



PLAN COMMISSION MEETING AGENDA

MONDAY, OCTOBER 23, 2023 AT 4:30 PM

**COUNCIL CHAMBERS, SECOND FLOOR, MUNICIPAL BUILDING, 106 JONES STREET,
WATERTOWN, WI**

By Phone or GoToMeeting: Members of the media and the public may attend by calling:
1 866 899 4679 **Access Code:** 812-706-053 or <https://meet.goto.com/812706053>

All public participants' phones will be muted during the meeting except during the public comment period.

1. CALL TO ORDER

2. APPROVAL OF MINUTES

A. Review and take action: Plan Commission minutes dated September 25, 2023

B. Review and take action: Plan Commission minutes dated October 2, 2023

3. BUSINESS

A. Initial Review and Set Public Hearing Date: Chapter 545 Repeal and Recreation

B. Review and take action: Correction of Town of Emmet Annexation Ordinance

C. Discussion: Amendment of Emmet Boundary Agreement – Possible Changes and Priorities

4. ADJOURNMENT

Persons requiring other reasonable accommodations for any of the above meetings, may contact the office of the City Clerk at mdunneisen@CityofWatertown.org, phone 920-262-4006

A quorum of any City of Watertown Council, Committee, Board, Commission, or other body, may be present at this meeting for observing and gathering of information only

**PLAN COMMISSION
MINUTES
SEPTEMBER 25, 2023**

Section 2, Item A.

The Plan Commission met on the above date in the Council Chambers.

The following members were present: Mayor McFarland, Blanke, Holloway, Konz, Krueger, Lampe, Talaga, Zirbes.

Also in attendance: Ken Berg and Kathleen Roach

1. Call to order (4:30pm)

2. Approval of Minutes (A and B voted on jointly)

A. Site Plan Review minutes July 24, 2023

Motion to approve the June 24th Minutes was made by Krueger and seconded by Holloway, passed on unanimous voice vote.

B. Plan Commission minutes July 24, 2023

Motion to approve the June 24th Minutes was made by Krueger and seconded by Holloway, passed on unanimous voice vote.

3. Business

A. Review and take action: 500 E. Main Street – Certified Survey Map (CSM)

Brian Zirbes presented the request for a CSM to divide 500 E. Main Street into two parcels, the building and the parking lot are to be separated.

Motion was made by Blanke and seconded by Holloway to approve CSM, passed on a unanimous voice vote.

4. Adjournment

Motion to adjourn was made by Blanke and seconded by Talaga and passed on a unanimous voice vote at 4:32pm.

All materials discussed at this meeting can be found at:

<https://cms4files.revize.com/watertownwi/September%2025,%202023%20Plan%20Commission%20Meeting%20Packet.pdf>

Respectfully Submitted,

Alderperson Brad Blanke

PLAN COMMISSION

MINUTES

October 2, 2023

The Plan Commission met on the above date in the Council Chambers.

The following members were present: Mayor McFarland, Blanke, Konz, Krueger (Virtual), Lampe, Talaga.

Also in attendance: Attorney Chesebro, Berg, and Ed Zagorski

1. Call to order (4:30pm)

2. Business

A. Review and take action: 100 Western Avenue

The Commission discussed the purchase of 100 Western Avenue and the future plans for the property. Motion to recommend that the city purchase the property, move forward with the demolition and prepare future plans for the site was made by Lampe and seconded by Blanke. Passed on a unanimous voice vote.

All materials discussed at this meeting can be found at:

<https://cms4files.revize.com/watertownwi/October%20,%202023%20Plan%20Commission%20Meeting%20Packet.pdf>

3. Adjournment

Motion to adjourn was made by Lampe and seconded by Talaga and passed on a unanimous voice vote.

Respectfully Submitted,

Alderman Brad Blanke

MEMO

TO: Mayor McFarland and Commissioners
FROM: Andrew Beyer, P.E.
DATE: October 18, 2023
RE: October 23, 2023 Plan Commission Meeting

Agenda Item:

Initial Review and Set Public Hearing Date: Chapter 545 Repeal and Recreation

BACKGROUND

Chapter 545, Subdivision of Land of the City of Watertown Municipal Code of Ordinances was last recreated in 1998. Minor additions and updates have occurred however the ordinance hasn't been reviewed holistically for some time. In 2022, the City contracted with Ruekert & Mielke and Vandewalle and Associates to recreate the City's subdivision code and design standards, and recommend updates to reflect current standards and statutory changes.

Vandewalle and Associates and City staff will present major changes to the existing City subdivision code and field questions from Commissioners. Engineering is seeking a public hearing for the recreation of Chapter 545 at the Common Council meeting on November 21, 2023. The proposed subdivision ordinance, draft notice of public hearing, and adoption schedule are attached.

