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Article I. Land Division Regulations

Section 8.1.1 Purpose; General Interpretation.

- (A) The purpose of this Chapter is to regulate the division of land within the unincorporated areas of Iron County for the purposes listed in Chapter 236, Wis. Stats., and to provide safe and orderly shoreland subdivision layouts pursuant to Sections 59.692(3), 281.31(2), 281.31(8) and 236.45, Wis. Stats.
- (B) This Chapter shall not repeal, impair or modify private easements or covenants governing the use of lands except that it shall be applicable to the extent that it imposes stricter regulations.

Section 8.1.2 General Requirements.

The County Planning Agency or its duly appointed staff, in considering an application for the subdivision of land, shall be guided by the following considerations and standards:

- (A) The County Planning Agency or its duly authorized staff shall be responsible for administration of this Chapter.
- (B) "Subdivision" is a division of a lot, parcel or tract of land by the owner thereof or his agent for the purpose of sale or of building development, where;
 - (1) The act of division creates five (5) or more parcels or building sites of one and one-half (1 ½) acres each or less in area; or
 - (2) Five (5) or more parcels or building sites of one and one-half (1 ½) acres each or less in area are created by successive divisions within a period of five (5) years.
- (C) This Chapter shall not apply to divisions exempt from platting controls under the provisions of Sec. 236.03(2)(3) and 236.45(2)(a)l, 2, 3, 4, Wis. Stats.
- (D) Every division of land within the unincorporated areas of Iron County shall be subject to the provisions of this Chapter and Chapter 236, Wis. Stats.
- (E) All divisions of land subject to this Chapter shall also be in conformity with the County zoning ordinance, County sanitary code and any official map ordinances in effect in the County.
- (F) Before the final plat is approved by the County Planning Agency and the County Board of Supervisors, the subdivider shall install all improvements required by this Chapter, or by town or municipal units of government, or shall file a performance bond with the County Clerk (or meeting the approval of the District Attorney) insuring installation of such improvements.
- (G) The specifications for all improvements shall be approved by the County Zoning Administrator. Prior to either acceptance of the improvements by the County Board of Supervisors or release of the developer's bond, all improvements shall be inspected by the County Zoning Administrator and found to have been installed according to specifications.
- (H) Land which is deemed unsuitable for any proposed development by the County Planning Agency for reason of flooding, inadequate drainage, adverse soil or rock formation, severe erosion potential, unfavorable topography, inadequate water supply

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- or sewage. Disposal capabilities or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the community shall not be subdivided. In applying the provisions of this Subsection, the County Planning Agency shall in writing recite the particular facts upon which it bases its conclusion that the proposed development is unsuitable and afford the subdivider an opportunity to present evidence regarding such suitability if he so desires at a public hearing as provided in this Chapter. Thereafter the County Planning Agency may affirm, modify or withdraw its determination of unsuitability.
- (I) No division of land in the Town of Sherman shall result in the creation of a parcel less than 4 acres in size.

Section 8.1.3 Lots Created Requiring a Plat; County Planning Agency Review and Recorded Certified Surveys.

- (A) Any proposed land division where three (3) or more lots are created of less than five (5) acres each in area, within a five (5) year period. A survey by a Wisconsin licensed surveyor for all Land divisions is required in the Town of Sherman as described below: Sections 19-36 T. 42 N.R. 4 E.; Sections 1-36 T. 41 N.R. 4 E.; Sections 1-36 T. 41 N.R. 3 E.; Sections 1-3 and 7-36 T. 41 N.R. 2 E.; Sections 22-24, 25-27 and 31-36 T. 42 N.R. 3 E. and Section 34-36 T. 42 N.R. 2 E. A map shall be submitted to the Iron County Planning and Zoning Committee in conformity with the standards of Sec. 236.34, Wis. Stats., or in conformity with the standards for a County plat as set forth in [Section 8.1.4\(D\)](#). It shall be certified on the face of this map that the proposed land division complies with the provisions of the Iron County Sanitary Code, Iron County Zoning Ordinance and the Standards of Administrative of Ch. H85, Wis. Adm. Code.
- (B) In those instances where the proposed division is intended for building development and is located either wholly or partially within the Shoreland Protection or Floodplain Zoning District the County Planning Agency shall require that a certified survey map be recorded in the Office of Register of Deeds of the County. A certified survey map may also be required where the proposed division might result in boundary problems or disputes, such as divisions of land within one and one-half (1-1/2) miles of incorporated cities and villages or in developed unincorporated areas. Such certified survey maps may meet the requirements of Sec. 236.34, Wis. Stats., and shall be approved by the County Planning Agency in accordance with the procedure for submitting subdivisions except that no contour map and no state agency review is required.
- (C) Conservation design residential development subdivisions shall not be created by certified survey maps under section 236.34 of the Wisconsin Statutes.

Section 8.1.4 Procedure for Submitting Subdivision Applications.

- (A) **Preliminary Meeting.** Before filing a preliminary plat application the subdivider is encouraged to consult with the County Planning Agency and/or its staff for advice regarding general requirements affecting the proposed development. A sketch plan of the proposed subdivision drawn on a topographic survey map should be submitted. This sketch plan should identify the boundaries of the property being considered for subdivision, any publicly owned lands in the vicinity of the proposed subdivision,

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proposed roads and general lot layout including proposed dedication, physical features [slopes over ten percent (10%), bodies of water, wetland areas, rock outcrops, existing vegetative cover, areas subject to periodic flooding and general soil conditions], gaslines, power transmission lines and towers and railroads. In addition, the sketch plan should indicate proposed filling, grading lagooning, or dredging and a description of any contiguous property owned or controlled by the subdivider even though only a part of the area is proposed for immediate development. The subdivider should also submit a location map showing the relationship of the proposed subdivision to traffic arteries and existing community facilities.

