

CHAPTER 8 DEVELOPMENT REVIEW PROCEDURES

Part 5: Subdivisions

Article E - Major Subdivisions/Plats

Sec. 13-8-18 Preliminary Consultation.

Before filing a Preliminary Plat or Certified Survey Map, the subdivider is encouraged to consult with the Plan Commission for advice regarding general subdivision requirements. Information on meeting dates, agenda deadlines and filing requirements may be obtained from the City Clerk. The subdivider shall also submit a location map showing the relationship of the proposed subdivision to traffic arteries and existing community facilities. 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 and duly adopted plan implementation devices of the City and to otherwise assist the subdivider in planning his development. In so doing, both the subdivider and planning agency may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and community. The subdivider will gain a better understanding of the subsequent required procedures.

Sec. 13-8-19 Submission of Preliminary Plat.

- (a) **Submission.** Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat and a letter of application. The subdivider shall submit thirty (30) copies of the Preliminary Plat. The Preliminary Plat shall be prepared in accordance with this Chapter, and the subdivider shall file copies of the Plat and the application as required by this Section with the City Clerk at least thirty (30) days prior to the meeting of the Plan Commission at which action is desired. The City Clerk shall submit a copy of the Preliminary Plat to the Plan Commission and to the City Engineer for review and written report of his recommendations and reactions to the proposed plat.
- (b) **Public Improvements, Plans and Specifications.** Simultaneously with the filing of the Preliminary Plat of map, the owner shall file with the City Clerk thirty (30) complete sets of engineering reports, plans and specifications for the construction of any public improvements required by this Chapter, specifically addressing sewer and water service feasibility, drainage and storm water facilities and compliance, traffic patterns, typical street cross sections, erosion control plans, pavement design and other improvements necessary in the subdivision.
- (c) **Property Owners Association; Restrictive Covenants.** A draft of the legal instruments and rules for proposed property owners associations, when the subdivider proposes that common property within a subdivision would be either owned or maintained by such an organization of property owners or a subunit of the City pursuant to Sec. 236.293, Wis. Stats., and proposed deed restrictions or restrictive covenants, shall be submitted at the time of filing the Preliminary Plat with the City Clerk.

Development Review Procedures Subdivisions 13-8-19

- (d) **Affidavit.** The surveyor preparing the Preliminary Plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this Chapter.
- (c) **Supplementary Data to be Filed with Preliminary Plat.** The following shall also be filed with the Preliminary Plat:
 - (1) **Use Statement.** A statement of the proposed use of lots stating type of residential buildings with number of proposed dwelling units; types of business or industry so as to reveal the effect of the development on traffic, fire hazards and congestion of population; and
 - (2) **Zoning Changes.** For the areas, including dimensions; and
 - (3) **Area Plan.** Where the subdivider owns property adjacent to that which is being proposed for the subdivision, the Plan Commission may require that the subdivider submit a Preliminary Plat of the remainder of the property so as to show the possible relationships between the proposed subdivision and future subdivision. In any event, all subdivisions must be shown to relate well with existing or potential adjacent subdivisions.
- (f) **Street Plans and Profiles.** The subdivider shall provide street plans and profiles showing existing ground surface, and proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested.
- (g) **Soil Testing.** The subdivider shall provide a preliminary soils report, listing the types of soil in the proposed subdivision, their effect on the subdivision and a proposed soil testing and investigation program. Pursuant to the public policy concerns prescribed in Section 14-9-11, the City Engineer may designate areas to ascertain subsurface soil, depth to ground water table.
- (h) **Referral to Other Agencies.**
 - (1) The City Clerk shall, within two (2) days after filing, transmit copies to the County Planning Agency, copies to the Director of the Planning Function in the Wisconsin Department of Development, additional copies to the Director of the Planning Function for retransmission of copies to the Wisconsin Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street and the Wisconsin Department of Industry, Labor and Human Relations if the subdivision is not served by the public sewer and provision for such service has not been made, and an adequate number of copies to the Plan Commission. The County Planning Agency, the Wisconsin Department of Development, the Wisconsin Department of Transportation and the Wisconsin Department of Industry, Labor and Human Relations shall be hereinafter referred to as objecting agencies. The Plan Commission shall also transmit a copy of the Preliminary Plat to all affected City boards, commissions or departments and all affected local utility companies for their review and recommendations concerning matters within their jurisdiction.