Attachments:

1. Draft subdivision ordinance
2. Draft notice of public hearing
3. Adoption schedule

**DRAFT ORDINANCE TO
REPEAL AND RECREATE CHAPTER 545, SUBDIVISION OF LAND, OF
THE CITY OF WATERTOWN GENERAL ORDINANCES**

**SPONSOR: MAYOR MCFARLAND
FROM: PLAN COMMISSION**

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS
FOLLOWS:

SECTION 1. Chapter 545, Subdivision of Land, is hereby repealed and recreated to read as follows:

**Chapter 545
Subdivision of Land**

[HISTORY: Adopted by the Common Council of the City of Watertown as §§ 20.01 to 20.15 of the former City Code. Amendments noted where applicable.]
GENERAL REFERENCES

General penalty — See § 1-4.
Construction codes — See Ch. 253.
Erosion and sediment control — See Ch. 288.
Impact fees — See Ch. 341.
Restoration and maintenance of vegetation — See Ch. 446, Art. III.
Stormwater management — See Ch. 453.
Wastewater facilities — See Ch. 508.
Water and sewers — See Ch. 512.
Zoning — See Ch. 550.

**Article I
General Provisions**

§ 545-1 Title.

This chapter shall be known as the "Subdivision Regulations, City of Watertown, Wisconsin."

§ 545-2 Statutory Authority.

These regulations are adopted under the authority granted by Sections **236.45** and **703.115** of the Wisconsin Statutes.

§ 545-3 Intent and purpose.

[Amended by Ord. No. 98-63]

This chapter is intended to regulate and control the division and subdivision of land within the corporate limits and the extraterritorial plat approval jurisdiction of the City of Watertown in order to promote the public health, safety, and general welfare; to encourage the most appropriate use of land; to provide the best possible living environment for people; and to conserve the value of buildings placed upon the land by furthering the orderly layout and use of land; ensuring proper

legal description and proper monumenting of land; preventing overcrowding of land and avoiding undue concentration of population; lessening congestion in the streets and highways; securing safety from fire, flooding, water pollution, and other hazards; providing adequate light and air; facilitating adequate provisions for transportation, water, sewerage, schools, parks, playgrounds, open space, stormwater drainage, the conservation of land, natural resources, scenic and historic sites, energy, and other public requirements; facilitating further re-subdivision of larger parcels into smaller parcels of land; furthering the sustainability of the city by accommodating green development and infrastructure; providing adequate affordable housing; restricting building in areas of unsuitable soils or other areas poorly suited for development; providing for proper ingress to and egress from development sites; ensuring enforcement of the development concepts, policies, and standards delineated in the Comprehensive Plan and related components, the Official Map, the Parks and Open Space Plan, the Transportation Plan, the Zoning Code, the Erosion Control and Stormwater Runoff Codes, and the Building Code of the City of Watertown.

§ 545-4 General requirements.

[Amended by Ord. No. 98-63]

A. Conformance with policies. It is the intent of the City of Watertown that land be developed in harmony with the following policies agreed to in the Comprehensive Plan, Plan for Parks and Open Space, Official Map, and the Jefferson County or Dodge County Land Use Plan as adopted by the City of Watertown:

- (1) To plan the location and/or timing of new development to make it efficient, to reduce public costs, and to encourage separation and distinction between municipalities.
- (2) To direct and stage new growth only to those areas planned and programmed for development and capable of providing a full range of urban services, including transportation and schools.
- (3) To discourage scattered development and urban sprawl.
- (4) To ensure that development complements rather than conflicts with natural features such as rolling topography, trees, creeks, ponds, and rock formations.
- (5) To develop a system of interior open spaces within existing environmental corridors to delineate neighborhoods, control stormwater drainage, and provide circulation for pedestrian and bicycle traffic.
- (6) To ensure that development locates and coordinates safely and efficiently with transportation facilities.
- (7) To encourage preservation of open space and aesthetic quality in development through the use of planned development districts.
- (8) To favor development intensities and patterns that are supportive of alternative modes of transportation.
- (9) To promote and maintain balanced commercial activity that is viable and responsive to the needs of the community and the surrounding market area.
- (10) To preserve the quality of the water and the air and to prevent extreme noise and visual blight.

- (11) To preserve prime agricultural land through the design and location of development.
 - (12) To encourage development in the City with balanced residential, commercial, industrial, and open space patterns and public services.
- B. Land suitability. No land shall be divided or subdivided for development which is held unsuitable by the Plan Commission for reason of flooding or potential flooding, soil limitations, adverse rock formation, inadequate drainage, steep topography, incompatible surrounding development, inadequate public services, or any other condition likely to be harmful to the health, safety, or welfare of the future residents or users of the area or harmful to the community.
- (1) Except as provided herein, the Plan Commission shall determine land suitability prior to the time the preliminary plat or certified survey map is considered for approval, following review and recommendations by the appropriate City commissions and committees. The Plan Commission may impose special conditions on the plat or certified survey map deemed necessary to protect the health, safety, or welfare of future residents of the area. Those areas found to be environmentally sensitive shall be considered for preservation as open space. The determination of land suitability will be evaluated through the site assessment procedures. The subdivider shall furnish such maps, data, and information as may be necessary to make determine land suitability.
 - (2) Should the Plan Commission determine that the land is unsuitable for the intended development, it shall state its reasons in writing to the subdivider within thirty days of initial Plan Commission action. The subdivider may present additional evidence to support the proposed plat or certified survey map. Upon review of the additional evidence, the Plan Commission shall affirm, modify, or withdraw its determination of unsuitability.
 - (3) The subdivider may appeal the determination of unsuitability as provided in § **545-48**, Appeals.
- C. Determination of adequacy of public facilities and services.
- (1) A certified survey map, preliminary plat, or final plat shall not be approved unless the Plan Commission and the Common Council determine that adequate public facilities and public services are available to meet the needs of the proposed land division.
 - (2) The applicant shall furnish any data requested by the City Engineer, who shall transmit this information to appropriate City commissions, committees, and boards for review and shall act as coordinator for their reports to the Plan Commission and the Common Council on the adequacy of water; sanitary and storm sewers; fire service; police; parks, open space, recreation, and transportation facilities.
 - (3) Public facilities and public services for a proposed plat or certified survey map may be found to be adequate when the following conditions exist:

