

**SECTION 1.0****INTRODUCTION**

**Section 1.01. Authority.** Pursuant to the authority granted by 236.45 of the Wisconsin Statutes, the Town Board of Silver Cliff, County of Marinette, does ordain these subdivision regulations effective in the town.

**Section 1.02. Title.** This ordinance shall be known as, referred to, or cited as the Subdivision Ordinance, Town of Silver Cliff, Marinette County, Wisconsin.

**Section 1.03. Purpose and Intent.** The purpose of this ordinance is to regulate and control the division of land and to implement the policies set forth in the Town of Silver Cliff Comprehensive Plan within the Town of Silver Cliff, Marinette County, for the following purposes: to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to prevent the overcrowding of land; to lessen congestion in the roads and highways; to provide for adequate light and air; to facilitate adequate provisions for waste sewerage and other public requirements; to provide for proper ingress and egress; to promote proper monumenting of subdivided land and conveyancing by accurate legal description, and to provide safe and orderly subdivision layouts.

**Section 1.04. Abrogation and Greater Restrictions.** It is not intended by this ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall govern. The Marinette County Shoreland Zoning Ordinance is applicable only in shoreland areas. Shoreland includes three hundred (300) feet on each side of rivers, streams, or flood plains and one thousand (1,000) feet from lakes.

**Section 1.05. Interpretation.** In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town of Silver Cliff, Marinette County, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

**Section 1.06. Severability.** If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

**Section 1.12. Repeal.** All other ordinances or parts of ordinances of the Town of Silver Cliff, Marinette County, inconsistent or conflicting with this ordinance, to the extent of the inconsistency only, are hereby repealed.

**Section 1.13. Effective Date.** This ordinance shall be effective after a public hearing, adoption by the Town Board of Silver Cliff and publication or posting as provided by law and approval of the County Board of Marinette County.

## SECTION 2.0

### RULES AND DEFINITIONS

**Section 2.01. Rules.** In the construction of this ordinance, the rules and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise.

- (1) Words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and the plural the singular.
- (2) The word “shall” is mandatory and not discretionary.
- (3) The word “may” is permissive.
- (4) The masculine gender includes the feminine and neuter.

#### **Section 2.02. Definitions.**

- (1) Alley. A public or private right-of-way which provides secondary access to abutting properties.
- (2) Block. A group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers, and having an assigned number, letter, or other name through which it may be identified.
- (3) Building. Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind and which is permanently affixed to the land.
- (4) Building Setback Line. A line parallel to the street line or water line beyond which buildings may not be erected.
- (5) Cul-de-sac. A major road with only one outlet and having a turnaround for the safe and convenient reversal of traffic movement.

- (6) Easement. A right or privilege that a person may have in another's land, as the right of way.
- (7) Final Plat. The map or plan of a subdivision, and any accompanying material, as described in Section 6.0 of this ordinance.
- (8) Grade. The center line gradient of a road, street, or other public way, specified in percent.
- (9) Improvement, Public. Any sanitary sewer, storm sewer, drainage ditch, water main, roadway, park, parkway, public access, sidewalk, pedestrian way, planting strip, off-street parking area, or other facility for which the county or town may ultimately assume the responsibility for maintenance and operation.
- (10) Lot. A buildable parcel of land represented and identified in a subdivision as defined in Section 8.03 of this ordinance.
- (11) Lot, Off-Water. Lots of two and one half (2.5) acres or more not abutting a lake or stream.
- (12) Lot, Waterfront. Lots of two and one half (2.5) acres or more that abut a lake or stream.
- (13) Major Road. A road used or intended to be used primarily for fast or heavy through traffic. "Major Road" shall include freeways and expressways as well as designated town roads, county roads, state and federal highways, and parkways.
- (14) Map, Certified Survey. A map of a division of land prepared in accordance with Section 235 of the Wisconsin Statutes.
- (15) Outlot. A remnant parcel of land not to be used for building purposes, so designated on the plat.
- (16) Preliminary Plat. A map showing the salient features of a proposed subdivision submitted to the Town Planning Commission for purposes of preliminary consideration, as described in Section 5.0 of this ordinance.
- (17) Private Road. A privately owned strip of land, which serves as access to more than two (2) parcels of land and/or residences—title to said parcels of land are not held by the same individual(s). Existing ingress/egress easements are **not** considered private roads.
- (18) Public Way. Any public road, street, highway, walkway, drainage way, or part thereof.
- (19) Replat. The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat.

(20) Subdivider. Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, certified survey, or replat.