(B) **Preliminary Plat Application.** The subdivider shall submit to the County Planning Agency and to those agencies having the authority to object to plats under provisions of Chapter 236, Wis. Stats., sufficient legible copies (to be determined at the preliminary meeting) of a preliminary plat based upon an exterior boundary survey by a registered land surveyor. The preliminary plat shall show clearly:

- (1) Project Ownership and Development Information.
 - (a) Name, address, and telephone number of the legal owner and, if applicable, agent of the property.
 - (b) Name, address, and telephone number of the professional person(s) responsible for subdivision design, for the design of public improvements, and for surveys.
 - (c) Date of Preparation
- (2) Site Conditions. In addition to the requirements of Chapter 236 Wisconsin Statutes, the preliminary Plat submitted shall include the following:
 - (a) Boundary line of the proposed site and all property to be subdivided, including lot widths and depths. Include all contiguous land owned or controlled by the subdivider.
 - (b) Location, width, and names of all existing platted streets and rights-of-way to a distance of 100 feet beyond the site.
 - (c) Proposed general parcel layout, including proposed roads and trails.
 - (d) Type, width and condition of street improvements; railroad or major utility rights-of-way; parks and other public open spaces; location and widths of existing snowmobile or other recreation trails; and permanent buildings and structures to a distance of 100 feet beyond the site, if any.
 - (e) Location, widths, and names of all existing public and private easements and covenants to a distance of 100 feet beyond the site.
 - (f) Identify by name and ownership boundary lines of all adjoining lands within 100 feet of the proposed plat.
 - (g) Topographic data at a scale of one (1) inch equals one hundred (100) feet including contours at vertical intervals of not more than two (2) feet where the slope of the ground surface is less than ten percent (10%) and of not more than five (5) feet where the slope of the ground surface is ten percent (10%) or more. Elevations shall be marked on such contours based on mean sea level datum, or, where in the judgment of the Zoning Committee

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undue hardship would result because of the remoteness of the land area from a mean sea level reference elevation benchmark, another datum may be used. In those instances where contour maps are deemed unnecessary for the purpose of reviewing all or a portion of the land included in the proposed subdivision, the County Planning Agency may waive or modify the contour mapping requirements.

- (h) Significant natural resource features, including slopes over ten percent (10%), wetlands, floodplains, existing soil classifications, including hydric soils, watercourses, public access, existing vegetative cover, drainage ways, rare, threatened and endangered species, and other natural resource features, views and other prominent visual features.
- (i) Burial sites categorized under Wis. Stat. § 157.70, Indian mounds, national and state register listed properties, and locally designated historic properties.
- (j) Improvements (grading, tree planting, paving, installation of facilities and dedication of land) which the subdivider proposes to make and shall indicate when the improvements will be provided.
- (k) Any proposed restrictive covenants for the land involved shall be stated.
- (l) The County Planning Agency shall reject or approve legal description of the property.
- (m) Existing zoning classifications for land in and abutting the subdivision.
- (n) Total acreage of the proposed site.
- (o) Provide graphic scale, north arrow, and date.

The County Planning Agency shall reject or approve conditionally the preliminary plat within forty (40) days, as provided by statute.

(C) **Conservation Design Residential Development design elements.** In addition to the required elements under [Section 8.1.4\(B\)](#), preliminary plat applications for Conservation Design Residential Developments shall contain the following data:

- (a) Layout of proposed streets, showing right-of-way widths, types of improvements, street surface widths, and proposed street names.
- (b) Locations and type of proposed public easements (i.e. drainage, utility, pedestrian, public access to waterways, etc.); and all conservation easements.
- (c) Layout of proposed blocks and lots within the plat.
- (d) Basic data regarding proposed and existing (if applicable) lots and blocks, including numbers, dimensions, area.
- (e) Minimum front, side and rear yard building setback lines for all lots.
- (f) Indication of the use of any lot.
- (g) Location and size of all proposed and existing sanitary sewer lines and water mains, proposed community sewer and water system, or individual on-site septic systems and potable water sources.
- (h) Location and size of all proposed and existing storms sewers (lines, drain inlets, manholes), culverts, retention ponds, swales, infiltration practices

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and areas, and other stormwater facilities within the plat and to a distance of 100 feet beyond the site.

- (i) Development envelopes showing areas for grading, lawns, pavement and buildings.
- (j) Open space areas, other than pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such area or areas in acres. Provide information on the conditions, if any, of the dedication or reservation.
- (k) Management plan for restoration and long-term management of the open space areas.

The County Planning Agency shall reject or approve conditionally the preliminary plat within forty (40) days, as provided by statute.

- (D) **Final Plat.** Final plats shall be submitted to the County Planning Agency within six (6) months of preliminary plat acceptance unless this requirement is waived in writing by the County Planning Agency. 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. 236.10 and 236.12(2), Wis. Stats. The final plat shall be accompanied by detailed construction plans of all improvements. Final plats shall be presented to the Planning Agency at least ten (10) work days prior to the meeting at which they are to be considered and shall be accepted or rejected by the County Planning Agency and the Board of County Supervisors within sixty (60) days of their submission. Approved final plats shall be recorded in accordance with the statutory requirements, Sec. 236.25, Wis. Stats., prior to the time that lots are offered for sale, reference is made to the map for sale purposes, or use is made of lot and block numbers shown on the plat.

In addition to the above requirements of [8.1.4 \(D\)](#) final plats for Conservation Design Residential Developments shall contain the following:

- (a) All lands reserved for future public acquisition or reserved for the common use of property owners within the plat, including public access to waterways.
- (b) Restrictions relating to access control along public ways.
- (c) Restrictive covenants, deed restrictions, conservation easements for the proposed subdivision shall be filed with the final plat.
- (d) The legal instruments detailing the ownership of the common open space, as required in [Section 8.1.7\(C\)\(3\)](#), which shall be filed with the final plat.

(E) **County Plat.**

- (1) **Procedures; Amendments.** A County Plat shall be prepared for any division of land which creates three (3) or more parcels of five (5) acres or less in area unless a subdivision plat or a certified survey map is prepared as required by Chapter 236, Wis. Stats.