- (a) Where the proposed land division is located in an urban service area or planned future urban service area where mainline interceptor sewer service is available, presently under construction, or designated by the Common Council for extension of sewer service, the Plan Commission and the Common Council also shall consider the recommendations of the City Engineer and the Public Works Commission on the capacity of trunk lines, sewage treatment facilities, and any other information presented. Where the proposed land division is not located in an urban service area or planned future urban service area where mainline interceptor sewer service is available, presently under construction, or designated by the Common Council for extension of sewer service, the Plan Commission and the Common Council shall consider the site-specific and overall impact of such development on the public health, safety, and welfare of the immediate area and the community as a whole.
- (b) Where the proposed land division is located within an urban service area or planned urban service area where arterial transmission water main service and adequate capacity are available, presently under construction, or designated by the Common Council for extension of public water service, the Plan Commission and the Common Council shall consider the recommendations of the City Engineer and the Public Works Commission on line capacities, water sources, storage facilities, and any other information presented. Where the proposed land division is located within an urban service area or planned urban service area where arterial transmission water main service and capacity are not available, presently under construction, or designated by the Common Council for extension of public water service, the Plan Commission and the Common Council shall consider the site-specific and overall impact of such development on the public health, safety, and welfare of the immediate area and the community as a whole.
- (c) The City Engineer and Public Works Commission shall recommend to the Plan Commission and the Common Council that adequate facilities are available to ensure the proper stormwater management.
- (d) The Parks, Recreation and Forestry Commission shall recommend that future residents of the proposed land division can be assured park, recreation, and open space areas, facilities, and services which meet the standards of the Park and Open Space Plan.
- (e) The appropriate Police Department and Fire District shall verify that timely and adequate service can be provided to the residents.
- (f) The proposed land division shall be accessible by existing publicly-maintained, all-weather roads adequate to accommodate both existing traffic and that traffic to be generated by the proposed land division, necessary additional roads and road improvements shall be budgeted for construction with public or private financing, or public transportation service shall be deemed sufficient to serve the land division in combination with the

foregoing available or programmed for the area. The Plan Commission and the Common Council shall consider the recommendations of other commenting agencies and jurisdictions and such factors as level of service, average and peak use, and any other information presented.

- (g) Where the Plan Commission and the Common Council determine that one or more public facilities or services are not adequate for the proposed development but that a portion of the area could be served adequately or that careful phasing of the development could result in all public facilities and public services being adequate, conditional approval may include only such portions or may specify appropriate phasing of the development.

D. In the case of all land divisions, including all plats and certified survey maps, lot sizes shall conform to the area and width requirements of Chapter **550**, Zoning, unless otherwise modified by the provisions of this chapter.

E. Dedication and reservation of land.

- (1) Whenever a tract of land to be divided within the jurisdiction of this chapter encompasses all or any part of a street, highway, bikeway, pedestrian way, greenway, environmental corridor, waterway, or a drainage or utility easement designated in the Comprehensive Plan or Official Map, the subdivider shall plat said public way in the locations and dimensions indicated on said Comprehensive Plan or Official Map. The Plan Commission shall determine whether said public way should be dedicated to the public or reserved by the subdivider.
- (2) Whenever a tract of land to be divided within the jurisdiction of this chapter encompasses all or part of a park site, open space, or other recreation area or school site designated in the Comprehensive Plan, Park and Open Space Plan, or Official Map, said public sites shall be platted and dedicated or reserved by the subdivider at the discretion of the Plan Commission in the locations and dimensions indicated on said plans or map according to the requirements of this chapter.
- (3) Once a preliminary plat or certified survey map is approved, any lands proposed for public use above shall not be altered without the written approval of the Plan Commission, the Park, Recreation and Forestry Commission, and the Public Works Commission.

F. Penalties.

- (1) Failure to comply with the requirements of this chapter shall invalidate purported transfers of titles at the option of the purchaser according to the provisions of § **236.31(3)**, Wis. Stats.
- (2) Any subdivider or agent of the same who violates or fails to comply with this chapter shall be subject to penalties prescribed in the enforcement provisions of the Code of the City of Watertown.
- (3) A building permit shall be refused for any site violation of this chapter.