(21) Subdivision. The division of a lot, parcel or tract of land by the owner thereof, or his agent, for the purpose of transfer of ownership or building development, where the act of division creates five (5) or more parcels or building sites of ten (10) acres each or less in area or where the act of division creates five (5) or more parcels or building sites of ten (10) acres each or less in area by successive division within a five (5) year period.

(22) Town. Reference to town shall mean the Town of Silver Cliff, including the Town Board, Town Clerk or any designated Town Committee.

(23) Town Center. The Town Center Management Area is intended to identify the existing town center and promote future development in the form of residential, commercial, public, and institutional uses. The Town Center in Silver Cliff is comprised of the area between Parkway Road South and the Peshtigo River, approximately 40 acres deep on the north and south sides of County Trunk Highway C. (See the Comprehensive Plan for Town Center policies.)

(24) Wetland. 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.

## SECTION 3.0

### GENERAL PROVISIONS

**Section 3.01. Jurisdiction.** The jurisdiction of this ordinance shall include all unincorporated lands within the town. However, in no instance shall the provisions of this ordinance apply to:

- (1) Transfers of Interests in land by will or pursuant to court order.
- (2) Leases for a term not to exceed ten (10) years, mortgages, or easements.
- (3) Sale or Exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the resultant lots are not reduced below the minimum sizes required by these regulations, the Marinette County Shoreland Zoning Ordinance, or other applicable laws or ordinances.

**Section 3.02. Compliance.** No subdivider shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, certified survey, or a replat as defined herein; no such subdivision, certified survey or replat shall be entitled to record; and no improvements shall be made to land without compliance with all requirements of this ordinance, and the provisions of Chapter 236, Wisconsin State Statutes.

**Section 3.03. Land Suitability.** No land shall be subdivided which has been held by the Town Planning Commission to be unsuitable for its proposed use by reason of susceptibility to flooding, inadequate drainage, soil or rock formations which would significantly restrict development, potential for significant soil erosion, unfavorable topography, inadequate water supply or inadequate sewage disposal capabilities, or any other feature which is determined by the Town Planning Commission to be likely to be harmful to the health, safety or welfare of present or future residents of the proposed subdivision or the surrounding community. In making its determination with respect to any such proposed subdivision use, the Town Planning Commission shall state the particular facts upon which it bases its conclusion that the site is not suitable for the proposed use and shall provide written notification of such findings to the proposed subdivider, who shall then have an opportunity to present evidence to the contrary at a public hearing called for that purpose. The Town Planning Commission shall affirm, modify or reverse its determination of unsuitability after such a hearing.

**Section 3.04. Dedication and Reservations of Land.**

- (1) Whenever a tract of land to be subdivided embraces all or any part of a road, drainage way or other public way which has been designated in the adopted regional and county comprehensive plans or adopted plan components, said public way shall be made a part of the plat and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan.
- (2) Whenever a proposed park, playground, public access, open space site or other public land, other than roads or drainage ways, designated in the adopted regional and county comprehensive plans or adopted plan components is embraced, all or in part, in a tract of land to be subdivided, such proposed public lands shall be made a part of the plat and shall either be dedicated to the public or be reserved for acquisition at undeveloped land costs, for a period not to exceed three years from the date of recordation unless extended by mutual agreement between the subdivider and the public agency having jurisdiction. If the reserved land is not acquired by said public agency with the above limit, the land shall be released to the owner.
- (3) Whenever feasible, all public access to the low watermark of navigable lakes and stream required by section 236.16(3), Wisconsin Statutes, should be at least sixty (60) feet wide by Statute and shall contain land characteristics acceptable to the Town Planning Commission.

**Section 3.05. Improvements.** The subdivider shall not install any roads or other improvements required by the Town until the Preliminary Plat has been approved by the Town Board. Before the final approval is granted to the Final Plat or Certified Survey Map (CSM), the subdivider shall install all required improvements. Such improvements shall be completed by the subdivider or his subcontractors within the time limit established by the Town Board. In order that adequate inspections

can be made, the subdivider shall notify the Town Board one week prior to the time each improvement is to be installed and upon completion of the project.

**Section 3.06. Variances.** In any particular case where the subdivider can show that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirement of this ordinance would cause practical difficulty or exceptional and undue hardship, the Town Board may relieve such difficulty or hardship, provided such relief may be granted without detriment to the public good and without impairing the intent and purpose of this ordinance. The Town Planning Commission shall recommend approval or rejection of the variance request and present its findings to the Town Board at its next meeting. The Commission's findings shall be entered in the minutes of the Commission.

