

Plan Commission Workshop

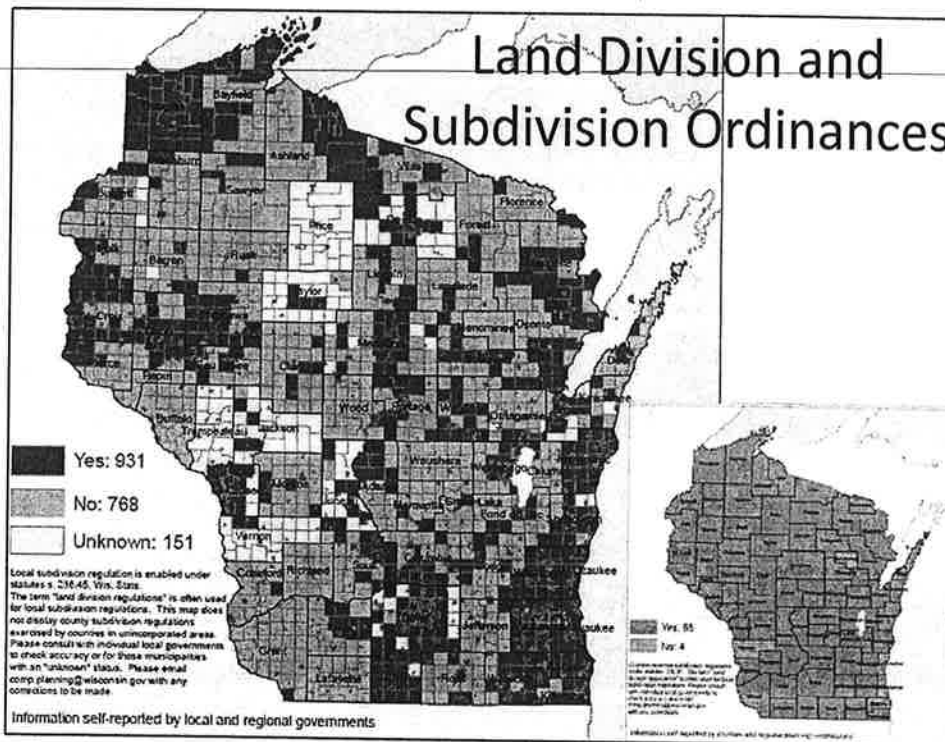


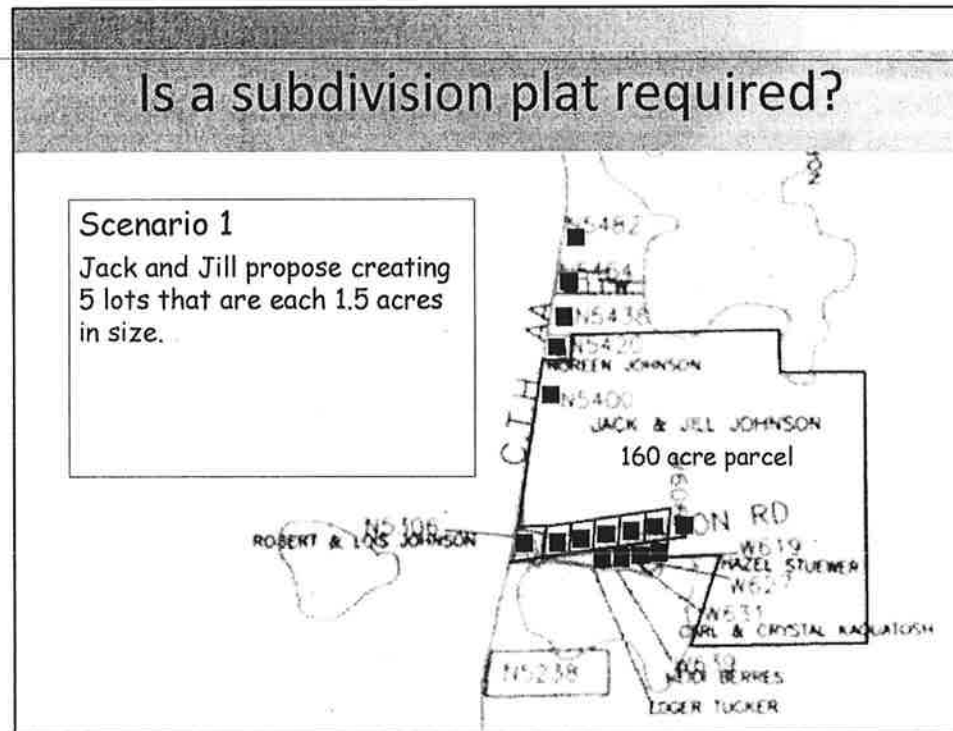
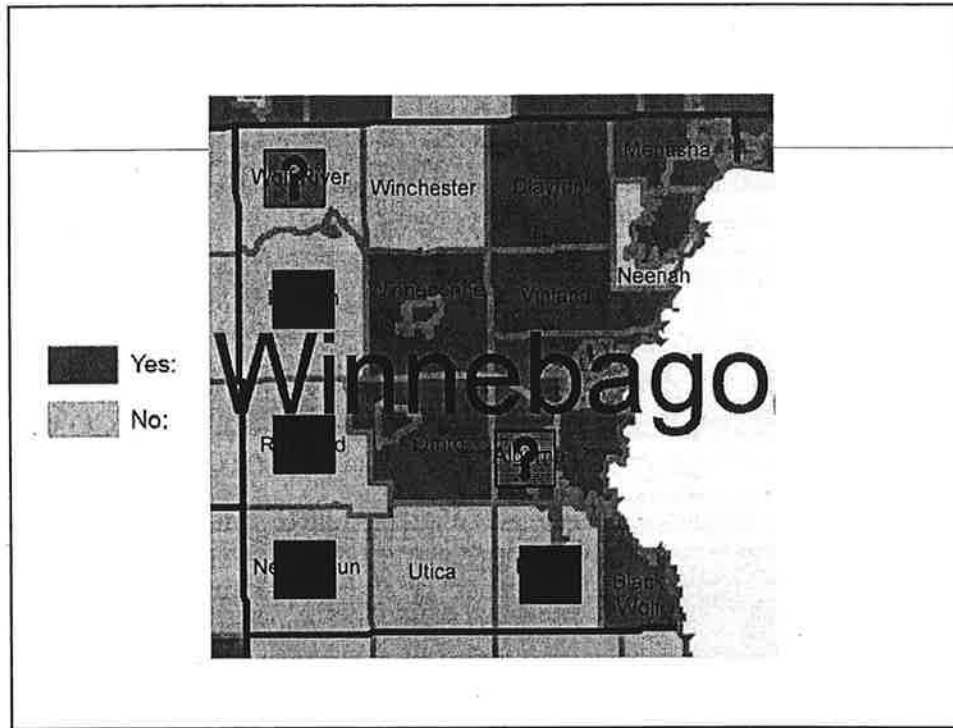
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Land Division and Subdivision Ordinances





Is a subdivision plat required?



YES!

- State provides minimum standards for subdivisions
 - Creation of 5 or more parcels of 1½ acre or less within 5 years
 - plat map, monuments, legal description, sanitation, street access
- Counties, towns, cities, villages may also have ordinances
- Most restrictive ordinance applies

Objecting Authorities

- Dept. of Administration – all subdivisions reviewed for compliance with surveying, layout, mapping and plat submittal requirements
- Dept. of Transportation – subdivisions that abut a state trunk or connecting highway reviewed for public safety issues and the preservation of public interests/investments
