

Resolution No. 2-0906

WHEREAS, there does exist the Iowa County Subdivision and Land Division Ordinance duly adopted by the Iowa County Board of Supervisors;

WHEREAS, recent changes in Wisconsin Department of Transportation and county policies now cause the purchase of right-of-way versus easements;


WHEREAS, this purchase of right-of-way often causes unintentional land divisions necessitating description by certified survey map under the present ordinance;

WHEREAS, the present ordinance also lacks a definition for "outlot" and language designating the use of such outlots;

WHEREAS, the Iowa County Planning and Zoning Commission has held a public hearing on August 16, 2006 to consider changes to said ordinance that will provide a land division exemption when caused by public road projects and to better address outlots;

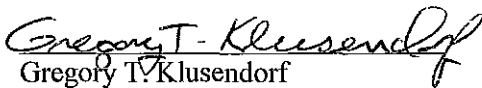
NOW THEREFORE BE IT RESOLVED THAT the Iowa County Board of Supervisors hereby amend the Iowa County Subdivision and Land Division Ordinance as recommended by the Iowa County Planning and Zoning Commission. See Attachment A for the recommended amendments.

Adopted this 19th day of September, 2006



Mark Masters
Iowa County Chairman

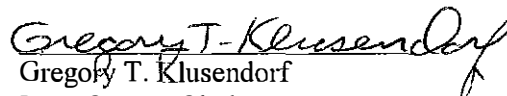
ATTEST:



Gregory T. Klusendorf
Iowa County Clerk

CERTIFICATION OF ADOPTION

This is to certify that the County Board of Iowa County duly adopted the above resolution on the 19th day of September, 2006.



Gregory T. Klusendorf
Iowa County Clerk
Iowa County, Wisconsin



ATTACHMENT A

Iowa County Subdivision and Land Division Ordinance

**Available at the Iowa County Office of Planning and Development
222 North Iowa Street
Dodgeville, WI 53533
(608) 935-0398 or fax: (608) 930-1205
scott.godfrey@mail.iowacounty.org**

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- 1.00 Authority.** These regulations are adopted under the authority granted by § 236.45 of the Wisconsin Statutes, and pursuant to §§ 59.69, 281.31 and 281.33 of the Wisconsin Statutes.
- 1.10 Purpose and Intent.** The purpose of this ordinance is to promote the public health, safety and general welfare of the County, and to lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision for transportation, water, sewerage, energy and communications facilities, surface drainage, schools, parks, playgrounds and other public requirements; to facilitate the further re-subdivision of larger parcels into smaller parcels of land.
- 1.20 Severability.** If any section, provision or portion of this ordinance is adjudged invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
- 1.30 Repeal.** All other ordinances or parts of ordinances of Iowa County inconsistent or in conflict with this ordinance, to the extent of inconsistency or conflict only, are hereby repealed.
- 1.40 Title.** This ordinance shall be entitled the *“Iowa County Subdivision and Land Division Ordinance”*.
- 1.50 Effective Date.** This ordinance shall be effective upon passage and publication.
- 1.60 Definitions.** For the purposes of this ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word “shall” is mandatory and not directory.

Agency: The Iowa County Office of Planning and Development.

Certified Survey Map: A map of land division, not a subdivision, prepared in accordance with § 236.34 Stats., and in full compliance with the applicable provisions of this ordinance. A certified survey map has the same legal force and effect as a subdivision plat.

Committee: Iowa County Zoning, Planning, Sanitation and Rural Planning Commission.

Contiguous: For the purposes of this ordinance, this shall refer to property that is adjoined by a minimum of 50 feet of shared boundary.

Development: Any manmade improvements to a property that may require a permit, such as the construction of a driveway, building, structure, pond,

grading/filling or modifications to any such existing improvements, including a land division.

Development Plan: A general site analysis for a land division or subdivision and its environs identifying and analyzing the natural and cultural features of the area.

Extraterritorial Plat Approval Jurisdiction: The unincorporated area within three (3) miles of the city limits of a city of the first, second or third class, if said city has a subdivision ordinance or official map, or within one and one-half (1½) miles of the corporate limits of a city of the fourth class or a village, if said city or village has a subdivision ordinance or official map.

Land Division: Any division of a parcel of land where the act of division creates a lot, parcel or building site of less than 40 contiguous acres.