**Section 3.07. Violations.** It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this ordinance or the Wisconsin Statutes, and no person, firm or corporation shall be issued a town building permit authorizing the building on or improvement of any subdivision, certified survey or replat within the jurisdiction of this ordinance and not on record as of the effective date of this ordinance until the provisions and requirements of this ordinance have been fully met. The Town may institute appropriate action or proceedings to enjoin violations of this ordinance or the applicable Wisconsin Statutes.

**Section 3.08. Penalties.** Any person, firm or corporation that fails to comply with the provisions of this ordinance shall upon conviction forfeit an amount to be determined by the Court. Each day a violation exists or continues shall constitute a separate offense.

- (1) Recordation improperly made has penalties provided in Section 236.30, Wisconsin Statutes.
- (2) Conveyance of lots in unrecorded plats has penalties as provided for in Section 236.31, Wisconsin Statutes.
- (3) Monuments disturbed or not placed have penalties as provided for in Section 235.32, Wisconsin Statutes.
- (4) Assessor's Plat made under Section 70.27, Wisconsin Statutes, may be ordered by the Town when a subdivision is created by successive divisions.

**Section 3.09. Appeals.** Any person aggrieved by an objection to a plat or failure to approve a plat may appeal therefore as provided in Section 236.13(5) and 62.23(7) (10-15), Wisconsin Statutes.

## SECTION 4.0

### PROCEDURE

**Section 4.01. Pre-Application Consultation.** Prior to filing an application for approval of a Preliminary Plat, the subdivider shall consult with the Town Planning Commission to become informed of the purpose and objectives of these regulations and to otherwise be assisted in planning his development. In so doing, the subdivider will gain a better understanding of the subsequent required procedures. A submittal fee is also required.

**Section 4.02. Preliminary Plat Review.** Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat in accordance with Section 5.0 of this ordinance. The subdivider shall file five copies of the Preliminary Plat and a letter of application, along with the submittal fee, with the Town Planning Commission Chairman at least twenty-five (25) days prior to the meeting of the Town Planning Commission at which action is desired.

**Section 4.03. Preliminary Plat Approval.**

- (1) The Town Planning Commission shall review the plat for conformance with this ordinance and all other ordinances, rules and regulations.
- (2) The Town Planning Commission shall within forty (40) days of the date of filing of the Preliminary Plat either recommend approval or conditional approval to the Town Board or reject such plat. A letter shall thereupon be sent to the subdivider, and if approved conditionally or rejected, the letter will set forth the conditions or reasons. One copy of the plat and letter shall be placed in the Town Planning Commission's permanent file.
- (3) Failure of the Town Planning Commission to act within forty (40) days of the filing date shall constitute an approval as provided in Section 236.11(1)(a) of the Wisconsin Statutes.
- (4) Approval or conditional approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within six (6) months of Preliminary Plat approval and conforms substantially to the Preliminary Plat layout as indicated in Section 236.11(1)(b), Wisconsin Statutes, the Final Plat shall be entitled to approval with respect to such layout.

**Section 4.04. Final Plat Review.** The subdivider shall prepare a Final Plat in accordance with Section 6.0 of this ordinance and shall file five (5) copies of the Final Plat and a letter of application, with the submittal fee, with the Town Planning Commission at least fourteen (14) days prior to the meeting of the Town Planning Commission at which action is desired.

**Section 4.05. Final Plat Approval.**

- (1) The Town Planning Commission shall examine the Final Plat as to its conformance with the approved Preliminary Plat.

- (2) The Town Planning Commission shall within sixty (60) days of the date of filing of the Final Plat recommend, recommend conditionally, or decline to recommend the plat. The Town Board will make the final decision concerning plat approval. If the plat is rejected, the reason(s) shall be stated in the minutes of the meeting and a letter stating the reason(s) forwarded to the subdivider.
- (3) Failure of the Town Planning Commission to act within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved, as provided in Section 236.11(1)(a) of the Wisconsin Statutes.

**Section 4.06. Recordation.** After the Final Plat has been approved by the Town Planning Commission, the Town Board, and any other approving agencies, the subdivider shall record the plat with the County Register of Deeds in accordance with Section 236.25 of the Wisconsin Statutes. The subdivider shall return two (2) copies of the recorded plat to the Town Planning Commission chairman.

