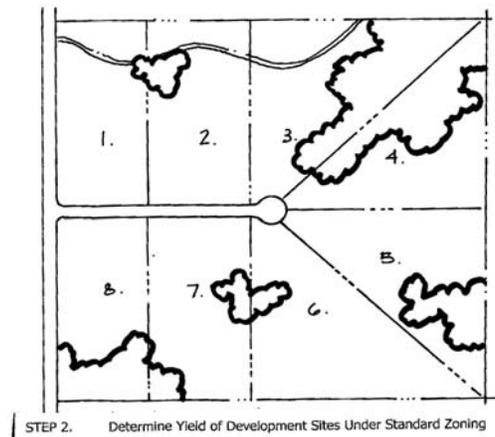
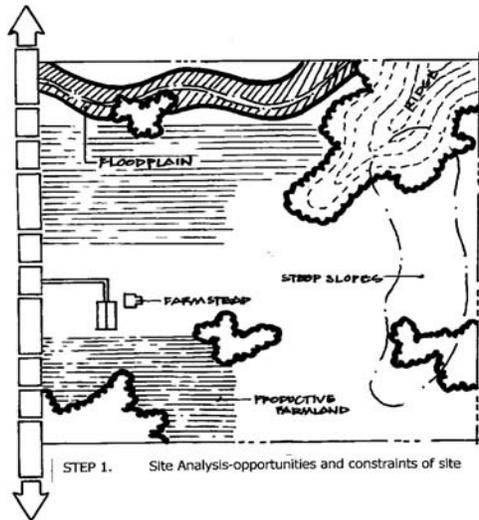
- (a) **General Provisions.**
 - (1) Before submitting an application for a CCD, the applicant may confer with the Planning Subcommittee to obtain information and guidance before entering into binding agreements or incurring substantial expense.
 - (2) It is recommended that the applicant have a pre-application conference with the City Planning Department to discuss the Comprehensive Plan objectives for the particular planning area and the procedure for submitting an application.
- (b) **Application Procedures.**
 - (1) An application for a Conservation Cluster Development shall not be referred to the Plan Commission until the following requirements are met:
 - (2) A plan of the proposed project including:
 - a. **Site Inventory**
 - 1. Inventory and mapping of existing resources including the following mapped at a scale of no less than one (1) inch fifty (50) feet:**
 - i. Topographic contours at two (2) foot intervals.
 - 2. United States Department of Agriculture, Natural Resource Conservation Service soil type locations and identification of soil type characteristics such as agricultural capability, depth to bedrock and water table, and suitability for wastewater disposal systems. Type and stability of bedrock should also be noted, particularly in karst areas and areas with high potential for groundwater contamination due to fractured bedrock or the presence of arsenic and mercury.
 - 3. Hydrologic characteristics, including surface water bodies, floodplains, groundwater recharge and discharge areas, wetlands, natural swales, drainage ways, and steep slopes.

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4. Land cover on the site, according to general cover type (pasture, woodland, etc.), and stand-alone trees with a caliper of more than twenty-four (24) inches measured four (4) feet off the ground. The inventory shall include comments on the health and condition of the vegetation.
 5. Current and past land use, all buildings and structures on the land, cultivated areas, brownfields, waste sites, and history of waste disposal.
 6. Thirty percent (30%) slopes.
 7. Archaeological and historic sites.
 8. Scenic view sheds
- b. **Development Yield Analysis.**
1. The subdivider shall submit a table showing the maximum number of dwelling units that would be permitted under the City Zoning Ordinance, consistent with the minimum lot size, lot widths, set backs, and other provisions of the zoning ordinance and compare it to the number of dwelling units proposed. Land that is undevelopable because of other laws and Ordinances that prohibit development in certain areas (e.g. floodplains, wetlands, steep slopes, and drainage ways) shall be excluded from the development yield analysis.
- c. **Site Analysis and General Concept Plan.** Using the site analysis inventory provided above and the development yield analysis provided above, and applying the design standards specified in this Ordinance, the applicant shall submit:
1. A concept plan including at least the following information at a scale of no less than one (1) inch = fifty (50) feet:
 - i. Open space areas indicating which areas are to remain undeveloped and trail location.
 - ii. Boundaries of areas to be developed and proposed general street and lot layout.
 2. Number and type (i.e., single-family, multi-family) of housing units proposed.
 3. Proposed methods for and location of water supply, stormwater management (e.g., best management practices), and sewage treatment.
 4. Inventory of preserved and disturbed natural features and prominent views.
 5. Preliminary development envelopes showing areas for lawns, pavement, buildings, and grading.
 6. Proposed methods for ownership and management of open space.