G. Exceptions. The provisions of this chapter shall not apply to:

- (1) Transfers of interests in land by will or pursuant to court order.
- (2) Leases for a term not to exceed ten years, mortgages, or easements.
- (3) The sale or exchange of parcels of land between owners of adjoining property, if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by the Zoning Code in Chapter **550** or other applicable laws or ordinances, unless the parcels have been part of a prior recorded land division or subdivision plat.
- (4) Where sale or exchange of parcels involves only a change of lot lines, the land division may be approved by the Zoning Administrator after a staff review to determine conformance with City of Watertown ordinances.
- (5) Cemetery plats made under Section **157.07** of the Wisconsin Statutes.
- (6) Assessor's plats made under Section **70.27** of the Wisconsin Statutes; assessors' plats, however, shall comply with Sections **236.15(1)(a)** through **(g)** and **236.20(1)** and **(2)(a)** through **(e)** of the Wisconsin Statutes, unless waived under Section **236.20(2)(L)**.
- (7) Public transportation project plats made under Section **84.095** of the Wisconsin Statutes.
- (8) Sale or exchange of parcels of public utilities or railway rights-of-way to adjoining property owners if the City Common Council and the Plan Commission approve such sale or exchange on the basis of applicable local ordinances or the provisions of Chapter **236** of the Wisconsin Statutes.

H. Homeowner or Condominium Associations. Common areas or facilities within a land division or condominium shall be held in common ownership as undivided proportionate interests by members of a homeowners or condominium association, subject to the provisions set forth herein. The homeowners or condominium association shall be governed according to the following:

- (1) The subdivider shall provide the City with a description of the homeowners or condominium association, including its bylaws and all documents governing maintenance requirements and use restrictions for common areas and facilities. These documents shall be subject to review by the Plan Commission.
- (2) The association shall be established by the owner or applicant and shall be operating prior to the sale of any lots or units in the subdivision or condominium.
- (3) Membership in the association shall be mandatory for all purchasers of lots or units therein and their successors and assigns.
- (4) The association shall be responsible for maintenance and insurance of common areas and facilities.

- (5) A land stewardship plan for any common open space to be retained in a natural state shall be included in the submittal of association documents.
- (6) The members of the association shall share equally the costs of maintaining, insuring, and operating common areas and facilities.
- (7) The association shall have or hire adequate staff to administer, maintain, and operate common areas and facilities.
- (8) The subdivider shall arrange with the City assessor a method of assessing any common areas and facilities that will allocate to each lot, parcel, or unit within the land division or condominium a share of the total assessment for such common areas and facilities.

§ 545-5 – 545-10 Reserved.

Article II Procedures

§ 545-11 **Pre-Application Consultation.**

Prior to filing an application for approval of a comprehensive development plan, preliminary subdivision plat, condominium plat, or certified survey map, the subdivider shall consult with the Plan Commission and/or its staff in order to obtain their advice and assistance. A conceptual plan of the proposed subdivision, condominium, or certified survey map shall be brought by the applicant to the meeting. This consultation is intended to inform the subdivider of the purpose and objectives of these regulations, the comprehensive plan or components thereof, and duly adopted plan implementation ordinances of the City and otherwise to assist the subdivider in planning the development. In doing so, both the subdivider and Plan Commission may reach mutual conclusions regarding the general objectives of the proposed development and its possible effects on the neighborhood and community, and the subdivider will gain a better understanding of the subsequent required procedures. The subdivider or agent shall pursue the following course for pre-application consultation.

- A. The subdivider or agent shall prepare a Site Assessment Checklist. The purpose of this site assessment checklist is to provide the basis for an orderly, systematic review of the effects of all new subdivisions upon the community environment according to the principles and procedures of § 236.45(1), Wis. Stats. The Plan Commission will use the assessment in determining compatibility with the Intent and Purpose of this ordinance and land suitability under § 545-4B. The site assessment checklist shall apply to all land divisions, including minor subdivisions. The Plan Commission may waive the requirement for filing of a site assessment checklist for minor subdivisions of less than five acres total area.
- B. The subdivider or agent shall prepare a Concept Plan prior to the pre-application consultation. The purpose of this concept plan is to depict the general intent of the subdivider in terms of general layout of the land division and its relationship to nearby properties, utilities, and other public facilities. In conjunction with the site assessment checklist, the concept plan provides an opportunity to review the general intent and impact of the proposed land division without the need for detailed engineering, surveying, and other time-consuming and costly processes associated with the preliminary plat. The concept plan requirement shall apply to all land divisions, including minor subdivisions. The Plan Commission may

waive the requirement for the filing of a concept plan for minor subdivisions of less than five acres total area. The concept plan also shall include written request to the Public Works Commission for any water main and sanitary sewer extensions necessary to serve the proposed plat.

- C. The applicant shall provide a signed statement listing development projects for which the applicant has received City approval in the last five years and indicating any outstanding performance or financial obligations on such projects that derive from application of City land use regulations. If this statement is found to contain information contrary to fact, to omit the listing of such projects or obligations, or to describe obligations on which performance or payment is delinquent, the application may be dismissed without prejudice until the application is corrected and/or the delinquency is cured.
- D. On completion of the Site Assessment Checklist and Concept Plan, a preapplication meeting shall be held with the Department of Public Works and Zoning Administrator to assist the subdivider in appraising the objectives of this chapter, the Comprehensive Plan, the Official Map, and any pertinent ordinances and to reach conclusions regarding the objectives and general program for the development. The subdivider is advised to consider revision of the submitted documents per the direction of the Department of Public Works and the Zoning Administrator prior to formal application submittal for any comprehensive development plan, preliminary subdivision plat, condominium plat, or certified survey map.