Development Review Procedures Subdivisions 13-8-19

- (2) Within fifteen (15) days of the date of receiving the copies of the plat, any state or county agency having authority to object under Subsection (h)(1) above shall notify the subdivider and all approving or objecting authorities of any objection based upon failure of the plat to comply with the statutes or rules which its examination is authorized to cover, or, if all objections have been satisfied, it shall so certify on the face of a copy of the plat and return that copy to the approving authority from which it was received. The plat shall not be approved or deemed approved until any objections have been satisfied. If the objecting agency fails to act within the fifteen (15) day limit it shall be deemed to have no objection to the plat. The recommendations of City agencies shall also be transmitted to the Plan Commission within fifteen (15) days from the date the plat is filed.
 - a. Drafting Standards. The subdivider shall submit to the City Clerk and to those agencies having the authority to object to plats under provisions in Chapter 236 of the Wis. Stats., copies of a Preliminary Plat (or Certified Survey) based upon an accurate exterior boundary survey by a registered land surveyor which shall show clearly the proposed subdivision at a scale of not more than one (1) inch per one hundred (100) feet having two (2) foot contour intervals, shall identify the improvements (grading, tree planting, paving, installation of facilities and dedications of land), easements which the subdivider proposes to make and shall indicate by accompanying letter when the improvements will be provided. The subdivider shall also provide the City with a copy of any restrictive covenants being applied to the project.

Sec. 13-8-20 Preliminary Plat Review and Approval.

(a) Commission Action.

- (1) The Plan Commission shall, within ninety (90) days of the date the plat was filed with the City Clerk, approve, approve conditionally or reject such plat and shall state, in writing, any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider. Failure of the Plan Commission to act within ninety (90) days or extension thereof shall constitute an approval of the Preliminary Plat, unless other authorized agencies object to the plat. The City Clerk shall communicate to the subdivider the action of the Plan Commission. If the Preliminary Plat is approved, the City Clerk shall endorse it for the Plan Commission.
- (2) Simultaneously with the filing of the Preliminary Plat or map, the owner shall file with the City Clerk thirty (30) copies of the final plans and specifications of public improvements required by this Chapter. Upon approval of the Preliminary Plat, the developer may start work on all improvements. The City Clerk shall refer copies of the Preliminary Plat to the City Engineer and a copy each to the telephone, power and other utility companies/agencies. The Abstract of Title or Registered Property Report may be referred to the City Attorney for his examination and report.

Development Review Procedures Subdivisions

13-8-20

- (b) **Effect of Preliminary Plat Approval.** 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, 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 Plan Commission and Common Council at the time of its submission.
- (c) **Preliminary Plat Amendment.** Should the subdivider desire to amend the Preliminary Plat as approved, he may resubmit the amended plat which shall follow the same procedure, except for the fee, unless the amendment is, in the opinion of the Plan Commission, of such scope as to constitute a new plat, in which such case it shall be refiled.

Sec. 13-8-21 Final Plat Review and Approval.

(a) **Filing Requirements.**

- (1) The subdivider shall prepare a Final Plat and a letter of application in accordance with this Chapter and shall file thirty (30) copies of the Plat and the application with the City Clerk at least twenty-one (21) days prior to the meeting of the Plan Commission at which action is desired. The owner or subdivider shall file thirty (30) copies of the Final Plat not later than six (6) months after the date of approval of the Preliminary Plat; otherwise, the Preliminary Plat and Final Plat will be considered void unless an extension is requested in writing by the subdivider and for good cause granted by the City. The owner or subdivider shall also submit at this time a current certified abstract of title or registered property report and such other evidence as the City Attorney may require showing title or control in the applicant. A written transmittal letter shall identify all substantial changes that have been made to the plat since the Preliminary Plat. When the subdivider expects the City to act as the transmitting authority in accordance with Sec. 236.12, Wis. Stats., the application shall state that transmittal responsibilities lie with the City and shall contain a list of the other authorities to which the plat must be subjected and shall be accompanied by such additional fees and copies of the plat as are necessary to be transmitted to such authorities.
- (2) The City Clerk shall, within two (2) days after filing, transmit copies to the County Planning Agency, copies to the Director of the Planning Function in the Wisconsin Department of Development, additional copies to the Director of the Planning Function for retransmission of copies to the Wisconsin Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street and the Wisconsin Department of Industry, Labor and Human Relations if the subdivision is not served by a public sewer and provision for service has not been made, to all affected City boards, commissions and committees and the original Final Plat and adequate copies to the Plan Commission. The County Planning Agency, the