Lot: A parcel of land occupied by or designed to provide space necessary for one main building and its accessory buildings or uses that abuts by ownership or legal easement a publicly dedicated street. A lot shall be created by a subdivision plat, or certified survey map, or a parcel described in a conveyance recorded with the Iowa County Register of Deeds, which complies with the minimum size requirements pursuant to the applicable zoning district designation in effect at the time of the land division or recording of the conveyance. A tax parcel shall not be considered a lot. No land included in any street, highway, or railroad right-of-way shall be included when computing the area for minimum lot sizes where said right-of-way has been deeded to a separate identity. Unless previously deeded or dedicated, no street, highway, easement, railroad right-of-way, river, stream or water body shall constitute a break in contiguity.

Master Plan: A plan for guiding and shaping the growth or development of Iowa County or of a community or area in Iowa County which has been adopted by a governmental unit of Iowa County, and whose preparation is authorized by the Wisconsin Statutes.

Navigable Waters: Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under § 281.31(2)(d), Wisconsin Statutes, notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under § 59.692, Wisconsin Statutes, and Chapter NR 115, Wisconsin Administrative Code, do not apply to lands adjacent to farm drainage ditches if:

- (a) Such lands are not adjacent to a natural navigable stream or river.
- (b) Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and
- (c) Such lands are maintained in nonstructural agricultural use.

- (d) Wisconsin's Supreme Court has declared navigable bodies of water that have a bed differentiated from adjacent uplands and levels or flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis (Muench v. Public Service Commission, 261 Wis. 492 Wis. (1952) and DeGayner and Co., Inc., v. Department of Natural Resources, 70 Wis. 2d 936 (1974)). For example, a stream which is navigable by skiff or canoe during normal spring high water is navigable, in fact, under the laws of this state though it may be dry during other seasons.

Official Map: A map indicating the location, width, extent of existing and proposed streets, highways, parks and playgrounds adopted by a municipality in Iowa County in accordance with § 62.23 Stats.

Outlot: That portion of land included within a plat or certified survey map not numbered or otherwise identified as a lot.

Parcel: see Lot.

Plat: A map of a subdivision.

Replat: The changing of the boundaries of a recorded subdivision plat or any part thereof.

Shoreland Area: All lands lying within one thousand (1,000) feet of the normal, high water elevation of navigable lakes, ponds, or flowages, or within one thousand (1,000) feet of the high water mark of glacial potholes; all lands lying within three hundred (300) feet of the normal, high water mark of navigable streams, or within the flood plain thereof, whichever distance is greater. For the purposes of this ordinance, the term "navigable waters" applies to all nonintermittent streams and bodies of water indicated on the 7.5 minute series of the United States Geological Survey Quadrangles, and any other rivers, streams, lakes, ponds or flowages designated as navigable by the Wisconsin Department of Natural Resources.

Street: A public way or right-of-way for vehicular or pedestrian and vehicular traffic.

- (a) **Arterial Streets and Highways.** Streets which provide for rapid movement of concentrated volumes of traffic over relatively long distances between activity areas. Includes all Federal highways other than the interstate highway, all state and county highways, and designated township roads.
- (b) **Local Streets.** Streets designed for low speeds and volumes, which provide access from low traffic generating areas to collector and arterial streets.

Subdivider: A person, firm, corporation and/or their designated agent initiating the creation of a land division or subdivision.

Subdivision: The division of a lot, parcel or tract by the owner thereof, or his agent, for the purpose of transfer of ownership or building development where the act of division creates three (3) or more parcels or building sites of five (5) acres each or less in area or

where the act of division creates three (3) or more parcels or building sites of five (5) acres each or less in area by successive division within a five-year period.