§ 545-12. Comprehensive development plan review.

- A. When the subdivider has eighty acres or more of land under his/her control, he or she may, where authorized by the Plan Commission, elect to file a comprehensive development plan (CDP) in lieu of a preliminary plat for that land not to be included in the first phase of the final plat.
- B. The process for review of the CDP shall be identical to and shall coincide with review of the preliminary plat submitted for the remaining portion of the property.
- C. The Plan Commission shall approve, conditionally approve, or reject the CDP within the same review period as required for the preliminary plat. One copy shall be returned to the applicant, including notification in writing of any conditions of approval or reasons for rejection.
- D. Any subsequent change to the CDP and exhibits shall require filing with the Secretary of the Plan Commission. Within thirty days of filing, the Plan Commission shall approve, conditionally approve, or reject the revised CDP.
- E. Regarding comprehensive development plan requirements, the CDP shall be submitted in twenty copies at a scale of not more than 200 feet to one inch and shall show all lands under the control of the applicant that are contiguous or separated only by existing public roads or railroad rights-of-way. The plan shall show:
 - (1) The items under required preliminary plat data in Subsection **B**.
 - (2) All proposed collector and arterial streets.

- (3) All proposed stormwater drainage facilities.
- (4) Projected population broken down by single-family and multifamily units.
- (5) A further breakdown of multifamily units by the number of bedrooms on a percentage basis.
- (6) The development schedule, indicating the approximate timing of the proposed development.
- (7) A draft preliminary plat meeting the requirements of this chapter may be submitted after a minimum of twenty days after submitting the comprehensive development plan for that portion of land to be developed in the first stage.

§ 545-13 **Preliminary plat review.**

Prior to submitting a final plat for approval, the subdivider shall prepare a preliminary plat and complete a site assessment checklist. The preliminary plat shall be prepared in accordance with this Ordinance, and the subdivider shall file an adequate number of copies and an electronic copy in a digital format as determined by the City Clerk.

A. Preliminary plat procedure.

- (1) The preliminary plat shall include the entire area owned or controlled by the subdivider. The Plan Commission may waive this requirement to allow the subdivider to submit a comprehensive development plan (CDP) for that portion of the land which is not to be included in the final plat when the subdivider owns or controls eighty acres or more. The subdivider shall in all cases submit a preliminary plat for the lands to be included in the first phase of the final plat.
- (2) Prior to Plan Commission review of a formal application for a preliminary plat, the subdivider shall meet with the Site Plan Review Committee to obtain feedback.
- (3) The request for approval by the Plan Commission shall be submitted at least thirty days prior to the date of the meeting of the Plan Commission at which the request is to be considered and shall include all data required by this chapter.
- (4) Within two normal working days after filing, the City Clerk shall transmit an electronic copy of the preliminary plat to the Dodge or Jefferson County Planning Agency for review and comment.
- (5) Pursuant to Section **236.12(2)** of the Wisconsin Statutes, the subdivider shall submit an electronic or paper copy of the preliminary plat to the Director of Plat Review at the Wisconsin Department of Administration, who will prepare and forward copies of the plat at the subdivider's expense to the objecting agencies.
- (6) Within twenty days of the date of receiving their copies of the preliminary plat, the objecting agencies shall notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall certify that on the face of the copy of the plat and shall return that copy to the Wisconsin Department of Administration. The Department of Administration shall notify promptly the City

Clerk if such certification is submitted by an objecting agency. If any objecting agency fails to act within twenty days and the Department of Administration fails to act within thirty days from the date on which they received the plat, they shall be deemed to have no objection to the plat and, upon demand, the Department of Administration shall certify that on the face of the plat.

- (7) The Plan Commission shall review promptly the preliminary plat, after objections and comments have been received by the objecting and reviewing agencies and officials, for conformance with the intent and provisions of this chapter, all related plans and ordinances, and the recommendations of appropriate City committees and commissions. The Plan Commission shall recommend approval, denial, or approval with conditions.
- (8) Within ninety days from the date submitted, the Common Council shall approve, approve conditionally, or reject the preliminary plat and, when included, the comprehensive development plan, based on its determination of conformance with the intent and provisions of this chapter, all related plans and ordinances, and the recommendations of appropriate City committees and commissions. Such time may be extended by a written agreement with the subdivider. Failure of the Common Council to act within such ninety days or extension thereof shall constitute an approval of the preliminary plat and comprehensive development plan. The reasons for conditional approval or rejection shall be stated in the minutes of the meeting, and a letter stating such reasons shall be sent to the applicant. Approval of a preliminary plat shall be valid for thirty-six months from the date of the last required approval of the preliminary plat.
- (9) Replats are to be processed according to the provisions of § 236.36, Replats, of the Wisconsin Statutes.
- (10) If the preliminary plat or certified survey map contains private road(s), the following note shall be added to the plat or CSM when it is presented for approval as a final plat:

Notice of Possible Limitation of Public Services

This plat or certified survey map contains private road(s) and, as a result, certain City services may be limited. The extent of these limitations is spelled out in a document called a City/developer agreement or, if this is a condominium plat, in a document called a general development plan (GDP), which directly relates to this plat or CSM and is filed as a public document in the offices of both the Watertown City Clerk/Treasurer and the Director of Public Works for the City of Watertown.