Final Plat must be filed within 6 months of the Preliminary Plat unless an extension is approved by the City

Development Review Procedures Subdivisions

13-8-21

Wisconsin Department of Development, the Wisconsin Department of Transportation, and the Wisconsin Department of Industry, Labor and Human Relations shall be hereinafter referred to as objecting agencies.

- (3) The Final Plat shall conform to the Preliminary Plat as approved and to the requirements of all applicable ordinances and state laws and shall be submitted for certification of those agencies having the authority to object to the plat as provided by Sec. 236.12(2).
- (4) The City Clerk shall refer two (2) copies of the Final Plat to the Plan Commission, and one (1) copy to the City Engineer. The recommendations of the Plan Commission and City Engineer shall be made within thirty (30) days of the filing of the Final Plat. The City Engineer shall examine the plat or map and final plans and specifications of public improvements for technical details and, if he finds them satisfactory, shall so certify in writing to the Plan Commission. If the plat or map or the plans and specifications are not satisfactory, the City Engineer shall return them to the owner and so advise the Plan Commission.

(b) Plan Commission Review.

- (1) The 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 applicable ordinances, rules, regulations, comprehensive plans and comprehensive plan components which may affect it and shall recommend approval, conditional approval or rejection of the Plat to the Plan Commission.
- (2) The objecting state and county agencies shall, within fifteen (15) days of the date of receiving their copies of the Final Plat, notify the subdivider and all other approving and objecting agencies of any objections, except that the Wisconsin Department of Development has thirty (30) days in which to make objections. If there are no objections, they shall so certify on the face of the copy of the Plat and shall return that copy to the City. If an objecting agency fails to act within fifteen (15) days, it shall be deemed to have no objection to the Plat.
- (3) If the Final Plat is not submitted within six (6) months of the last-required approval of the Preliminary Plat, the Plan Commission may refuse to approve the Final Plat.
- (4) The Plan Commission shall, within thirty (30) days of the date of filing of the Final Plat with the City Clerk, recommend approval, conditional approval or rejection of the Plat and shall transmit the Final Plat and application along with its recommendations to the Plan Commission. The Plan Commission may hold the matter in abeyance if there is incomplete or inadequate information.

(c) Council Review and Approval.

- (1) The Plan Commission shall, within sixty (60) days of the date of filing the original Final Plat with the City 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 Plan Commission may not inscribe its approval on the Final Plat unless the City Clerk certifies on the face of the Plat that the copies were forwarded to objecting agencies as required herein, the

The owner/subdivider must submit a signed and recorded copy of the final plat to the City Inspection Department after it has been recorded at the Register of Deeds office in order to apply for building permits within the platted area.

Development Review Procedures Subdivisions

13-8-21

date thereof and that no objections have been filed within twenty (20) days or, if filed, have been met.

- (2) The Plan Commission shall, when it determines to approve a Final Plat, give at least ten (10) days prior written notice of its intention to the Municipal Clerk of any municipality within one thousand (1,000) feet of the Final Plat.
- (3) Failure of the Plan Commission to act within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.
- (d) **Recordation.** After the Final Plat has been approved by the Plan Commission and required improvements either installed or a contract and sureties insuring their installation is filed, the City Clerk shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Plat returned to the subdivider for recording with the county register of deeds. The Register of Deeds cannot record the Plat unless it is offered within six (6) months from the date of last approval.
- (e) **Final Copies.** The subdivider shall file ten (10) copies of the Final Plat with the City Clerk for distribution to the approving agencies, affected utilities and other affected agencies for their files. One (1) Mylar copy shall also be filed with the City Engineer.
- (f) **Partial Platting.** The Final Plat may, if permitted by the Plan Commission, constitute only that portion of the approved Preliminary Plat, which the subdivider proposes to record at the time.