2.00 General Provisions.

- 2.10 Jurisdiction in Unincorporated Areas.** The provisions of this ordinance shall apply in all unincorporated areas of Iowa County Wisconsin.
- 2.20 Jurisdiction in Incorporated Areas.** The provisions of this ordinance shall apply in all incorporated areas, which have, under Section 66.30 of the Wisconsin Statutes, entered into agreement with Iowa County for the cooperative exercise of the authority to approve plats of subdivisions.
- 2.30 Compliance With Ordinances, Statutes, Regulations and Plans.** Any person, firm or corporation dividing land which results in a subdivision or a land division shall prepare a subdivision plat, certified survey map, or plat of survey in accordance with the requirements of this ordinance and applicable state statutes.
- 2.40 Access.** No lot, land division or parcel shall be created or sold unless it is accessible to a street. Every lot within a subdivision shall front on a publicly dedicated and improved street for a distance of at least the minimum lot width for the proposed zoning district. Every lot, parcel or tract not located within a subdivision shall front on a publicly dedicated street for at least the minimum lot width of the proposed zoning district. An irrevocable recorded access of a minimum 50 feet in width to a public right-of-way from an otherwise isolated single lot may be provided in lieu of owned abutment.
- 2.50 Dedication of Lands for Streets and Public Ways.** Whenever a parcel of land to be divided or sold as a subdivision or as a land division contains all or in part, a street, drainageway, or other public way, which has been designated in a master plan defined in this ordinance, or an official map adopted under Section 62.23 of the Wisconsin Statutes, said street or public way may be required to be platted and dedicated in the location and width indicated unless otherwise provided herein. Any street created for the purposes of this Section shall be made a part of a plat or certified survey, and dedicated to the public for street purposes. However, the dedication of street right-of-way shall not create a commitment on the part of any public agency to construct, improve or maintain any roadbed placed upon said right-of-way. Acceptance of any street, road or highway for maintenance purposes shall require compliance with the design and construction standards of this ordinance and those of the applicable highway maintenance authority. The width of any dedicated street shall be sixty-six (66) feet, unless a wider right-of-way is requested by the appropriate highway authority, in which case, the wider right-of-way shall be dedicated. Rights-of-way less than sixty-six (66) feet wide are prohibited, except as approved in writing by the Agency and the town upon their finding that a wider right-of-way is unnecessary or impractical to achieve.
- 2.60 Exceptions.** The provisions of this ordinance shall not apply to transfer of interests in land by will or pursuant to court order; leases for a term not to exceed ten (10) years, mortgages or easements; or 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 ordinance, the county zoning ordinance or other applicable laws or ordinances. The creation or realignment of a public right-of-way by a public agency shall be exempt from the provisions of this Ordinance.

3.00 Procedure.

3.10 Pre-Application Procedure. Prior to filing an application for approval of a certified survey or subdivision plat or land division, the subdivider and/or his agent shall consult with the staff of the Agency for advice and assistance for the purpose of reviewing the procedures and requirements of this ordinance and other ordinances, and any plans or data which may affect the proposed development.

3.20 Development Plan. A development plan, when required, shall address the broader issues of development and land use in and around any proposed subdivision. The purpose of this plan is to be an opportunity to identify any issues that may be involved with a proposed development prior to a significant investment by an applicant. It is not intended that a surveyor or engineer need be employed to create this plan. The data used to prepare the development plan may be obtained from readily available sources (i.e., U.S.G.S., S.C.S., A.T.C.P., DNR, the Agency, etc.), rather than from detailed field investigations. However, the developer is expected to prepare a comprehensive presentation of the information required. At a minimum, the area to be included in a development plan shall include all contiguous lands owned, leased, optioned or otherwise under the control of the developer, plus those adjacent areas specified in this section. The following data shall be presented and analyzed in a development plan:

1. Geographical information: Boundaries of the developer's property, and boundaries of the proposed subdivision, if different; ownership and location of all adjacent properties (excluding public rights-of-ways and streams less than three hundred (300) feet wide); location and name of all public rights-of-way and publicly owned lands within one thousand (1,000) feet of any property boundary; location, size and ownership of all public utilities within three hundred (300) feet of the property.
2. Natural features: Soil conditions, including wet areas and rock outcrops; general topography and delineation of all areas with slopes over ten percent (10%); location and names of all streams, lakes and flood plains within one thousand (1,000) feet of the property;.
3. Cultural features: Existing zoning of the property and all contiguous properties; all existing easements on the property; the boundary of any unit of government within one thousand (1,000) feet of the property; location of any airport, solid waste disposal site, sewage treatment facility, water treatment plant, school,

cemetery, or other significant cultural feature within one thousand (1,000) feet of the property.