- County Planning Agency
 - subdivisions not served by public sewer reviewed for lot size/elevation necessary for proper sanitary conditions
 - subdivisions in cities/villages reviewed for conflicts with parks, highways, airports, schools, and other planned public developments

Approving Authorities

- City – if the subdivision is located in the city or its extraterritorial plat review jurisdiction
- Village – if the subdivision is located in the village or its extraterritorial plat review jurisdiction
- Town – if the subdivision is located in the town or an area whose annexation is being contested by the town
- County – if the subdivision is located in the county and outside the city or village plat review jurisdiction

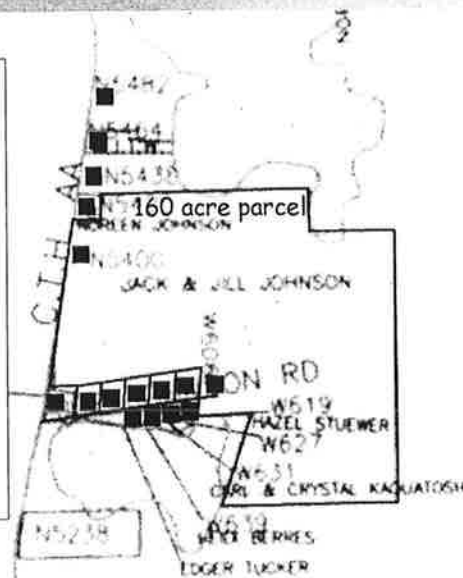
Who has plat review authority?