Sec. 13-8-22 Replat.

- (a) Except as provided in Sec. 70.27(1), Wis. Stats., 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 Sec. 236.40 through 236.44 of the Wis. Stats. The subdivider or person wishing to replat shall then proceed, using the procedures for Preliminary and Final Plats.
- (b) Where lots are more than double the minimum size required for the applicable zoning district, the Plan Commission may require that such lots be arranged so as to allow re-subdivision of such parcels into normal lots in accordance with the provisions of the Chapter.

Sec. 13-8-23 Determination of Adequacy of Public Facilities and Services.

- (a) A Preliminary Plat, Final Plat or Certified Survey shall not be approved unless the Plan Commission and the Common Council determine that adequate public facilities and public services will be available to meet the needs of the proposed land division and that no public funds will be required.
- (b) The applicant shall furnish any data requested by the City Clerk who shall transmit this information to the appropriate commission(s), committee(s) and staff for review; the City Clerk shall act as coordinator of the reports from staff to the Plan Commission and Common Council on the adequacy of

Development Review Procedures Subdivisions

13-8-23

water, sanitary and storm sewers, fire service, police, parks and open space and recreation facilities, transportation facilities and schools.

- (c) Public facilities and public services for a proposed land division may be found to be adequate when the following conditions exist:
- (1) The proposed land division is located in an urban service area where adequate sewer service is presently available for extension, under construction or designated by the Common Council for extension of sewer service within the current capital budget year and funds are specifically provided for such extension either from public or private financing. The Plan Commission and the Common Council shall consider the recommendations of the City Engineer and the appropriate committees) on the capacity of trunk lines and of sewerage treatment facilities and any other information presented.
 - (2) The proposed land division is located within an urban service area contiguous to an arterial transmission water main of adequate capacity for the proposed development or if the water distribution system that is needed is under construction or scheduled for construction within the current budget year, and funds, either public or private, are available for the program. The Plan Commission and the Common Council shall consider the recommendations of the Utility Department and the City Engineer and the appropriate committee(s) on line capacities, water sources and storage facilities, as well as any other information presented. The City Engineer verifies to the Plan Commission and the Common Council that adequate funds, either public or private, are available to insure the installation of all necessary storm water management facilities.
 - (3) The City Engineer can demonstrate to the Plan Commission and the Common Council that street maintenance and refuse collection services, either public or private, are so situated that adequate and timely service can be provided so as not to involve danger or injury to the health, safety or general welfare to the future residents of the proposed land division or existing City residents.
 - (4) The Parks and Recreation Director or Land Use and Development Director verifies to the Plan Commission that the future residents of the proposed land division can be assured park, recreation and open space facilities and services which meet the standards of the City's Comprehensive Plan for Parks and Open Spaces.
 - (5) The Police Department, E.M.S. and Fire Department verify that timely and adequate service can be provided to the residents.
 - (6) The proposed land division is accessible by existing or officially mapped, publicly maintained, all-weather roadway system, adequate to accommodate both existing traffic and that traffic to be generated by the proposed land division in accordance with the Official Map and City Standards.
- (d) Where the Plan Commission and the Common Council determine that one (1) or more public facilities or services are not adequate for the proposed development, but that a portion of the area could be served adequately, or that careful phasing of the development could result in all public facilities and public services being adequate, conditional approval may include only such portions or may specify phasing of the development.

Development Review Procedures Subdivisions 13-8-23

- (e) No land shall be divided which has been officially mapped as public lands storm water management facility or is determined by the Common Council to be unsuitable for use by reason of flooding, bad drainage, soil or rock formations with severe limitations for development, severe erosion potential or unfavorable topography, or any other feature likely to be harmful to health, safety or welfare of future residents or landowners in the proposed land division or of the community.
- (d) The above requirements shall not apply to those areas outside the corporate limits of the City of Onalaska and within the City's extraterritorial limits. Areas within the City capable of being served by public sewer and water shall be required to connect to the City of Onalaska public water distribution and/or public sewerage system if determined by the City Engineer to be feasible. If such connection(s) are not determined feasible, the proposed land division shall provide for adequate on-site systems and such special piping provisions as may be necessary to serve the anticipated development during the interim period until such City public water and/or sewerage systems are determined by the City Engineer to be feasibly available for connection. The subdivider, and his heirs and assigns, shall, by written plat restriction, agree to abandon the interim water and sewerage facilities and connect to the City public water and sewerage facilities upon a determination by the City Engineer that such facilities are available for feasible connection.