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- (a) The survey shall be performed and the County plat prepared by a registered land surveyor.
 - (b) All corners shall be monumented in accordance with Chapter 236.15(1), (c) and (d), Wis. Stats.
 - (c) The map shall be prepared in accordance with Chapter 236.20(1), (a) and (b) and Chapter 236.20(2), (a), (b), (c), (f), (g), (i) and (k), Wis. Stats., on muslin backed paper twenty-two (22) inches wide by thirty (30) inches long. All lines shall be made with non-fading black ink on a scale of not more than five hundred (500) feet to an inch. In lieu of the above procedure, the map may be prepared on tracing cloth or paper or film and a true scale lithographed copy on muslin backed paper be prepared.
 - (d) The County plat shall include the certificate of the surveyor who surveyed and mapped the parcel, typed, lettered or reproduced legibly with non-fading black ink, giving a clear and concise description of the land surveyed by bearings, and distances, commencing with some corner marked and established in the U.S. public land surveyor some corner providing reference to a corner marked and established in the U.S. public land survey. Such certificate shall include the certificate of the surveyor to the effect that he has fully complied with the requirements of this Chapter.
 - (e) The County plat shall include an owner's certificate and a mortgagee's certificate which are in substantially the same form as required by Chapter 236.21(2)(a), Wis. Stats.
 - (f) The County plat shall include a certificate for the approval of the appropriate town board and shall be submitted to the town pursuant to Chapter 236.21, Wis. Stats., and the Iron County Zoning and Shorelands Protection Ordinance.
 - (g) The County plat shall be submitted to the County Planning and Zoning Committee for approval before recording and shall be submitted to the Committee, pursuant to the Iron County Land Use and Shorelands Protection Ordinance and this Section.
 - (h) All subdivisions abutting a navigable lake or stream shall provide public access at least sixty (60) feet wide providing access to the low water mark so that there will be public access, which is connected to existing public roads, at not more than one-half (1 ½) mile intervals, except lakes that have sufficient public access, as measured along the lake or stream shoreline. No public access established under this Section may be vacated except by circuit court action.
- (2) **Recording.** County plats prepared in accordance with [Subsection \(E\)\(1\)](#) above shall be numbered consecutively by the register of deeds and shall be recorded in a bound volume to be kept in the register of deeds office, known as the "County Plats of Iron County". The County plat shall be indexed by the Register of Deeds in the tract index.
- (3) **Use in Conveyancing.** When a County plat has been recorded in accordance with this Section, the parcels of land in the map shall be described by reference to the number of the survey, the volume and page where recorded, and the name of the

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county, for all purpose including assessment, taxation, devise, descent and conveyance as defined in Chapter 706.01(3), Wis. Stats.

- (4) **Submission of Preliminary Plat.** A subdivider shall submit to the Iron County Planning and Zoning Committee and to those agencies having the authority to object to plat under provisions of Chapter 236, Wis. Stats. Three (3) copies of a preliminary plat based upon an exterior boundary survey by a registered land surveyor. The preliminary plat shall show clearly the existing conditions of the proposed subdivision and of the adjoining sites including data on coverage, physical features [slopes over ten percent (10%), wetland areas, rock outcrops, existing areas subject to periodic flooding and general soil conditions], available community facilities and utilities easements, street locations and lot widths and depths. The proposed layout shall be shown on a map of a scale of not more than one (1) inch equals five hundred (500) feet, and should identify the improvements (grading, tree planting, paving, installation of facilities and dedications of land) which the subdivider proposes to make and shall indicate when the improvements will be provided. Any proposed restrictive conveyance for the land involved shall be stated. The Iron County Planning and Zoning Committee and Town Board shall approve, approve conditionally, or reject the Preliminary Plat within forty (40) days of receiving same, unless the timing is extended by agreement with the subdivider. Failure of the County Planning and Zoning Committee and Town Board to act within said forty (40) days, or extension thereof, shall constitute an approval of the preliminary plat.
- (5) **Final Plat.** Final plats shall be submitted to the appropriate town board and the Iron County Zoning Administrator within six (6) months of the preliminary plat acceptance, unless this requirement is waived in writing by the Iron County Planning and Zoning Committee and appropriate town board. The final plat shall conform to the preliminary plat as approved by the County Planning and Zoning Committee and appropriate town board, and to the requirements of all certifications of those agencies having the authority to object to the plat as provided by Sec. 236.12(2), Wis. Stats. The final plat shall be accompanied by detailed construction plans of all improvements. Final plats shall be presented to the appropriate town board at least ten (10) work days prior to the meeting at which they are to be considered and shall be accepted or rejected within sixty (60) days. Failure to act shall constitute approval. Final plats shall be presented to the County Planning and Zoning who shall approve the plat if it conforms to the preliminary plat as approved by the Iron County Planning and Zoning Committee.
- (6) **Recording.** Approved final plats shall be recorded in accordance with Chapter 236, Wis. Stats., and Iron County Zoning and Shoreland Protection Ordinance. No lots shall be offered for sale except when the preliminary or final plat has been filed for approval with the Iron County Planning and Zoning Office and appropriate town board. An offer may be made if that offer states on its face that it is contingent upon approval of the final plat and shall be void if such plat is not approved.

Section 8.1.5 Design Standards.

(A) Streets.

- (1) The subdivider shall dedicate land for and improve streets as provided herein. Streets shall conform to any applicable official map ordinance in effect in the County. Streets shall be located with due regard for topographical conditions, natural features, existing and proposed streets, utilities, land uses, and public convenience and safety.
- (2) All lots shall have frontage on a public street.
- (3) Street locations shall be consistent with any applicable street plan officially adopted by the County. All street right-of-way widths, radii or curvature and grades shall conform to the following requirements: All public roads or streets within any land subdivision shall be developed to the following minimum standards, [roadway width thirty-two (32) feet; road surface-twenty-two (22) feet] and provide access to a lot before it is offered for sale.

Street Type	Right of way Minimum Width	Minimum Radius of Curvature	Maximum Grade
Arterial or Major Highway	120 feet	300 feet	6%
Collector (function is to carry traffic from minor streets to arterials or highways and to provide access to individual lots)	80 feet	200 feet	7%
Minor (function is to provide access to individual lots)	66 feet	100 feet	10%

- (4) Streets shall be laid out to provide for possible continuation wherever topographic and other physical conditions permit.
- (5) Minor streets shall be so laid out so as to discourage their use by through traffic.
- (6) The number of intersections of minor streets with major streets shall be reduced to the practical minimum consistent with circulation needs and safety requirements.
- (7) Where a subdivision abuts or contains an existing or proposed arterial highway, the County Planning Agency shall require a frontage road, nonaccess reservation along the rear of the property contiguous to such highway, or such other treatment as may be necessary to insure safe, efficient traffic flow and adequate protection of residential properties.
- (8) Reserve strips controlling access to streets shall be prohibited.
- (9) A tangent at least one hundred (100) feet long shall be required between reverse curves on arterial and collector streets.
- (10) Streets shall afford maximum visibility and safety and shall intersect at right angles, where practicable.
- (11) Dedication of half-width streets shall be prohibited, except where it is essential for the reasonable development of the subdivision in conformity with the other

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requirements of this Chapter. Where a half street has been dedicated adjacent to a subdivision, the remaining half of the street shall be dedicated by the subdivider of the adjoining land.