Scenario 2

The subdivision is located in a town approximately 1 mile from the nearest village.

The county has a subdivision ordinance.

The town and village do not.



What can the town review for?

- Plat approval may only be conditioned on:
 - Compliance with local ordinances in place at time of submittal
 - Consistency with comprehensive plan or official map
 - Provision of public improvements or financial guarantees (contained in a town/village/city subdivision ordinance)
 - Satisfaction of objections raised by state agencies
 - Requirements of Wis. Stat. Ch. 236

Short answer... items contained in an adopted comprehensive plan, ordinance or official map.

Land Divisions Not Subject to Plat Review



- Land divisions that do not meet state or local definitions of a subdivision (usually 4 or less parcels) may be surveyed, monumented and mapped by a registered land surveyor.
- The approved certified survey map is filed with the county register of deeds.

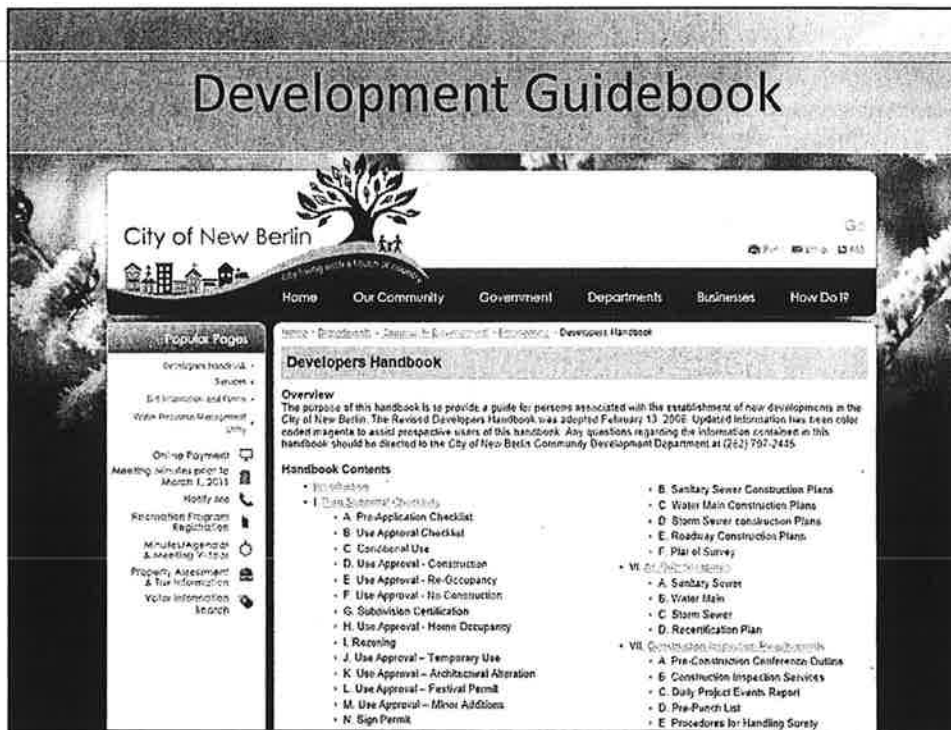
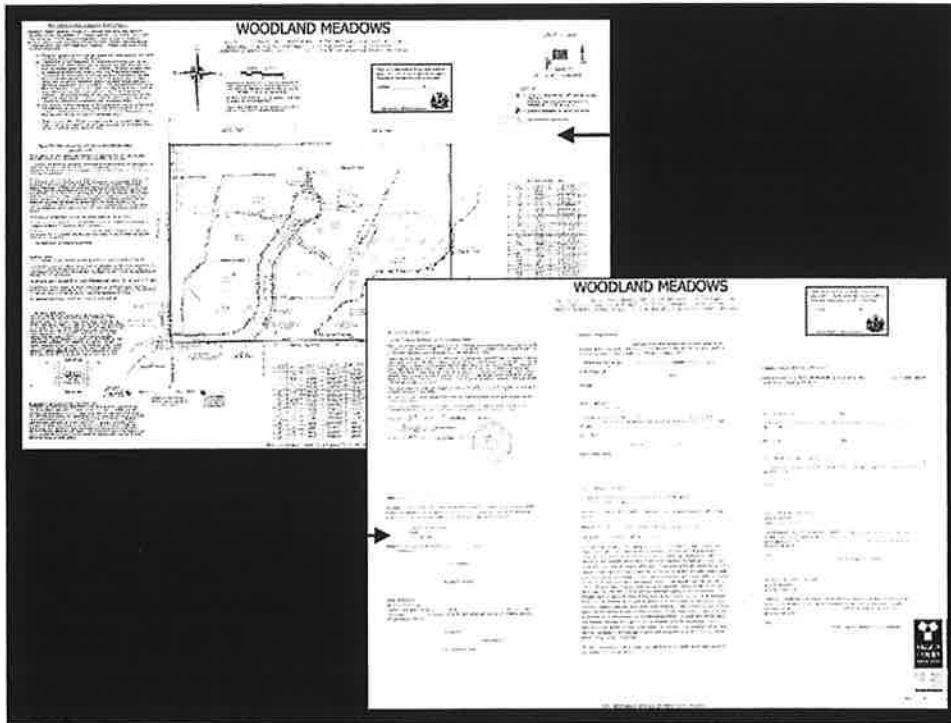
Role of the Plan Commission