**Section 4.07. Replat.** 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 desiring to replat shall vacate or alter the recorded plat as provided in Sections 236.40 through 236.44, Wisconsin Statutes. The subdivider or person desiring to replat shall then proceed as specified in Sections 4.01 through 4.07 of this ordinance.

## SECTION 5.0

### PRELIMINARY PLAT

**Section 5.01. General.** A Preliminary Plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and the plat prepared on reproducible material at a scale of not more than one hundred (100) feet to the inch and shall show correctly on its face the following information:

- (1) Title under which the proposed subdivision is to be recorded.
- (2) Legal Description and General Location of proposed subdivision and relative location to a nearby municipality or identifiable landmark.
- (3) Date, Scale and North Arrow.
- (4) Names and Addresses of the Owner(s), subdivider(s), and land surveyor preparing the plat.
- (5) Entire Area contiguous to the proposed plat owned or controlled by the subdivider shall be included on the Preliminary Plat even if only a portion of said area is proposed for immediate development. The Town Planning Commission may waive this requirement where it is



unnecessary to fulfill the purposes and intent of this ordinance and undue hardship would result from strict applications thereof.

**Section 5.02. Plat Data.** All Preliminary Plats shall show the following:

- (1) Length and bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the U.S. Public Land Survey and the total acreage encompassed thereby.
- (2) Location, right-of-way width and names of all existing and proposed roads, alleys or other public ways, easements, railroad and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.
- (3) Location and names of any adjacent subdivisions, parks, schools and cemeteries, and owners of record of abutting unplatted lands.
- (4) Type and width of any existing road pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established center line elevations, all to the datum used for the contours.
- (5) Locations of all existing property boundary lines, structures, driveways, streams and watercourses, wetlands, rock outcrops and other similar significant features within the tract being subdivided or immediately adjacent thereto.
- (6) Approximate dimensions of all lots together with proposed lot and block numbers.
- (7) Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainage ways or other public use or which are to be used for group housing, shopping centers, church sites or other nonpublic uses not requiring lotting.
- (8) Approximate radii of all curves.
- (9) Existing zoning and proposed use on and adjacent to the proposed subdivision.
- (10) Corporate limits lines.
- (11) Any proposed lake and stream access, with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.
- (12) Any proposed lake, stream or wetland improvement or relocation and proposed filling, grading, lagooning or dredging and the notice of application to or approval by the Wisconsin Department of Natural Resources, when applicable.

**Section 5.03. Road Plans and Profiles.** The subdivider shall provide road plans and profiles showing existing ground surface and proposed and established road grades, including extensions for a

reasonable distance beyond the limits of the proposed subdivision, when requested by the Town Planning Commission Chairman, who shall have the written recommendation that all elevations, plans and profiles meet the approval of the Town Board or designee. All roads shall be constructed in compliance with the Town of Silver Cliff Ordinance(s) regulating road construction. If the act of subdivision creates any unsafe traffic or access conditions or erosion problems to existing town roads, the subdivider shall correct this condition(s).

**Section 5.04. Testing.** The Town Planning Commission may require borings and soundings be made in designated areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to ground water table. Where the subdivision will not be served by public sanitary sewer service, the pertaining provisions of the Wisconsin Administrative Code shall be complied with, and the appropriate data shall be submitted with the Preliminary Plat.

**Section 5.05. Covenants.** The Town Planning Commission requires submission of a road maintenance association agreement with the preliminary and the final plat or CSM.

**Section 5.06. Affidavit.** The surveyor preparing the Preliminary Plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this ordinance.

## SECTION 6.0

### FINAL PLAT

**Section 6.01. General.** A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of Section 236.20, Wisconsin Statutes.

**Section 6.02. Additional Information.** The Final Plat shall show correctly on its face, in addition to the information required by Section 236.20, Wisconsin Statutes, the following:

- (1) Exact road width along the line of any obliquely intersecting road.
- (2) All lands reserved for future public acquisition or reserved for the common use of property owners within the plat. If common property is located within the plat, then provisions for its use and maintenance must also be provided with the plat.
- (3) Special restrictions required by any approving or objecting agency relating to access control along public ways or to provision of planting strips.

**Section 6.03. Deed Restrictions.** Any deed restrictions attached to the subdivision shall be filed with or placed on the face of the Final Plat.

**Section 6.04. Surveying and Monumenting.** All Final Plats shall meet all the surveying and monumenting requirements of Section 236.15, Wisconsin Statutes.