Sec. 13-8-24 Disclaimers on Approvals.

- (a) The purpose of requiring approvals under this Chapter is to insure the health, safety, morale, comfort, prosperity and general welfare of the City. This Chapter shall not be interpreted as placing any responsibility or liability on any City official, City employee or the City as a municipality corporation for the granting of approval or the denial of any approval. All approvals rendered as part of this Chapter shall be considered as being approved conditionally based on the information and circumstances apparent at that time.
- (b) Approvals issued by the City shall not be construed as an assumption or expression of any responsibility, warranty or guarantee for the design or construction of any improvements within the land division.

Sec. 13-8-25 Technical Requirements for Preliminary Plats.

- (a) **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 Mylar or paper of good quality at a scale of not more than one hundred (100) feet to the inch and shall show correctly on its face the following information:
 - (1) Title under which the proposed subdivision is to be recorded.
 - (2) Location of the proposed subdivision by government lot, quarter section, township, range, county and state.
 - (1) Date, scale and north point.
 - (2) Names and addresses of the owner, subdivider and land surveyor preparing the plat.

Development Review Procedures Subdivisions 13-8-25

- (3) The entire area contiguous to the proposed plat owned or controlled by the subdivider shall be included on the Preliminary Plat even though only a portion of said area is proposed for immediate development. The Plan Commission may waive this requirement where it is unnecessary to fulfill the purposes and intent of this Chapter and undue hardship would result from strict application thereof.
- (b) **Plat Data.** All Preliminary Plats shall show the following, unless waived by the City Engineer:
- (1) Exact length and bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the U.S. Public Land Survey and the total acreage encompassed thereby.
 - (2) Locations of all existing property boundary lines, structures, drives, streams and water courses, marshes, rock outcrops, wooded areas, railroad tracks and other significant features within the tract being subdivided or immediately adjacent thereto.
 - (3) 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.
 - (4) Location and names of any adjacent subdivisions, parks and cemeteries and owners of record of abutting unplatted lands.
 - (5) 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.
 - (6) Location, size and invert elevation of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, electric and communication facilities, whether overhead or underground and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by the direction and distance from the tract, size and invert elevations.
 - (7) Corporate limit lines within the exterior boundaries of the plat or immediately adjacent thereto.
 - (1) Existing zoning on and adjacent to the proposed subdivision.
 - (2) Contours within the exterior boundaries of the plat and extending to the centerline of adjacent public streets to National Map Accuracy Standards based upon Mean Sea Level Datum at vertical intervals of not more than two (2) feet. At least two (2) permanent benchmarks shall be located in the immediate vicinity of the plat; the location of the bench marks shall be indicated on the plat, together with their elevations referenced to Mean Sea Level Datum and the monumentation of the bench marks clearly and completely described. Where, in the judgment of the City Engineer, undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used.

Development Review Procedures Subdivisions 13-8-25

- (10) High-water elevation of all ponds, streams, lakes, flowages and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom.
 - (11) Water elevation of all ponds, streams, lakes, flowages and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom at the date of the survey.
 - (12) Floodland and shoreland boundaries and the contour line lying a vertical distance of two (2) feet above the elevation of the one hundred (100) year recurrence interval flood or, where such data is not available, two (2) feet above the elevation of the maximum flood on record within the exterior boundaries of the plat or within one hundred (100) feet therefrom.
 - (13) Location, width and names of all proposed streets and public rights-of-way such as alleys and easements.
 - (14) Approximate dimensions of all lots together with proposed lot and block numbers. The area in square feet of each lot shall be provided.
 - (15) Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainageways or other public use of which are to be used for group housing, shopping centers, church sites or other nonpublic uses not requiring lotting.
 - (16) Approximate radii of all curves.
 - (17) Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to access.
 - (18) Any proposed lake and stream improvement or relocation, and notice of application for approval by the Division of Environmental Protection, Department of Natural Resources, when applicable.
 - (19) Where the Plan Commission or City Engineer finds that it requires additional information relative to a particular problem presented by a proposed development in order to review the Preliminary Plat, it shall have the authority to request in writing such information from the subdivider.
- (c) **Additional Information.** The Plan Commission and/or City officials may require a proposed subdivision layout of all or part of the contiguously owned land even though division is not planned at the time.