- (12) Permanent dead-end streets or cul-de-sacs shall not be longer than six hundred (600) feet, shall have a minimum width of fifty (50) feet and terminate with a turnaround having an outside roadway diameter of at least sixty (60) feet, and a street property line of eighty (80) feet.
 - (13) Where possible, lot lines shall be perpendicular to the street line, and to the tangent at the lot corner on curved streets.
 - (14) No street names shall be used which will duplicate or may be confused with the names of existing streets. Street names shall be subject to the approval of the County Planning Agency.
 - (15) Alleys shall have a minimum roadway width of twenty-five (25) feet.
- (B) Block and Lot Design and Improvements.**
- (1) A block is a parcel of land bounded on at least one (1) side by a street and on the other sides by natural or man-made barriers or unplatted land. The lengths, widths and shapes of blocks shall be determined by:
 - (a) Building site needs.
 - (b) County zoning ordinance lot size and dimensional requirements. In towns which have not ratified the County zoning ordinance the minimum lot size requirements of the R-1 District shall apply.
 - (c) Needs for convenient access, circulation, control and safety of street traffic.
 - (d) Limitations and opportunities of topography.
 - (2) Block lengths shall normally not exceed one thousand five hundred (1,500) feet, or be less than six hundred (600) feet in length, except cul-de-sacs and permanent dead end streets.
 - (3) To provide adequate access and circulation to playgrounds, schools, shopping centers or other community facilities, the County Planning Agency may require that walkways be provided, either along streets or through the center of blocks on easements reserved for such purposes.
 - (4) Double -frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome particular topographic and site disadvantages.
 - (5) The County Planning Agency may require that natural features including trees may be preserved and that appropriate landscaping be provided.
 - (6) Sewer and water facilities, street paving and surface water drainage as required by the County Planning Agency shall be provided for each lot in accordance with specifications approved by the County Highway Engineer and the County Zoning Administrative Office (or County Public Health Office).
- (C) Dimensional Requirements**
- (1) All lots and building sites created and applicable under terms specified in [Section 8.1.2](#), [8.1.3](#) and [8.1.4](#) shall be in conformance with the recommendations set forth in the Iron County Comprehensive Plan and the town Comprehensive Plan.

- (2) Minimum lot size. The minimum lot size for new lots created shall be consistent with the Iron County Zoning Ordinance. In the Town of Sherman, no land divisions shall result in the creation of new lots less than four (4) acres in size.

Section 8.1.6 Planned Unit Developments.

- (A) Proposed planned unit developments shall include a minimum of five (5) acres of land, shall be located in the R-1, R-2 or SR-1 Zoning Districts and shall be developed as a unit for residential uses only. The permitted number of lots in such developments shall be determined by dividing the total area of the development, excluding streets, by the minimum permitted lot size of the zoning district. The minimum distance between principal structures shall be twenty (20) feet. Land not used for lots and streets shall be dedicated in perpetuity to remain in open space. This may be accomplished by conveyance in common to each of the owners of lots in the development or by dedication to the county or town or municipality. Lands dedicated to the public must be accepted by action of the governing bodies of the accepting unit of government. If land is to be conveyed to owners of lots in the development, a homeowners association or similar legally constituted body shall be created to maintain the open space land.

Section 8.1.7 Conservation Design Residential Development

- (A) **Intent.** It is the intent of this section to permit the use of non-traditional residential subdivision design that would cluster the residential parcels and preserve open space/agricultural land by the use of restrictive covenants, deed restrictions and/or other binding criteria. In so doing the overall density as required by zoning is maintained without sprawling the home sites over a large area.
- (B) **Applicability.** Conservation development design may be used on a voluntary basis for all residential developments with five or more dwellings in the RR-1, R-1, R-2, R-3, A-1 and C-1 zoning districts.
- (C) **Requirements.** The Iron County Zoning Committee may, upon petition, authorize a Conservation Design Residential Development. The committee may authorize a specific project upon finding after a public hearing that the following facts exist:
 - (1) **Location and area.** The area proposed for home sites is located in a district that permits residential use. Gross project area shall include total project area less any areas below the ordinary high water mark of navigable waters and may include lands in more than one zoning district.
 - (2) **Pollution and Erosion control.** The location and nature of the private onsite wastewater treatment systems, which will serve the home sites individually or collectively, is in compliance with the Iron County Sanitary Code and Comm. 83 Wis. Adm. Code.
 - (3) **Open space.** At least 50 percent or more of the developable land and all undevelopable land area shall be designated as undivided permanent open space. Open space may be:
 - (a) Held in common by the residents of the Conservation Design Residential Development.

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- (b) Held by a nonprofit conservation organization. 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.
 - (c) Dedicated to the public.
 - (d) Retained by an individual who will use the land for open space purposes as provided by a conservation easement.
- (4) **Dedication.** Land dedicated to the public must be accepted by action of the governing body of the accepting unit of government. If the open space is to be held in common by owners of lots in the development, a homeowner's association or similar legally constituted body shall be created to maintain it. Any restriction placed on use of lands, which is required by this article shall vest in the County the right to enforce the restriction against anyone who has or acquires an interest in the land subject to the restriction.
- (5) **Open Space Requirements.** A conservation design subdivision shall meet the following open space requirements:
- (a) Minimum open space. Minimum open space shall include at least fifty (50) percent of the gross tract area and include all conservation areas.
 - (b) Location. The required open space should be situated to take advantage of the site's natural, historic, and cultural features, to create buffer areas between residential and agricultural uses, and to preserve scenic views. Environmentally sensitive areas must be included within the preserved open space. The open space should if at all possible be located so as to connect with existing or potential open space.
 - (c) The size and shape of the areas established as open space shall be sufficient and suitable for agricultural, natural resource protection, recreation, or other intended use and should remain as large and contiguous as the property will allow.
 - (d) Open space shall be deed and plat-restricted to nonstructural agricultural, forestry, recreational or environmental protection uses except that accessory structures essential to the open space uses may be approved.
 - (e) A private onsite wastewater treatment system may be located in such an area provided no suitable site is available on the lot served by the system.
 - (f) Open space shall be contiguous.
 - (g) Common open space shall be restricted in perpetuity from further subdivision and/or land development by deed restriction, conservation easement, or other agreement in a form acceptable to the Zoning Committee and duly recorded in the office of the Iron County Register of Deeds. The legal instruments detailing the ownership of the open space shall be submitted with the preliminary plat and shall be recorded with the Register of Deeds upon final plat approval.
- (6) **Development Yield Analysis.** The subdivider shall submit a table showing the maximum number of dwelling units that would be permitted under the Iron County Zoning Ordinance, consistent with the minimum lot size, lot widths, setbacks, and other provisions of the zoning ordinance and compare it to the number of dwelling units proposed. Land that is undevelopable because of other

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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.