4. Development proposal: Approximate density and type of development; proposed land use(s); approximate lot sizes (minimum, maximum and average); approximate location and size of all streets, public dedications and utilities proposed; proposed filling, grading, lagooning, dredging and/or flood proofing; anticipated timing of the development; where appropriate, the developer may wish to obtain and attach the comments of affected agencies, groups and/or individuals.
5. Form of presentation: The methods used by the developer to prepare and present the development plan shall be governed by the Agency's need for a clear, concise description of the proposed development. At a minimum, each presentation must include a scaled aerial photograph of the affected property and all plot plans identifying proposed development must be scaled.

3.30 Development Plan Procedure.

1. A development plan is to be used for the purpose of generating information and to allow analysis of major developmental proposals that involve a land division, Certified Survey Map or subdivision. The general physical and cultural characteristics of the land on which development is proposed should be ascertained by the subdivider/developer and the Agency before major resource commitments are made.
2. A development plan shall be required of all subdivisions and for all land divisions involving new development unless specifically waived by the Agency.
3. A required development plan shall be submitted at least thirty (30) days prior to the submission of a preliminary or final plat or certified survey map. Within the first ten (10) working days after submission of the development plan, the Agency personnel may request additional relevant information or clarification of the submitted information. The aforementioned thirty-(30) day period may, at the Agency's option, be extended from the date of receipt of the requested supplemental information. A reproducible developmental plan shall be submitted to the Agency. A development plan review fee, as established by the Iowa County Board of Supervisors, shall also be submitted at the time of submission of the development plan. At a minimum, the review and comment procedure shall consist of:
 - (a) Preparation of a written report by the Agency addressing any issues relevant to the development proposal and including any recommendations deemed appropriate. Copies of the report shall be forwarded to the subdivider and any town wherein the proposed development is located, and any village or city adjacent to the proposed subdivision or development for opportunity to comment.

- (b) All parties notified and any other interested parties may review and comment in writing on any development plan submitted and/or the Agency's report. All written comments shall be forwarded to the Agency, and all parties who received the Agency's report and any other parties commenting on said report shall be notified in writing of any public meeting at which the Agency will consider or discuss the proposed development plan.

- (c) After reviewing the development proposal and the resulting reports and comments, the Agency shall report its findings concerning the suitability and appropriateness of the development proposal to the subdivider, any town within which the proposal is located, and any adjacent village and city. The Agency report shall not constitute approval or denial, nor shall it preclude submission of preliminary or final plats by the subdivider. However, the Committee shall consider the development plan and the comments generated when acting on any subsequent preliminary or final plat.

3.40 Preliminary Plat Procedure for Subdivision.

1. A preliminary plat shall be required for all subdivisions. Proposal of a preliminary plat shall require a public hearing before the committee for review and action. No final plat shall be approved prior to the approval of required preliminary plat. The application for approval of a preliminary plat shall include all data required by this ordinance accompanied by one (1) reproducible and five (5) copies of the proposed preliminary plat.
2. The preliminary plat shall include the entire contiguous area owned or controlled by the subdivider unless a development plan has been filed, in which case, only that portion of the area designated for development in the development plan need be included.
3. The Agency shall forward copies of each preliminary plat submitted to all units of general-purpose local government within one thousand (1,000) feet of the area shown in the preliminary plat.
4. The Committee shall, at the next earliest opportunity, hold a public meeting to review the proposed preliminary plat.

3.50 Final Plat Procedure for Subdivision. Provided that all preliminary procedures have been completed, the subdivider shall submit one (1) reproducible and five (5) copies of the final plat. If the final plat meets the requirements of this ordinance, and other applicable statutes and ordinances, the Committee shall approve the final plat of the subdivision within sixty (60) days from the date submitted and after review at a public hearing. Town approval shall be required prior to final county approval,

where applicable. The Committee may, at its discretion, defer the final plat review to the Agency without benefit of a public meeting.

3.60 Replat for Subdivision. 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 by Sections 236.40 through 236.44, Wisconsin Statutes. A public hearing shall be scheduled before the Committee with notices of said hearing sent by regular mail to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties within two hundred (200) feet of the exterior boundaries of the proposed replat.

1. Any proposed replat involving up to four lots only may present a proposed Certified Survey Map prepared by a surveyor meeting the requirements of chapter 236 of Wisconsin Statutes.
2. Any proposed replat involving more than four lots shall follow the process described in Sections 3.30 and 3.40 of this ordinance.