**Section 6.05. State Plane Coordinate System.** Where the plat is located within a quarter section of which the corners have been relocated, monumented and coordinated, the plat shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin State Plane Coordinates of the monument marking the relocated section or quarter corner to which the plat is tied shall be indicated on the plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System.

**Section 6.06. Certificates.** All Final Plats shall provide all the certificates required by Section 236, Wisconsin Statutes; in addition, the surveyor shall certify that he has fully complied with all the provisions of this ordinance and provide a certificate for Town Board approval.

## SECTION 7.0

### CERTIFIED SURVEY MAPS

**Section 7.01. Applicability.** For any land division creating one (1) to four (4) parcels, ten (10) acres or less in size, a certified survey map shall be created.

**Section 7.02. Procedure.** The subdivider shall file five (5) copies of said survey map, along with the submittal fee, with the Town Planning Commission. The Town Planning Commission shall review and, within forty (40) days, recommend, recommend conditionally, or refuse to recommend the map. The Town Board will make the final decision concerning Certified Survey Map approval. The subdivider shall be notified of any conditions of recommendation or the reasons for refusal.

**Section 7.03. Certificates.**

- (1) The map shall include the certificate of the surveyor who surveyed and mapped the parcel, as required by Chapter 236 of the Wisconsin Statutes and shall be signed by the property owner(s).
- (2) The certificate of approval shall be typed, lettered, or reproduced legibly and permanently on the face of the map.

**Section 7.04. Filing.** The map shall be filed by the subdivider for recording with the Register of Deeds of Marinette County. Two additional copies of the final approved map shall be forwarded to the Town of Silver Cliff-- one to the Town Planning Commission and the other to the Town Clerk. The volume and page number of the recording file shall be noted on the final approved map copies.

## SECTION 8.0

### DESIGN STANDARDS

**Section 8.01. Road Arrangement.** The subdivider shall dedicate land for and improve roads as provided herein. Roads shall conform to any applicable official map ordinance in effect. In areas for which an official map has not been completed, the road layout shall recognize the functional classification of various road types and shall be developed and located in proper relation to existing and proposed roads, with due regard to topographical conditions, natural features, utilities, land uses, and public convenience and safety. The subdivision shall be designed so as to provide each lot with safe and satisfactory access to a public or private road as provided herein. The following conditions shall apply for road arrangement in all proposed subdivisions:

- (1) Proposed roads shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Town Board, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of adjacent land tracts. Such roads shall terminate with a temporary turnaround of one hundred fifty (150) feet right-of-way diameter.
- (2) Road names shall be established and be similar to existing road names, and existing road names shall be projected or continued wherever possible. Road names shall be approved by the Silver Cliff Town Board and the Marinette County Real Property Lister.

**Section 8.02. Road Intersections.** Roads shall intersect each other as nearly as possible at right angles, and not more than two (2) roads shall intersect at one point unless approved by the Town Board.

- (1) Number of intersections along major roads shall be held to a minimum. Wherever practicable the distance between such intersections should not be less than one thousand, three hundred twenty (1,320) feet.

- (2) Road jogs with center line offsets of less than one hundred twenty-five (125) feet shall not be approved.

**Section 8.03. Lots.** 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. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the building contemplated. Only one (1) structure for human habitation shall be allowed per recorded parcel, consistent with Section 3.03 of the Town of Silver Cliff Building Permit Ordinance. Duplexes and/or two-unit condominiums are allowed, subject to Section 3.08 of the Town of Silver Cliff Building Permit Ordinance.

(1) Side Lot Lines should be at right angles to straight road lines or radial to curved road lines on which the lots face.

(2) Access. Every lot, including waterfront lots, shall front or abut on a public or private road which has been constructed in conformance with the current Silver Cliff Town Highways Ordinance. Public or private access roads or easements to newly created lots shall be constructed or improved to current Silver Cliff Town Highways Ordinance standards.

(3) Area and Dimension of Lots shall conform to the following requirements:

(a) Waterfront lots shall not be less than two and one half (2.5) acres in size and shall not have a perpendicular width of less than two hundred (200) feet at the waterfront and at the building setback line. (The State or County shoreland zoning laws may be more restrictive.) Frontages on cul-de-sac lots may be reduced to a minimum of fifty (50) feet if other requirements are substantially followed.

(b) Off-water lots shall not be less than two and one half (2.5) acres in size. Lots shall not be less than two hundred (200) feet wide measured at the right-of-way line and shall not be less than two hundred (200) feet wide at the building setback line and shall have a minimum perpendicular width along the side lot lines of two hundred (200) feet. Frontages on cul-de-sac lots may be reduced to a minimum of fifty (50) feet if other requirements are substantially followed.