- (a) The permitted number of dwelling or occupancy units in a conservation design development shall be the base density as determined by the Development Yield Analysis. However, Iron County may grant a **density bonus** or bonuses after a review of the proposed conservation design plan and the finding that the proposed development offers a superior layout and quality of design which incorporates unique and/or environmentally sensitive design features. Additional dwelling units and/or lots, not to exceed **20 percent** over and above the Development Yield Analysis of dwelling units permitted, may be awarded at the discretion of the Zoning Committee for any of the following: Conservation of greater than 50 percent of the buildable area, developments that grant public access, preservation of scenic vistas, natural areas, historic or cultural sites, active agricultural areas and/or prime farmland, incorporation of natural landscapes, protection of wildlife habitat and the creation of landscape buffers. The extent of a density bonus shall be based on the percentage of the site reserved as open space. A density bonus shall not, however, be awarded for any improvement, design, or action required by local, state, or federal law.

(7) **Lot sizes, widths, setbacks, and vegetation protection.**

- (a) Lot Sizes. The minimum lot size for unsewered residential development in a conservation design residential development is 1 acre. The minimum lot size for dwelling units served by municipal sewer service is 25,000 square feet. The Zoning Committee may require lot sizes to be larger than the minimum required under section (a) to comply with other requirements of this ordinance, particularly the dimensional and design standards of this section, or to protect human health, welfare and public safety. Lot widths, setbacks, and vegetation protection requirements shall be consistent with the underlying zoning district(s) in which the development is proposed.

(D) **Design Guidelines.**

- (1) In evaluating the layout of lots and open space, the following criteria will be considered as indicating design appropriate to the sites natural, historic, and cultural features, and meeting the purposes of this ordinance. Diversity and originality in lot layout shall be encouraged to achieve the best possible relationship between development and conservation areas.
 - (a) Protects and preserves all floodplains, wetlands, and steep slopes from clearing, grading, filling, or construction.
 - (b) Preserves and maintains mature woodlands, existing fields, pastures, meadows, and orchards, and creates sufficient buffer areas to minimize conflicts between residential and agricultural uses.
 - (c) If development must be located on open fields or pastures because of greater constraints in all other parts of the site, dwellings should be sited on the least prime agricultural soils, or in locations at the far edge of a

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field, as seen from existing public roads. Other considerations include whether the development will be visually buffered from existing public roads, such as by a planting screen consisting of a variety of indigenous native trees, shrubs, and wildflowers (specifications for which should be based upon a close examination of the distribution and frequency of those species found in a typical nearby woodlot).

- (d) Maintains or creates an upland buffer of natural native species vegetation of at least 100 feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes and ponds.
- (e) Designs around existing hedgerows and treelines between fields or meadows, and minimizes impacts on large woodlands (greater than five acres), especially those containing many mature trees or a significant wildlife habitat. Also, woodlands of any size on highly erodible soils with slopes greater than 10% should be avoided. However, woodlands in poor condition with limited management potential can provide suitable locations for residential development. When any woodland is developed, great care shall be taken to design all disturbed areas (for buildings, roads, yards, septic disposal fields, etc.) in locations where there are no large trees or obvious wildlife areas, to the fullest extent that is practicable.
- (f) Leaves scenic views and vistas unblocked for uninterrupted panoramas, particularly as seen from public thoroughfares. For example, in open agricultural landscapes, a deep “no-build, no plant” buffer is recommended along the public thoroughfare where those views or vistas are prominent or locally significant. The concept of “foreground meadows”, with homes facing the public thoroughfare across a broad grassy expanse is strongly preferred to mere buffer strips, with or without berms or vegetative screening. In wooded areas where the sense of enclosure is a feature that should be maintained, a deep “no-build, no-cut” buffer should be respected, to preserve existing vegetation.
- (g) Avoids siting new construction on prominent hilltops or ridges by taking advantage of lower topographic features.
- (h) Protects wildlife habitat areas of species listed as endangered, threatened, or of special concern by the U.S. Fish and Wildlife Service and/or by the Wisconsin Department of Natural Resources.
- (i) Designs around and preserves sites of historic, archaeological, or cultural value, and their environs, insofar as needed to safeguard the character of the feature, including stone walls, earthworks, and burial grounds.
- (j) Protects rural roadside character and improves public safety and vehicular carrying capacity by avoiding development fronting directly onto existing public roads. Establishes buffer zones along the scenic, corridor of rural roads with historic buildings, stone walls, hedgerows, and so on.
- (k) Landscapes common areas (such as community greens), cul-de-sac islands, and both sides of new streets with native specie shade trees and shrubs with high wildlife conservation value. Deciduous shade trees should be planted at forty-foot intervals on both sides of each street, so that the neighborhood will have a stately and traditional appearance when

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they grow and mature. These trees shall generally be located at the edge of the right-of-way, within a planting strip of not less than five feet in width.

- (l) Provides active recreational areas in suitable locations that offer convenient access by residents and adequate screening from nearby house lots.
 - (m) Includes a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, between properties and activities or special features within the neighborhood open space system. All roadside footpaths should connect with off-road trails, which in turn should link with potential open space on adjoining undeveloped parcels (or with existing open space on adjoining developed parcels, where applicable).
 - (n) Provides open space that is reasonably contiguous. For example, fragmentation of open space should be minimized so that these resource areas are not divided into numerous small parcels located in various parts of the development. To the greatest extent practicable, this land shall be designed as a single block with logical, straightforward boundaries. Long thin strips of conservation land shall be avoided, unless the conservation feature is linear or unless such configuration is necessary to connect with other streams or trails. The open space shall generally abut existing or potential open space land on adjacent parcels (such as in other subdivisions, public parks, or properties owned by or leased to private land conservation organizations). Such subdivision open space shall be designed as part of larger contiguous and integrated greenway systems, as per the town's comprehensive plan.
- (2) All residential lots and dwellings shall be encouraged into clusters. Residential clusters shall be located to minimize negative impacts on the natural, scenic and cultural resources of the site, and conflicts between incompatible uses.
- (E) **Conservation Design Concept Plan.** Prior to filing an application for a preliminary plat of the conservation design residential development, the subdivider shall schedule an appointment and meet with the Zoning Committee (Zoning Administrator) to discuss the procedure for approval of a conservation subdivision, including submittal requirements and design standards. The subdivider shall prepare and submit a conceptual development plan to the Zoning Committee (Zoning Administrator) according to the following. Mapping for the initial application can be done in any combination of features as long as individual map components can be distinguished and the relationship between map components can be determined.
- (1) **Inventory and mapping of existing resources** including the following mapped at a scale of no less than one inch for 50 feet:
 - (a) Topographic contours at 2-foot intervals.
 - (b) Existing and proposed access from the parcel to adjacent streets, roads, or properties.
 - (c) Proposed parcels.
 - (d) 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

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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.