- (11) The subdivider shall provide a copy of the approved preliminary plat to the following utility providers or their successor company(ies) for their comments prior to the drawing of the final plat: We Energies Electric, We Energies Gas, AT&T, Spectrum, and TDS.
- B. Preliminary plat requirements. The preliminary plat shall be submitted in twenty copies at a scale of not more than 100 feet to one inch and shall show correctly on its face:

(1) Description.

- (a) Name of the proposed subdivision.
- (b) Name, address, and telephone number of the owner, subdivider, engineer, land surveyor, and land planner.
- (c) Date, graphic scale, and North point.
- (d) Location of the proposed subdivision by government lot, quarter section, township, range and county, and a location map showing the relationship between the plan and its surrounding area.

(2) Existing conditions.

- (a) Contours at vertical intervals of not more than two feet for a slope less than five percent and five feet for a slope of five percent or more.
- (b) A scaled drawing of the exterior boundaries of the proposed subdivision referenced to a corner established by the United States Public Land Survey and the total acreage encompassed thereby.
- (c) Location of existing property lines, buildings, drives, streams and watercourses, dry runs, lakes, marshes, rock outcrops, wooded areas, environmental corridors, and other similar significant features within the parcel being subdivided.
- (d) Location, right-of-way width, and names of any adjacent existing streets, alleys, or other public ways, easements, and railroad and utility rights-of-way within or adjacent to the proposed subdivision.
- (e) Type, width, and elevation of any adjacent existing street pavements together with any legally established center-line elevations for streets located outside the City limits.
- (f) Water elevations of adjoining lakes or streams at the date of the survey and known or determined high- and low-water elevations and boundaries of the one-hundred-year floodplain and floodway.
- (g) Subsurface soil, rock, and water conditions, including depth to bedrock and average depth to groundwater table.
- (h) Location, size, and invert elevation of any existing sanitary and storm sewers, culverts, or drainpipes and the location and size of any existing water and gas mains on or adjacent to the plat and proposed for use in the development. If sewers and water mains are not present on or adjacent to the preliminary plat, the distance to and the size of those nearest and the invert elevations of sewers shall be indicated.
- (i) Location and names of adjacent subdivisions, parks, and cemeteries.
- (j) Existing land use and zoning included within or adjacent to the proposed subdivision.

(3) Proposed conditions.

- (a) Location, width, and name of all proposed streets and walkways.
- (b) Layout and scale dimensions of all lots and proposed lot and block numbers.
- (c) Draft of proposed covenants (if any) to be imposed.
- (d) Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, greenways, or other public uses or which are to be used for group housing, shopping centers, church sites, or other nonpublic uses.
- (e) Plans showing the proposed locations for streets, walkways, drainageways, and public easements showing the existing ground surface, including extensions for reasonable distance beyond the limits of the proposed subdivision, when requested, shall be submitted with the preliminary plat. The subdivider also shall provide a statement from a licensed engineer representing the project that certifies that the technical requirements of this chapter will be met when final engineering design plans (including plans and profiles for public improvements and grading, erosion control, and stormwater management plans) are submitted. Such final engineering design plans shall be submitted and approved by the City Engineer prior to approval of the final plat.
- (f) When requested by the City Engineer, because of concern about drainage, groundwater, and tree cover, a lot grading plan showing proposed contours at vertical intervals of not more than two feet.

§ 545-14 **Final plat.**

A final plat shall not be submitted for approval before approval of the preliminary plat as required in § 545-13. A final plat shall be prepared according to this Ordinance and the subdivider shall file an adequate number of copies and/or an electronic copy, as determined by the City Clerk, of the plat for distribution according to this section.

A. Final plat procedure.

- (1) The subdivider shall file a written request for approval of the final plat with the Secretary of the Plan Commission and the State of Wisconsin according to § 236.12, Wis. Stats. Such written request and filing of final plats shall be submitted at least thirty days prior to the date of the meeting of the Plan Commission at which the request is to be considered and shall include all data required by this chapter. The Plan Commission may forward a copy of the final plat to Dodge or Jefferson County for review and comment. The proposed plat may constitute only that portion of the approved preliminary plat which the subdivider proposes to record at that time.
- (2) The final plat shall include the entire area owned or controlled by the subdivider within the phase of development for which final approval is sought.
- (3) The Plan Commission shall recommend approval, denial, or approval with conditions, and the Common Council shall, within sixty days from the date submitted, approve, approve conditionally, or reject the final plat, based on its

determination of conformance with the intent and provisions of this chapter and all related plans and ordinances and recommendations of appropriate City committees and commissions. Such time may be extended by a written agreement with the subdivider. The Common Council shall review the final plat for conformity with all conditions of approval, if any, and § 545-4 of this chapter, and shall base approval or disapproval on these requirements. If the final plat meets the requirements of this chapter and has been submitted within thirty-six months from the approval date of the preliminary plat and the conditions have been met in the case of a preliminary plat given conditional approval, the Council shall approve the final plat.