(c) Commercial lots not less than one (1) acre in size are allowed within the Town Center Land Use Management Area consistent with the policies established in the Comprehensive Plan.

(4) Corner Lots shall be designed with extra width to permit adequate building setback from both roads.

**Section 8.04. Building Setback Lines.** The minimum building setback from the center line of a public or private road shall be one hundred (100) feet. The minimum building setback from the ordinary high water mark of a lake or stream shall be one hundred (100) feet. Setback lines shall be shown on certified survey maps and subdivision maps.

**Section 8.05. Easements.** Where a subdivision is traversed by a watercourse, drainage way or stream, an adequate drainage way or easement may be required to handle storm water runoff. The location, width, alignment and improvement of such drainage way or easement shall be approved by the Town Planning Commission.

**Section 8.06. Area Development Plans.** An area development plan shall be submitted as a condition of all proposed subdivision and certified survey map reviews in order to ensure that proposed roads will connect to adjacent properties and to avoid unnecessary cul-de-sacs and loops that can increase town maintenance costs.

## SECTION 9.0

### REQUIRED IMPROVEMENTS

**Section 9.01. Survey Monuments.** The subdivider shall install survey monuments in accordance with the requirements of Section 236, Wisconsin Statutes.

**Section 9.02. Required Improvements.** As required by Section 3.05 of this ordinance, the subdivider shall install all public improvements required by the Town Board. Such improvements shall be completed by the subdivider or his subcontractors within the time limit established by the Town Board. Such improvements usually include some or all of the following:

- (1) Grading and Surfacing. Grading and surfacing of all roads proposed to be dedicated, in accordance with the construction standards of any Town ordinance regulating roads.
- (2) Storm Water Drainage Facilities.
  - (a) Construction of storm water drainage facilities, which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches, and open channels, may be required to provide adequate surface drainage for the subdivision.
  - (b) Storm drainage facilities, where needed, shall be designed to permit the unimpeded flow of natural water courses; insure the drainage of all points along the line of roads; and provide positive drainage away from on-site sewage disposal facilities. In designing storm drainage facilities, special consideration shall be given to protection against shoreland erosion and situation of surface waters and preventing excess water runoff on adjacent property. The Town Board may require that easements or drainage ways of widths sufficient to

accommodate anticipated storm water runoff be provided. All storm water drainage facilities shall be constructed in accordance with plans and standard specifications approved by the Town Board.

(3) Signing. The Town of Silver Cliff shall provide and install all necessary signs on newly constructed private roads. However, all costs incurred in the signage of said roads shall be paid by the road developer and must be paid at the time of the approval of the Road Construction Permit Application.

(4) Fire numbers are required for all newly created lots in the Town of Silver Cliff. The Town will procure and install the fire number signs; however any person or developer creating new lots shall be responsible for all costs associated with the purchase and installation of the signs. Payment must be made at the time of the Town's approval of the Certified Survey Map.

## SECTION 10.0

### CONSTRUCTION

**Section 10.01. Commencement.** No construction or installation of improvements shall commence in a proposed subdivision until the Preliminary Plat has been approved by the Town Board.

**Section 10.02. Plans.** The following plans and construction specifications may be required by the Town Board before authorization of construction or installation of improvements:

(1) Street plans and profiles showing existing and proposed grades, elevations, and cross-sections of required improvements.

(2) Additional special plans or information, as needed.

**Section 10.03 Inspection.** The subdivider, prior to the commencement of any work within the subdivision, shall make arrangements with the Town Board to provide for adequate inspection. The Town Board or designee shall inspect and approve all completed work prior to approval of the Final Plat.

## SECTION 11.0

**LAND DIVISION REVIEW**

**Section 11.01.** The Town shall review, pursuant to Chapter 236, Wisconsin Statutes, all land divisions within the Town of Silver Cliff which create parcels of land ten (10) acres or less. In such review, the following factors will be considered:

- (1) Hazards to the health, safety or welfare of future residents.
- (2) Proper relationship to adjoining areas.
- (3) Public access to navigable waters, as required by law.
- (4) Adequate storm drainage facilities.
- (5) Conformity to State law and administrative code provisions.

The foregoing ordinance is hereby adopted by the Town Board of the Town of Silver Cliff on this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Gaylord King, Chairman

\_\_\_\_\_  
Henry Burkel, Supervisor

\_\_\_\_\_  
Jeffrey Schaal, Supervisor