- (e) Hydrologic characteristics, including surface water bodies, floodplains, groundwater recharge and discharge areas, wetlands, natural swales, drainage ways, and steep slopes.
 - (f) Land cover on the site, according to general cover type (pasture, woodland, etc.), and stand-alone trees with a caliper of more than [24] inches measured four feet off the ground. The inventory shall include comments on the health and condition of the vegetation.
 - (g) Existing land use within 1 mile of the proposed property to be divided.
 - (h) Current and past land use, all buildings and structures on the land, cultivated areas, brownfields, waste sites, and history of waste disposal practices, paved areas, and all encumbrances, such as easements or covenants.
 - (i) Known critical habitat areas for rare, threatened or endangered species.
 - (j) Views of the site, including views onto the site from surrounding roads, public areas and elevated areas, including photographs with a map indicating the location where the photographs were taken.
 - (k) Unique geological resources, such as rock outcrops and glacial features.
 - (l) Cultural resources: brief description of historic character of buildings and structures, historically important landscapes, and archeological features. This includes a review of existing inventories, including those the State Historical Society of Wisconsin maintains for historic buildings, archaeological sites, and burial sites.
- (F) **Review and Approval Procedures.** Conservation Design Residential Development plats shall follow the review process, submittal requirements, fees and procedures for subdivision plats as contained in [Section 8.1.4](#) of this chapter, except the following:
- (1) Development yield analysis. The subdivider shall provide a development yield analysis as defined in [Section 8.1.7\(C\)\(6\)](#)
 - (a) The number of lots within the proposed subdivision shall not exceed the maximum number of lots identified within the development yield analysis, except if the local municipality has an ordinance for conservation subdivision plats that allows greater density than identified in the development yield analysis.
 - (2) Open space. Conservation easements, deed restrictions, or restrictive covenants, as required by the Zoning Department for the establishment of the permanent open space, shall be submitted with the final conservation design residential development subdivision plat and shall be filed for recording with the conservation design residential development subdivision plat.
 - (3) Ownership. The legal instruments detailing the ownership of the open space shall be submitted with the final conservation design residential development subdivision plat review and shall be filed for recording with the conservation design residential development subdivision plat.

Section 8.1.8 Condominiums.

- (A) **Purpose.** This Section is created to clarify density requirements on parcels of land to be covered by condominium declarations. Condominiums may be created in Iron County by recording condominium instruments and plats with the County Register of Deeds pursuant to Ch. 703, Wis. Stats. Plats are to be drawn on durable white paper with non-fading black ink. A preliminary condominium plat may be presented to the Iron County Zoning Committee for consideration of approval before recording a final plat with the Register of Deeds (with committee approval).
- (B) **Definitions.** The following definitions shall be applicable in this Section:
- (a) **Condominium.** A building, a part of a building or a group of buildings, including all of the land, jointly owned and operated within the laws of Chapter 703, Wis. Stats., for the mutual protection and benefit of an association of all the members of ownership. The workings of this agreement are entailed in a condominium declaration.
 - (b) **Conversion Condominium.** A parcel of land with existing structure or structures converted to a condominium form of ownership.
 - (c) **Expandable Condominium.** A condominium to which additional units or property or both may be added.
 - (d) **Wetlands.** Wetlands are herein defined as an area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions..
- (C) **New Construction Condominiums.**
- (1) Parcel size for single condominiums containing one (1) unit per structure within two hundred (200) feet of a lake, pond, stream or watercourse shall not be less than twenty thousand (20,000) square feet for each unit, or have less than one hundred (100) feet of water frontage width for each unit. No more than twenty percent (20%) wetlands will be included in determining the minimum square footage. Proof of the availability of alternate sewage system areas complying with the requirements of the Iron County Sanitary Ordinance and Comm. 83 Wis. Adm. Code, shall be provided and shown on the plat. No structure shall exceed at the roof ridge thirty-five (35) feet in height from the highest point of ground level.
 - (2) Parcel size for single condominiums containing only one (1) unit per structure not within two hundred (200) feet of a lake, pond, stream or watercourse or the designated limits of a town business district shall not be less than sixty thousand (60,000) square feet for each unit and shall have a minimum width of two hundred (200) feet over the sixty thousand (60,000) square feet minimum area, including all outlands. No more than twenty percent (20%) wetlands will be included in determining the minimum square footage of the parcel. Proof of the availability of alternate sewage system areas complying with the requirements of the Iron County Sanitary Ordinances and Comm. 83 Wis. Adm. Code, shall be provided and shown on the plat. No structure shall exceed at the roof ridge thirty-five (35) feet in height from the highest point of ground level.
 - (3) Parcel size for condominiums containing more than one (1) unit per structure within two hundred (200) feet of a lake, pond, stream or watercourse shall not be less than twenty thousand (20,000) square feet for the first unit plus ten thousand

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(10,000) contiguous square feet for each additional contiguous unit. The parcel shall not have less than one hundred (100) feet water frontage width for the first unit plus thirty (30) feet of water frontage width for each additional contiguous unit. No more than twenty percent (20%) wetlands will be included in determining the minimum square footage of the parcel. Proof of the availability of alternate sewage system areas complying with the requirements of the Iron County Sanitary Ordinance and Comm. 83 Wis. Adm. Code, shall be provided and shown on the plat. No structure shall exceed at the roof ridge thirty-five (35) feet in height from the highest point of ground level.

- (4) Parcel size, for condominiums containing more than one (1) unit per structure not within two hundred (200) feet of a lake, pond, stream or watercourse and not within the designated limits of a town business district shall not be less than sixty thousand (60,000) square feet plus twenty thousand (20,000) contiguous square feet for each additional contiguous unit. No more than twenty percent (20%) wetlands will be included in determining the minimum square footage of the parcel. The entire parcel shall have a minimum width of two hundred (200) feet over the sixty thousand (60,000) square foot minimum area. Proof of requirements of the Iron County Sanitary Ordinance and Comm. 83 Wis. Adm. Code shall be provided and shown on the plat. No structure shall exceed at the roof ridge thirty-five (35) feet in height from the highest point of ground level.

(D) Conversion Condominiums.