Sec. 13-8-26 Technical Requirements for Final Plats.

It is the responsibility of the subdivider as the project manager to insure that the submitted and approved drainage plan has been implemented and enforced. Since the City does not inspect landscape installations, which may alter grades and drainage patterns, the owner/subdivider is responsible for conformance with the approved drainage plan.

- (a) **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 Sec. 236.20, Wis. Stats., and this Chapter.
- (b) **Additional Information.** The Final Plat shall show correctly on its face, in addition to the information required by Sec. 236.20, Wis. Stats., the following:
 - (1) **Exact Length and Bearing** of the centerline of all streets.
 - (2) **Exact Street Width** along the line of any obliquely intersecting street.
 - (3) **Exact Location and Description** of street lighting and lighting utility easements.
 - (4) **Railroad Rights-of-Way** within and abutting the plat.
 - (5) **All Lands Reserved** for future public acquisition or reserved for the common use of property owners within the Plat.

Development Review Procedures Subdivisions

13-8-26

- (6) **Special Restrictions** required by the Common Council, upon the recommendation of the Plan Commission, relating to access control along public ways or to the provision of planting strips.
- (7) **Taxes and Fees.** Certifications by attached information showing that all taxes, fees and special assessments currently due on the property to be subdivided have been paid in full.
- (8) **Drainage Flows.** The subdivider shall cause to be set upon a copy of the final plat arrows indicating the directions of drainage flows for each property line not fronting on a street on all parcels and along each street as will result from the grading of the site, the construction of the required public improvements, or which are existing drainage flows and will remain. The arrows indicating the directions of flows shall be appropriately weighted so as to differentiate between the minor and major [one hundred (100) year event] drainage components. The arrows shall be accompanied on the plat with the following note:
 - a. Arrows indicate the direction of drainage flows in various components resulting from site grading and the construction of required public improvements. The drainage flow components located in easements shall be maintained and preserved by the property owner unless approved by the City Engineer.
- (9) **Groundwater Presence.** Where the ground water table is equal to or less than nine (9) feet from the proposed street centerline elevation, the subdivider shall place the following note on the plat:
 - a. Subsoil information indicates the presence of ground water conditions that may require basement elevations on lot(s) to be at elevation or higher, or that a modified structural plan of the structure's foundation shall be submitted to the Building Inspector for approval with the application for a building permit as required information. The elevation of the basement as described in the paragraph to be placed on the plat shall be a minimum of two (2) feet higher than the elevation of the ground water table as determined by the City Engineer from the soils information.
- (c) **Deed Restrictions.** Restrictive covenants and deed registrations for the proposed subdivision shall be filed with the Final Plat.
- (d) **Property Owners Association.** The legal instruments creating a property owners association for the ownership and/or maintenance of common lands in the subdivision shall be filed with the Final Plat.
- (e) **Survey Accuracy.**
 - (1) **Examination.** The Common Council, Plan Commission, or their designees, shall examine all Final Plats within the City of Onalaska and may check for the accuracy and closure of the survey, the proper kind and location of monuments, and legibility and completeness of the drawing.
 - (2) **Maximum Error of Closure.** 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 part in five thousand (1:5,000), nor in azimuth, four (4) seconds of arc per interior angle. If field measurements exceed this maximum, new field measurements shall be made until 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.