3.70 Land Division Certified Survey Map Procedure. No person, firm or corporation shall divide any land located within unincorporated Iowa County which shall result in a land division, as defined under Section 1.6 of this ordinance without first filing for approval by the Agency and subsequently filing with the Iowa County Register of Deeds a certified survey map which complies fully with Wis. Stat. Chapter 236.34 and with all applicable requirements contained within this ordinance.

A certified survey map is not required when a land division is proposed that will involve the subsequent lot or lots being acquired by an adjacent property owner, provided the subsequent lot or lots are added into the adjacent property owner's existing property by deed and result in a total of 40 or more contiguous acres.

A certified survey map shall include all lots, parcels or building sites created by the land division and all remnants of the original parcel that meet the applicable zoning requirements and that are less than forty (40) acres in size. A quarter quarter section so described (ex. NW1/4 of the SE1/4) shall, for the purposes of this ordinance, be considered 40 acres and not subject the Certified Survey Map requirement.

The Agency shall, within forty (40) calendar days, approve, approve conditionally, or reject the certified survey map, based on a determination of conformance with the provisions of this ordinance, the Iowa County Zoning, Floodplain, Shoreland, Sanitation, and other pertinent ordinances. Authority to approve certified survey maps is hereby delegated by the Committee to the Agency Director. The decision of the Agency Director may be appealed to the Committee, in which case, the forty (40) calendar day approval period shall be extended. The Agency Director shall forward a copy of the proposed certified survey map to the Clerk of any town board having jurisdiction over the land involved for review against any Town regulation. The town shall have a maximum of fourteen (14) calendar days from the day the copy of the certified survey map was mailed to comment to the Agency. Failure to

comment shall be considered non-objection by the town. All town comments must be in writing to the Agency and include a citation of all applicable town ordinances. The Agency Director shall review all comments made by the town agency within said forty (40) day period. A denial by the Agency Director shall be in writing and cite any options that may reverse said denial. A denied certified survey map shall not be recorded with the Iowa County Register of Deeds nor shall the proposed land division be so recorded.

When a land division is being proposed that requires a land use change (rezoning), it is recommended that the application is made for said land use change hearing prior to the creation of a Certified Survey Map. This determination will likely be made upon review of a development plan. The land use change process will, at a minimum, require a metes and bounds legal description of the proposed lot that, if approved, will subsequently need to be converted to a Certified Survey Map prior to the final County Board action on the land use change request. The intent of this process is to avert the cost of a Certified Survey Map prior to the public hearing on a land use change petition. No Certified Survey Map shall be approved by the Agency Director unless it complies with the underlying zoning regulations.

The certified survey map shall be prepared by a registered land surveyor at a scale of not more than four hundred (400) feet to one (1) inch. The certified survey map shall comply with the requirements of Wis. Stats. Chapter 236 and include:

- (1) The name and address of the individual dividing the lands.
- (2) The date of the survey.
- (3) A metes and bounds description
- (4) The locations, rights-of-way widths and names of existing or proposed streets, alleys or other public ways; easements, and railroad and utility rights-of-way included within or to serve the proposed lot(s).
- (5) The area(s) of the lot(s) described in square feet and acres.
- (6) Utility easements and access restrictions, where applicable.

Deleted: land division

4.00 Data Submission Requirements.

4.10 Preliminary Plat. The preliminary plat shall be based upon a survey by a registered land surveyor or engineer and shall be drawn at a scale of one hundred (100) feet to one (1) inch, and shall show correctly on its face:

- 1. Date, graphic scale and north point.
- 2. Name of the proposed subdivision.

3. Name, address and telephone number of the landowner, subdivider and person to be contacted regarding the plat.
 4. Location of the proposed subdivision by legal description and indication on township map(s).
 5. A scaled drawing 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.
 6. Location and names of adjacent subdivisions, parks and cemeteries.
 7. Location, dimensions and names of all existing easements and rights-of-way within the proposed subdivision.
 8. Location, dimensions and names of all proposed streets, rights-of-way and easements within or adjacent to the proposed subdivision.
 9. Location of existing property lines, buildings, drives, within the parcel being subdivided.
 10. Location and approximate high water elevations of all streams and water courses, lakes, marshes and flowages within five hundred (500) feet of the proposed subdivision.
 11. Delineation of flood plain and zoning boundaries within and adjacent to the proposed subdivision.
 12. Contours at vertical intervals of not more than two (2) feet for a slope less than twelve percent (12%) and five (5) feet for a slope of twelve percent (12%) or more.
 13. On-site sewage disposal suitability, including soil suitability, depth to ground water and bedrock, and slope in the form of a soil test filed with an approved by the Agency for each proposed lot in compliance with the provisions of Comm 83 and the Iowa County Sanitary Ordinance.
 14. Source and availability of potable water supplies.
 15. Location and approximate dimensions of any sites to be reserved for or dedicated to the public.
 16. Approximate dimensions of all lots, and proposed lot and block numbers.
 17. A draft of any proposed covenants or deed restrictions.
 18. Delineation of all developable area on each lot, including all required setbacks.
- 4.20 Final Plat.** The final plat of the proposed subdivision shall comply with the requirements of Chapter 236 Wis. Stats., and the provisions of this ordinance.