- (1) Where existing single family dwellings, rental or non-rental, not part of a resort, are to be part of a condominium declaration, such property shall not be converted until a final condominium plat is approved by the Iron County Zoning Committee. Such approval shall be obtained before the final condominium plat is recorded with the County Register of Deeds. The parcel size and other requirements shall be as specified in [Sections 8.1.2](#) and [8.1.3](#). Proof of the availability of alternate sewage system areas complying with the requirements of the Iron County Sanitary Ordinance and Comm. 83 Wis. Adm. Code, shall be provided and shown on the plat.
- (2) Where existing multiple family dwellings, rental or non-rental, not part of a resort, are to be part of a condominium declaration, such property shall not be converted until final condominium plat is approved by the Iron County Zoning Committee. Such approval shall be obtained before the final condominium plat is recorded with the County Register of Deeds. The parcel size and other requirements shall be as specified in [Subsection \(c\)\(3\)](#) and [\(4\)](#) herein. Proof of the availability of alternate sewage system areas complying with the requirements of the Iron County Sanitary Ordinance and Comm. 83 Wis. Adm. Code, shall be provided and shown on the plat.
- (3) Conversion condominiums involving the disposition and sale of existing cabins in resorts licensed as of January 1, 1981. Rental and non-rental resort buildings may be converted to condominium units provided that the first floor square footage of existing structures does not exceed ten percent (10%) of the total land area being included in the condominium declaration and the existing number of bedrooms conform with the number on the resort license [plus one (1) non-rental home] and will not be increased. No more than twenty percent (20%) wetlands will be

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included in determining the minimum square footage of the parcel area. Proof of the availability of alternate sewage system areas complying the requirements of the Iron County Sanitary Ordinance and Comm. 83 Wis. Adm. Code, shall be provided and shown on the plat. Such resort shall not be converted until the final condominium plat is approved by the Iron County Zoning Committee. Approval shall be obtained before the first condominium plat is recorded with the County Register of Deeds. No condominium plat shall be approved for a resort which was not constructed in compliance with the County Zoning ordinances applicable at the time such resort was constructed, unless such resort has, subsequent to the time of its construction made such alterations, additions or corrections as are necessary to bring such resort into compliance with the then applicable zoning ordinance.

- (4) The final condominium plat referred to above shall show a boundary survey of the condominium, the location of all structures, the size and location of any limited common elements, the area available in square feet, the water frontage width, the size and location of all wetland areas, the roads providing access to the condominium(s) connecting to a public road and the size and location of the alternate sewage system area or areas. All units shall be consecutively numbered on the plat. The final condominium plat shall be drafted in compliance with the requirements of Chapter 703, Wis. Stats.

(E) Expandable Condominiums.

- (1) All condominium plats submitted to the Iron County Zoning Committee for consideration of approval must indicate whether or not it will be an expandable condominium. All expandable condominiums must indicate the final total number and the approximate placement of the condominium units anticipated for the parcel so that the Zoning Committee can verify that there is sufficient parcel size in accordance with the applicable sections of this Chapter. The condominium plat presented shall be drafted in accordance with Sections 703.11 and 703.26, Wis. Stats.
- (2) The Committee may give final approval only to that portion of an expandable condominium which is to be recorded initially and may give tentative approval to the expansion portion of the condominium. As additional units are added after the original condominium declaration, a final condominium plat, for each expansion shall be presented to the Iron County Zoning Committee for consideration of approval. If the final condominium plat for the expansion area conforms substantially to the layout shown and approved on the expansion plans submitted with the original expandable condominium plat, it shall be entitled to approval with respect to such layout. Proof of availability of alternate sewage system areas which conform to the requirements of the Iron County Sanitary Ordinance and Comm. 83 Wis. Adm. Code shall be provided and shown on the plat.
- (3) Any condominium plat submitted to the Iron County Zoning Committee for consideration and approval which is designated as an expandable condominium shall be considered for approval by the Iron County Zoning Committee as a new construction condominium. Any condominium plat submitted for a conversion condominium which anticipates expansion through new construction shall be

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considered for approval on the basis of the requirements contained in [Sections 8.1.2 through 8.1.5](#) herein.

(F) Condominium Plats.

- (1) A preliminary condominium plat of a new condominium, conversion condominium or expandable condominium may be submitted to the Iron County Zoning Committee for consideration of approval. Such preliminary plat shall include the following information:
 - (a) The name of the condominium.
 - (b) The approximate boundary of the parcel to be dedicated as common area for the condominium complex including any expansion areas in case of an expandable condominium.
 - (c) The exact location of all existing buildings and general location of any proposed buildings to be constructed on the property.
 - (d) The area in square feet of the total parcel.
 - (e) The lineal footage of lake, pond, stream or water course.
 - (f) Every unit or proposed unit shall be designated on the preliminary condominium plat by consecutive numbers.
 - (g) Computations shall be shown on the preliminary plat which verify compliance with the parcel size required by this Chapter.
 - (h) Proposed alternate sewage system areas shall be shown. Proof that these proposed areas conform to the requirements of the Iron County Sanitary Ordinance and Comm. 83 Wis. Adm. Code, shall be shown upon submission of the final condominium plat for approval.
 - (i) Roads which provide access to the condominium property.
 - (j) Existing easements which affect the condominium property.
 - (k) A minimum of two (2) off-street parking spaces per unit.
 - (l) First floor square footage of each existing structure.
- (2) If a preliminary condominium plat is submitted it shall be reviewed by the Iron County Zoning Committee which respect to unit layout and parcel size. Within forty (40) days of the date of receiving the plat by registered mail, certified mail or receipted delivery to the zoning office, the Committee shall take action to 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 written agreement with the owner or his agent. Failure of the Committee to act within forty (40) days, or extension thereof, shall constitute an approval of the preliminary condominium plat.
- (3) If the final condominium plat is submitted with the information as required in [Subsection \(f\)\(1\)](#) above (including a copy of the condominium declaration) within one (1) year of the approval of the preliminary condominium plat, and it conforms to the layout shown on the plat, and if such plat satisfies the conditions imposed by the Committee, it shall be entitled to approval. If the Iron County Zoning Committee fails to act upon the plat within forty (40) days of receiving the plat by registered mail, certified mail or receipted delivery to the zoning office, and the time has not been extended by written agreement with the owner or his agent, and if no unsatisfied objections have been filed within that period, the final

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condominium plat shall be deemed approved and upon demand a certificate to that effect shall be made on the face of the plat.