- Subdivision plats must be referred to the plan commission for review and a recommendation.
- The governing body may delegate preliminary or final plat approval authority to the plan commission.
- Final plats dedicating streets, highways or other lands must be approved by the governing body.

(Wis. Stat. 62.23(5) and 236.10(3))

Typical Plat Review Process

1. Pre-Application Conference (PC and Staff – *if required*)
 - Informal review intended to spot problems upfront
2. Preliminary Plat Approval (GB or PC – *if required or submitted*)
 - Submission of detailed plans and maps
 - 90 days for local government to approve, condition or deny
3. Final Plat Approval (GB or PC)
 - Submission of detailed engineering and design drawings that meet requirements of Ch. 236
 - 20 days for state agencies to register objection
 - 60 days for local government to approve, condition or deny
4. Survey by registered land surveyor and recording with county register of deeds



Developer's Agreement

- Legal agreement between municipality and developer setting forth obligations of each party related to development
 - Project plans and specifications
 - List of required improvements
 - Time schedule, sequence of development
 - Certificate of insurance
 - Letter of credit or other financial guarantee

Letter of Credit

IRREVOCABLE LETTER OF CREDIT

Issued in favor of the Village of Mount Pleasant
Racine County, Wisconsin

NAME OF DEVELOPER: _____

PLAT NAME OR CSM NO: _____

We hereby establish our irrevocable credit in your favor up to the aggregate amount of \$ _____, (insert cost of improvements), available by your drafts drawn at sight, for the account of _____ (Subdivider)

This letter of credit is issued to guarantee the payments for improvements by _____ (Developer) under the provisions of Chapter 236 of the Wisconsin Statutes. Issuer agrees that in the event the facilities subject to this letter of credit, and all work to be performed by said Developer, pursuant to the Developer's Agreement with the Village, are not completed according to the terms of that Agreement to the satisfaction of the Village of Mount Pleasant. The Village may, after ten (10) days notice in writing to issuer and the Developer, cause such improvements to be completed.

Issuer shall cause to be paid thereafter, up to the aggregate amount set forth above, upon presentation by the Village of Mount Pleasant of sight drafts, for the completion of such improvements.

Recommended Resource

Plan Commission Handbook (CLUE, 2012)

www.uwsp.edu/cnr-ap/clue/Pages/publications-resources/PlanCommissions.aspx

- I. Introduction to the Plan Commission
 - II. Procedural Responsibilities
 - III. Community Planning
 - IV. Public Participation
 - V. Plan Implementation
 - VI. Ordinance Administration
 - VII. Zoning Regulations
 - VIII. Subdivision Regulations
- Plus forms, worksheets, glossaries and recommended resources



Thank You!

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