4.30 Certified Survey Map. The certified survey map shall comply with the provisions of § 236.34 Wis. Stats. and the provisions of this ordinance.

5.00 Subdivision Plat Design Standards.

5.10 Streets.

1. The arrangement, character, extent, width, grade, location and construction of all streets shall conform to the standards of the unit of government having jurisdiction over said street, and the provisions of this ordinance.
2. The arrangement of streets in a subdivision shall provide, where possible, for the continuation on appropriate projection of existing or proposed collector and arterial streets.
3. Local streets shall be laid out so as to discourage their use by through traffic unless determined by the Agency to be necessary for emergency services.
4. Where a subdivision abuts or contains an existing or proposed arterial street, the Agency may require marginal access streets, reverse frontage lots with screen planting contained in a nonaccess reservation along the rear of the property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
5. The number of intersections along arterial streets shall be held to a minimum. Wherever practicable, the distance between such intersections shall be not less than that required per Section 6.0 of the Iowa County Zoning Ordinance.
6. Where a subdivision borders on or contains a railroad right-of-way, the Agency may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land.
7. Street jogs with centerline offsets of less than one hundred fifty (150) feet shall be avoided.
8. Reserve strips controlling access to streets shall be prohibited, except where their control is definitely placed in the Agency, under conditions approved by said Agency.
9. Cul-de-sacs shall provide a turnaround with a minimum right-of-way radius of sixty (60) feet. The traveled way within the cul-de-sac shall provide a minimum radius of forty (40) feet. Lesser radius may be allowed at the recommendation of the authority with highway jurisdiction.
10. Dead end streets shall not be permitted without a suitable turnaround.
11. In commercial and industrial districts, alleys or other definite and assured provisions shall be made for off-street parking, loading and service access consistent with and adequate for the uses proposed.

12. Half streets shall be prohibited, except where necessary for continuity of the street system.
13. Street names:
- (a) The Agency may disapprove of the name of any street shown on the plat which has already been used elsewhere in the county, or which may be incompatible with the county's E911 Computer Aided Dispatch system.
 - (b) Where a street maintains the same general direction, except for curvilinear changes for short distances, the same name shall continue for the entire length of the street.
 - (c) A name which is assigned to a street which is not presently a through street due to intervening land over which the street extension is planned, shall be continued for the separate portions of the planned through street.
 - (d) Approval of street names on a preliminary plat will not reserve street name, nor shall it be mandatory for the Agency to accept it at the time of final platting.
14. A statement by the Town affected that an acceptable developer's agreement has been approved by said Town.

Deleted: , because of similarity, may cause confusion

5.20 Utility Easements.

1. Easements across lots or along rear or side lot lines shall be provided for utilities where necessary and shall be at least six (6) feet wide on each side of lot lines, and shall be designated as "Utility Easement" on the plat or certified survey map.
2. Prior to approval of any final plat, the subdivider shall provide the Agency with written statements from the utility companies, which will serve the proposed subdivision. The statements shall address the adequacy and location of all utility easements.

5.30 Setbacks. Where the lots abut navigable waters, building setback lines for all buildings and structures, except piers, marinas, boathouses and similar uses, shall be shown on the plat and shall not be less than seventy-five (75) feet from the ordinary high water line. All other setbacks for development shall comply with the provisions of the Iowa County Zoning, Sanitary and other land use ordinances.

5.40 Blocks.

1. The length, width, and shape of blocks shall be suited to the planned use of the land, zoning requirements, needs for convenient access, control and safety of street traffic, and limitations and opportunities of topography. Block lengths in residential areas shall not, as a general rule, be less than six hundred (600) feet in length between street lines, unless dictated by exceptional topography or other limiting factors of good design.