- (G) **Amendments.** An amendment may be made to any recorded condominium plat pursuant to the procedures set forth in Chapter 703, Wis. Stats., provided that the amended condominium plat is first presented to the Iron County Zoning Committee for consideration of approval. Such amendment shall not be recorded until the approval of the Iron County Zoning Committee has been obtained. Within forty (40) days of the submission of such an amendment, the Iron County Zoning Committee shall take action to approve, approve conditionally or reject such amendment, and shall state in writing any conditions for approval or reasons for rejection unless the time is extended by a written agreement with the owner or his agent. Failure of the Committee to act upon the plat within forty (40) days, or extension thereof, shall constitute an approval of the condominium amendment.
- (H) **Commercial Condominiums.** Commercial condominiums, where zoning permits, shall not be subject to the requirements of [Sections 8.1.2](#) through [8.1.6](#) herein, provided that the units or parts thereof shall not be used for residential purposes. Building sizes, setbacks, parking requirements, lot sizes, and construction shall conform to the requirements of any other applicable Iron County ordinances.
- (I) **Town Ordinances.** Nothing contained herein shall be construed to prohibit any town from enacting an ordinance that would be more restrictive than the provisions contained herein provided the town ordinance is not in conflict with any provisions hereof or any provisions of Chapter 703, Wis. Stats., and that the ordinance is properly drawn up in compliance with Section 60.62, Wis. Stats.
- (J) **Condominiums with Public Sewer.** With condominiums with public sewer, parcel size shall conform to the dimensional requirements of the Iron County Land Use and Shoreland Protection Ordinance, or any other applicable Iron County Ordinance.

Section 8.1.9 Easements.

- (A) The County Planning Agency shall require rear or side lot line utility easements at locations and of widths deemed adequate by the committee, but in no case less than ten (10) feet.
- (B) The County Planning Agency shall require that easements or drainage ways of widths sufficient to accommodate storm water runoff be provided where a subdivision includes a segment or segments of water courses, drainage ways, channels, or streams.

Section 8.1.10 Reservation.

- (A) The County Planning Agency may require that suitable sites be dedicated or reserved for future public uses such as parks, playgrounds and open spaces. In locating such sites consideration shall be given to preserving scenic and historic sites, stands of pine trees, marshes and shorelines. Reservation of land for public acquisition shall be for a period not to exceed three (3) years.

Section 8.1.11 Variances.

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- (A) The Board of Adjustments may grant variances from the provisions of this Chapter after holding a public hearing, with ten (10) days' notice in writing to owners of adjoining lands and upon finding that:
 - (1) Because of the unique topographic or other conditions of the lands involved, literal application of the Chapter would impose a hardship.
 - (2) The variance will not violate the purpose of the Chapter or the provisions of Chapter 236, Wis. Stats.
- (B) The requirement of filing and recording a plat for a subdivision or a certified survey shall not be waived.

Section 8.1.12 Fees.

- (A) Subdivisions. Prior to approval of the final plat, the applicant shall pay to the County Zoning Administrator as a fee for checking and verifying the plat, a sum computed from a schedule determined by the County Planning Agency. A current copy of the schedule shall be on file in the offices of the County Zoning Administrator and County Clerk.
- (B) Certified Survey Map. Prior to approval of the final certified survey map the applicant shall pay to the County Clerk as a fee for checking and verifying the plat, a fee to be determined by the County Planning Agency. A current copy of the fee schedule shall be on file in the offices of the County Clerk and Zoning Administrator.

Section 8.1.13 Enforcement and Penalties.

- (A) The County Zoning Enforcement Agent shall have responsibility for enforcement of this Chapter. No land use permit shall be issued for construction on any lot until the final plat for the subdivision has been duly recorded or the certified survey map recorded. Any person who violates this Chapter shall forfeit a sum of up to Two Hundred Dollars (\$200.00), plus the costs of prosecution, for each day of violation.

Section 8.1.14 Definitions.

- (A) For purposes of this Chapter, certain words or terms used herein are defined as follows:
 - (1) **Alley.** A narrow service way providing a secondary public means of access to abutting properties.
 - (2) **Arterial of Major Highway.** A street which serves or is designed to serve the rapid movement of concentrated volumes of traffic over relatively long distances. This type of street provides primarily for movement between rather than within activity areas.
 - (3) **Block.** A parcel or tract of land bounded on at least one (1) side by a public street and on the other sides by natural or man-made barriers or unplatted land.
 - (4) **Collector Street.** A street which serves or is designed to serve the moderate speed movement traffic from minor streets to arterials or major highways and to provide access to individual lots. This type of street provides for movement within rather than between activity areas.

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- (5) **Common Open Space** Undeveloped land within a conservation design residential development that has been designated, dedicated, reserved, or restricted in perpetuity from further development and is set aside for the use and enjoyment by residents of the development. Common open space shall not be part of individual residential lots. It shall be substantially free of structures, but may contain historic structures and archaeological sites including Indian mounds, and/or such recreational facilities for residents as indicated on the approved development plan.
- (6) **Conservation Design Residential Development.** A housing development in a rural setting that is characterized by compact lots and common open space, and where the natural features of the land are maintained to the greatest extent possible.
- (7) **Conservation Easement.** grant of a property right or interest from the property owner to a unit of government or nonprofit conservation organization stipulating that the described land shall remain in its natural, scenic, open or wooded state, precluding future or additional development.
- (8) **County Planning Agency.** A County zoning committee authorized by Sec. 59.97, Wis. Stats., or any agency created by the County Board and authorized by statute to plan land use.
- (9) **Dead End Street.** A street or portion thereof with only one (1) vehicular outlet.
- (10) **Easement.** Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
- (11) **Final Plat.** The map and/or drawing of a subdivision prepared in compliance with the provisions of Ch. 236, Wis. Stats., and the provisions of this chapter
- (12) **Minor or Local Street.** A street which serves or is intended to serve primarily as an access to abutting lots.
- (13) **Navigable Water.** Any continuous stream or river and any named lake or pond or flowage shown on the "Detailed Zoning Maps Iron County." In the event of any conflict reference shall be made to United States Geological Survey Quadrangle maps of the affected water course of other body of water whereby continuous streams and named lakes shall be deemed navigable and intermittent streams and unnamed lakes as non-navigable.
- (14) **Nonprofit Conservation Organization.** Any charitable corporation, charitable association or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property.
- (15) **Preliminary Plat.** A map showing relevant features of a proposed subdivision plat submitted to the County Zoning Committee for the purpose of preliminary consideration.
- (16) **Street.** Includes streets, roads, avenues, lanes or other ways.
- (17) **Subdivider.** Any person, firm, corporation, partnership, or association who shall layout, for the purpose of sale or building development, any subdivision or part thereof as defined herein.
- (18) **Subdivision-Etc.**

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- (a) The act of division creates five (5) or more parcels or building sites of one and one half (1 ½) acres each or less in area; or
- (b) Five (5) or more parcels or building sites of one and one-half (1 ½) acres each or less in area are created by successive divisions within a five (5) year period.