Development Review Procedures Subdivisions

13-8-26

- (3) **Street, Block and Lot Dimensions.** All street, block and lot dimensions shall be computed as closed geometric figures based upon the control provided by the closed exterior boundary survey. If checks disclose an error for any interior line of the plat greater than the ratio of one part in three thousand (1:3,000), or an error in measured angle greater than one (1) minute of arc for any angle where the shorter side forming the angle is three hundred (300) feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than three hundred (300) feet in length, the error shall not exceed the value of one (1) minute multiplied by the quotient of three hundred (300) divided by the length of the shorter side; however, such error shall not in any case exceed five (5) minutes of arc.
- (4) **Plat Location.** Where the plat is located within a quarter section, the corners of which have been relocated, monumented and coordinated by the City, the tie required by Sec. 236.20(3)(b), Wis. Stats., may be expressed in terms of grid bearing and distance; 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. The grid bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision.
- (b) **Surveying and Monumenting.** All Final Plats shall meet all the surveying and monumenting requirements of Sec. 236.15, Wis. Stats.
- (g) **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 City, the plat shall be tied directly to one (1) 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 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, and adjusted to the City's Control Survey.
- (h) **Certificates.** All Final Plats shall provide all the certificates required by Sec. 236.21, Wis. Stats.; and in addition, the surveyor shall certify that he has fully complied with all the provisions of this Chapter.

13-8-27 Extraterritorial Plat Review and Jurisdiction

- (a) **General Purpose, Intent and Duration.** Plats and Minor Land Divisions within the extraterritorial plat approval jurisdiction of the City of Onalaska are subject to this Chapter pursuant to Sec. 236.45 (2), Wis. Stats. The City hereby establishes a temporary stay or moratorium on the acceptance, review and approval of land division and subdivision within the extraterritorial plat approval jurisdiction east of Nathan Hill, west of the La Crosse River and south of County Highway 16 (the "Area") while the City amends its Comprehensive Plan, and establishes any necessary ordinances to further the orderly layout and use of land in this area and to avoid undue concentration of population and to facilitate the adequate provision of transportation facilities, water, sewerage, schools, parks, open space and the delivery of public safety services for the Area. The temporary stay shall be effective for twenty four (24) months from its effective date.

Development Review Procedures Subdivisions

13-8-27

- (b) **Review Procedure.** The subdivider of land, who seeks an exception to the temporary stay under paragraph (e), shall file with the City Clerk an application and preliminary plat as specified in Chapter 9, Parts 3 and 4 of the Onalaska Unified Development Code. Upon receipt of the application the City Clerk shall refer the application to the Plan Commission, which shall hold a hearing to make the necessary findings and recommendation to the Common Council whether an appropriate exception does or does not exist. The Common Council shall act upon the recommendation of the Plan Commission and either reject, accept or modify the recommendation of the Plan Commission. The Common Council decision shall be final.
- (c) **Approval Authority.** Approval agencies shall be as specified in Chapter 236 of the Wisconsin Statutes; the subdivider must comply with the subdivision regulations of said agencies or units of government.
- (d) **Required Improvements.** A subdivider may proceed with the installation of improvements under such regulations as the Town within whose limits the plat lies may require, provided approval has been granted by all agencies or units of government required under this section.
- (e) **Exceptions.**

 - a. **Agricultural Land Use.** The Plan Commission may grant approval of a land division subdividing portions of land within an agricultural land use designation in the Comprehensive Plan provided the Commission determines that the proposed subdivision assures the continuation of agricultural uses.
 - b. **Non Agricultural Land Uses.** The Plan Commission may recommend approval of a land division subdividing portions of land to the Common Council provided that the proposed subdivision complies with the following:

 - i. The proposed subdivision is compatible with adjacent land uses and maintains the general pattern of land uses in the immediate area.
 - ii. The proposed subdivision, if approved, would result in a land use and development pattern compatible with surrounding development and land use patterns with regard to parcel size, lot frontage and access, aesthetics, traffic generation, public safety considerations, and impact on surrounding land use.
 - iii. The proposed subdivision and resulting development shall not adversely affect the City's ability to provide public services and or future annexations and continuation of municipal infrastructure.
 - iv. The proposed subdivision does not conflict with the City of Onalaska Comprehensive Land Use Plan.
 - c. The Plan Commission reserves the right to reject any application for exception to the temporary stay due to insufficient information and/or planning where the Plan Commission determines that more in-depth planning must be done to ensure the orderly development and use of the land and to allow for the creation or amendment to any ordinances or the determination of compliance with local comprehensive plans.
 - d. The Plan Commission reserves the right to reject any application for exception to the temporary stay due to the subdivision submission conflicting with local comprehensive planning objectives requiring intergovernmental coordination, boundary agreements and for insufficient study of the fiscal impact of service and infrastructure delivery impacts

Sec. 13-8-28 through Sec. 13-8-30

Reserved for Future Use.