2. Blocks shall have sufficient widths to provide two (2) tiers of lots of appropriate depth, except where otherwise required to separate residential development from through traffic.
3. Pedestrian ways or cross walks may be required, as deemed appropriate by the Agency.

5.50 Lots.

1. The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
2. Every lot or parcel shall front or abut a public street. A minimum frontage of fifty (50) feet shall be maintained for all lots, and the lot width measured at the right of way line of the public road fronted line shall conform to the requirements of the Iowa County Zoning Ordinance. An irrevocable recorded access 50 feet in width to a public right-of-way from an otherwise isolated single lot may be provided in lieu of owned abutment.
3. Additional width may be required on corner lots to permit adequate building setbacks from side streets.
4. The use of long, narrow strips of land to provide access to buildable lot areas shall be avoided.
5. Outlots, as designated on any plat or Certified Survey Map, shall be considered unbuildable.

6.00 Required Improvements.

6.10 Survey Monuments. The subdivider shall install survey monuments in accordance with the requirements of Section 236.15, Wisconsin Statutes.

6.20 Public Water and Sewage Disposal System.

1. Public water supplies and sewage disposal systems shall be utilized whenever possible.
2. Water and sewage disposal facilities shall be installed and financed according to the requirements of the owner of the utility and applicable state regulations.

6.30 Private Water and Sewage Disposal Facilities.

1. The subdivider shall assure the suitability and availability of private water and sewage disposal facilities on all lots at the time of subdivision.
2. Private water and sewage disposal facilities shall comply with all applicable state statutes and Iowa County ordinances.

- 6.40 Grading and Surfacing.** All streets shall be graded and surfaced in accordance with the plans, specifications and requirements of the authority with highway jurisdiction.
- 6.50 Storm Water Drainage Facilities.** Storm water drainage facilities of a size and design that will adequately accommodate design volumes of flow and that will present no hazard to life or property shall be installed in accordance with plans and specifications approved by the Agency.
- 6.60 Erosion Control.** The subdivider shall cause all grading, excavations, open cuts, side slopes, and other land surface disturbances to be mulched, seeded, sodded or otherwise protected so that erosion, siltation, sedimentation and washing are prevented. The Agency may request the subdivider to submit an erosion control plan that specifies measures that will be taken to assure the minimization of erosion problems. The erosion control plan may be reviewed by the Land Conservation Department to determine the adequacy of the proposed measures. The guidelines, standards and specifications contained within "Minimizing Erosion in Urbanizing Areas" by the U.S. Department of Agriculture, Soil Conservation Service, will provide a framework for the development, review and implementation of the erosion control plan. Any required plan must be approved by the Agency prior to any land surface disturbance.
- 7.00 Variances and Fees.**
- 7.10 Variances.**
1. Where the Iowa County Board of Adjustment finds that unnecessary hardship may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done; provided that public interest is secured and that such variation will not have the effect of nullifying the intent and purpose of these regulations. The process shall follow the public hearing process as outlined in Section 10.0 of the Iowa County Zoning Ordinance.
- 7.20 Planned Developments.**
1. The requirements and standards of this ordinance may be waived by the Agency for planned developments providing such proposed developments shall be planned as a unit, be appropriate to the site and location, shall be of sufficient size to permit the unified development of the area, and shall not conflict with other laws or requirements or with the purpose or intent of this ordinance, and are approved by the Committee as outlined in Section 5.0 of the Iowa County Zoning Ordinance. In addition, continued provision, maintenance, and use of open space, recreation areas, services, and amenities shall be assured in a manner acceptable to the Committee.
 2. It is the intent of this section to allow consideration of cluster developments, planned unit developments, industrial parks, condominium developments, and other unique projects. Exceptionally sophisticated and detailed project planning is required.

- 7.30 Fees.** The applicant shall pay such fees in association with this ordinance as shall be established by the Iowa County Board of Supervisors.
- 7.40 Violations and Penalties.** Any person, firm or corporation who fails to comply with the provisions of these regulations shall, upon conviction thereof, be subject to penalties and forfeitures as provided in §§ 236.30, 236.31, 236.32, 236.335 and 236.35 Wis. Stats.