- (4) Prior to signing an approved final plat by the City Clerk, the developer shall enter into a contract for improvements as required by Article III below. Prior to signing said contract by the Mayor and the City Clerk/Treasurer, the developer shall pay to the City all required fees, area charges, and deposits and provide any required financial guarantee.
- (5) The final plat shall be recorded with the Dodge or Jefferson County Register of Deeds only after certificates of the Wisconsin Department of Administration, of the Common Council, of the surveyor, and those certificates required by § 236.21, Wis. Stats., are placed on the face of the plat. The developer shall record the final plat with the proper County Register of Deeds within twelve months after the date of the last approval of the plat and within thirty-six months after the first approval. All required fees shall be due and payable prior to the proper City officials' signing of the approved final plat except for utility impact, parkland dedication, and park impact fees, which shall be paid prior to issuance of any building permits. Failure to record any Plat within the required timeframes shall be deemed withdrawn, and a new certification is required.
- (6) If the Common Council fails to act within sixty days, the time has not been extended by agreement, and no unsatisfied objections have been filed within that period, the plat shall be deemed approved and, upon demand, a certificate to that effect shall be made on the face of the plat by the Clerk/Treasurer of the City.
- (7) Recordation. After the final plat has been approved by the Common Council and required improvements either installed or a contract and sureties insuring their installation is filed, the City Clerk shall cause the certificate inscribed upon the plat attesting to such approval to be executed duly and the plat returned to the subdivider for recording with the County Register of Deeds at the subdivider's expense. The Register of Deeds shall not record the plat unless it is offered for recording within twelve months after the date of the last approval and within thirty-six months after the date of first approval, as required by Section 236.25(2)(b) of the Wisconsin Statutes.

B. Final plat requirements. The final plat of the proposed subdivision shall comply with the requirements of Ch. 236, Wis. Stats., and Subsection A of this section.

§ 545-15 Minor subdivision (certified survey map).

No person, firm or corporation shall divide any land located within the corporate limits of

the City of Watertown that shall result in a minor subdivision as defined by this chapter without first filing an application and a certified survey map for approval by the Plan Commission (and the Common Council when dedication of land is involved) and subsequently recording said map with the Dodge or Jefferson County Register of Deeds. The certified survey map shall comply fully with § 236.34, Wis. Stats. and with all applicable requirements of this chapter.

A. Procedure:

- (1) Before filing an application for approval of a certified survey, the subdivider shall follow the pre-application consultation procedures outlined in § 545-11.

B. Certified survey map requirements.

- (1) The certified survey map shall be prepared by a professional land surveyor and shall comply with the provisions of § 236.34, Wis. Stats., and of this chapter.
- (2) The certificate of approval shall be placed on the face of the map.
- (3) When a dedication of land is required, the Common Council resolution accepting the dedication and approving the map shall be placed on the face of the map.
- (4) The applicant shall comply with the provisions of § 545-4 (General requirements) and Article III (Required Improvements and Design Standards) of this chapter.
- (5) Where streets or other areas are dedicated to the public, the certified survey map shall contain an owner's and a mortgagee's certificate that are in substantially the same form as required by § 236.21(2)(a), Wis. Stats. (C) Plan Commission action. Within ninety days, the Plan Commission shall, or where there is dedication of land, the Common Council shall approve, approve conditionally, or reject the certified survey map. The reason for conditional approval or for rejection shall be recorded in the minutes, and a letter detailing the action taken shall be sent to the applicant. Before an approved certified survey map is recorded, the applicant must pay to the City or other unit of government any accrued real estate taxes and special assessments owing on any land dedicated by the survey and to the Dodge or Jefferson County Treasurer any delinquent taxes on the dedicated land. Upon recording by the developer, two copies of the recorded document shall be furnished to the City.

§ 545-16 **Extraterritorial land divisions.**

[Amended by Ord. No. 98-64]

- A. Extraterritorial land division policies. The following policies shall govern the City Plan Commission in approving division of land within the extraterritorial area in order to promote those purposes set forth in § 545-3, if the City of Watertown elects to formally apply its extraterritorial land division approval authority through Council resolution.
 - (1) No land divisions (subdivisions or minor subdivisions) as defined in this chapter will be permitted within the formally adopted extraterritorial limits of the City of Watertown without approval of the City, per the procedures in this chapter as applicable to land divisions within the City.
 - (2) The minimum lot size within the formally adopted extraterritorial limits of the City of

Watertown shall be one acre. A smaller lot size may be allowed if also approved by the respective town board.