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Illustrative Example of the Site Analysis and Concept Plan Process:



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d. General Location Map.

1. The applicant shall submit a map showing the general outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads and property boundaries within five hundred (500) feet of the tract. This information may be presented on an aerial photograph at a scale of no less than one (1) inch: four hundred (400) feet.

e. Other Information.

1. The pattern, shape, size, arrangement and density of proposed lots and use areas.
2. The pattern and design of all circulation provisions.
3. The pattern and design of all common open space areas including proposed management.
4. Utility provisions.
5. A general outline of the organizational structure for the enforcement and administration of protective covenants if applicable.
6. A schedule for the implementation of the development.

f. Public Hearing.

1. Prior to the approval of the General Concept Plan, the City Clerk shall give notice of a public hearing to be held by the Plan Commission and such hearing shall be held for the purpose of explaining the proposed development by the applicant and providing all citizens an opportunity to be heard.

g. Approval of the General Concept Plan.

1. Approval of the General Concept Plan shall establish the basic right of use for the area in conformity with the plan as approved, but such plan shall be conditioned upon approval of a Final Implementation Plan and shall not make permissible any of the uses as proposed until a Final Implementation Plan is submitted and approved for all or a portion of the General Development Plan.

h. Final Implementation Plan Submittal.

1. A specific and detailed plan for the implementation of all or part of a proposed CCD must be submitted to the Plan Commission and shall include the following detailed construction and engineering plans and related details, documents and schedules:
 - i. An accurate scale map of the project consistent with the general development plan.
 - ii. The pattern of public and private circulation.
 - iii. Detailed lot layout.
 - iv. The arrangement of buildings building envelopes.
 - v. Architectural elevations and details where design guidelines are being implemented.
 - vi. A master grading and drainage plan.
 - vii. Utility plans.
 - viii. An open space plan with provisions for maintenance of the same.
 - ix. A master landscape plan.
 - x. Proof of financial treatment.
 - xi. An economic analysis-lot prices/ anticipated construction values.

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xii. A development schedule indicating construction commencement and completion, project phases, the dedication of public improvements, the administration of covenants.

i. Final Implementation Plan Approval.

1. Following the review of a final implementation plan submittal, the Plan Commission shall make a recommendation to the Council.
2. Upon receipt of the Plan Commission's recommendation, the Council may approve, deny or send the proposal back to the Plan Commission for further negotiation with the developer.
3. In the event of approval, the developer and applicant shall carry out the plans in accordance with the officially submitted and approved plans on file with the City Clerk.
4. The developer shall also record with the office of the Register of Deeds for La Crosse County, the legal description of the CCD and the conditions of approval which shall run with the land. Said conditions shall not lapse or be waived as a result of any subsequent change in ownership or tenancy. Said conditions shall be deemed to be part of the building permit issued for any use or structure in the CCD.
5. Any subsequent change to the CCD shall first be submitted to the Plan Commission and City Attorney and if in their opinion the change constitutes a substantial change, the applicant shall follow the procedure for General Development Plan Approval set forth herein including the required public hearing.
6. If after the approval of the CCD, any portion of the approved conditions or plans are not met, the City Land Use and Development Director, Building Inspector and City Attorney may stop further construction of the development by posting a stop work order and providing the developer with written notice by certified mail within two (2) working days of the stop work order. Construction shall be halted until such time as the developer has made the necessary corrections to comply with the approved plans.