- (3) The City of Watertown will attempt to seek consistency of the City's plans and locally adopted town plans. To the extent that the policies of the City of Watertown are more restrictive in regard to the protection of the public health, safety, welfare, or environmental quality or in terms of implementing the City's Official Map, the City's policies shall prevail. All land divisions within the formally adopted extraterritorial limits will be subject to the land reservation or dedication requirements of this chapter. This specifically means the following:
 - (a) Any public right-of-way area identified on the City Comprehensive Plan or Official Map shall be dedicated conforming with requirements of this chapter.
 - (b) Any waterway or stormwater management area identified on the City Comprehensive Plan or Official Map shall be dedicated conforming with requirements of this chapter.
 - (c) Any land falling within the limits of an environmental corridor, as mapped by the City of Watertown or Jefferson County or Dodge County, will be required to record a public open space easement specifying that the development shall be consistent with conservancy area zoning in Chapter **550**, Zoning.
- (4) All land divisions within the formally adopted extraterritorial limits shall be required to meet all of the development layout design standards contained in this chapter.
- (5) All land divisions within the formally adopted extraterritorial limits shall be required to follow erosion control plans complying with this chapter.
- (6) All land divisions within the formally adopted extraterritorial limits shall pay the required review fees contained in this chapter prior to initial placement on the Plan Commission agenda.
- (7) The Plan Commission may require placement of covenants or deed restrictions deemed necessary and appropriate by the City Plan Commission to protect environmental quality, public health, safety, and welfare or otherwise implement the City's Official Map. Any such restrictions shall be placed on the face of the plat or certified survey map.
- (8) If a modification is granted to the above provision, the resulting division of land shall conform to all of the pertinent regulations of this chapter.

B. Extraterritorial land division procedures.

- (1) In all cases, the time period within which action is required shall not begin until the town board, the staff serving the Jefferson County or Dodge County Zoning Committee, and the City of Watertown have received all maps, drawings, and data required for plat or certified survey map approval.

- (a) No person, firm, or corporation shall divide any land located within the formally adopted land division approval jurisdiction of the City of Watertown without first filing an application and paying the City's standard land division review fee.
- (b) Preapplication procedure. Before filing an application for approval of a plat or certified survey, the subdivider shall consult with the Department of Public Works and shall prepare the following:
 - i. Prepare a preliminary sketch for review.
 - ii. Complete a site assessment checklist.
- C. Extraterritorial land division requirements. Submittal requirements for land divisions within the extraterritorial land division jurisdiction enacted by Common Council resolution shall be identical to those required for land divisions within the City limits. Preliminary plats and certified survey maps shall pay a fee as set by the Common Council and provided under separate fee schedule to defray the administrative cost of review.

§ 545-17 **Fee and dedication schedule.**

The following schedule is established to ensure that each land division, subdivision, planned development and development project pays its share of costs for public facilities and services. The fees in Subsection B also shall apply to extraterritorial approval jurisdiction of the City of Watertown.

- A. Park and open space fee or dedication. A dedication of land and/or the payment of a fee according to the provisions of § **545-42** of this chapter is required for each dwelling unit planned for development.
- B. Fees to defray administrative expenses. The subdivider of land divisions within the City shall reimburse the City for its actual cost of design, inspection, inventorying, mapping, and collecting attribute information for infrastructure features for the GIS database, testing, construction, and associated legal and real estate fees for the required public improvements for the land division unless otherwise recovered through other fees. The subdivider shall pay to the City of Watertown fees as set by the Common Council and provided under separate fee schedule. Site Plan Review Committee review fees applicable to zoning and development-related issues shall not be applied to land divisions. The City's costs shall be determined as follows:
 - (1) The cost of City equipment employed;
 - (2) The actual costs of City materials incorporated into the work, including transportation costs, plus a restocking and/or handling fee not to exceed ten percent of the cost of the materials;
 - (3) All consultant fees associated with the public improvements at the invoiced amount complying with § **66.0628(3)**, Wis. Stats.
- C. (Reserved)

- D. Area charge for stormwater management facilities. The subdivider shall pay to the City of Watertown the apportioned cost for development of an area-wide stormwater drainage system where such a facility has been designed to serve the proposed subdivision.
- E. Sewerage fee. The subdivider shall pay to the City of Watertown the apportioned cost, determined by the City, for sanitary sewer connection fees.

§ 545-18 **Condominium projects.**

Each condominium project shall be reviewed on the basis of a condominium plat prepared pursuant to § **703.11**, Wis. Stats., and other applicable statutes and these land division and subdivision regulations as a plat or certified survey map for the land development or subdivision elements of the project. Minor subdivision procedures in § **545-15** above shall apply to City review of condominium plats.

§ 545-19 Reserved.

Article III **Required Improvements and Design Standards**

§ 545-20 **Statement of intent.**

- A. It is the intent of the City to ensure the quality in land development and to ensure that each development pays its share of the cost of public facilities and services. The City will encourage the use of planned developments employing innovative techniques for the design of functional and aesthetic neighborhoods that maximize open space and preserve the natural environment. Subdivisions shall be served by public water and sanitary sewers and by public streets.
- B. Prior to final approval and acceptance of improvements and prior to the issuance of any building permits in a subdivision located within the corporate limits and extraterritorial plat approval jurisdiction of the City of Watertown, the subdivider shall install public improvements as hereinafter provided. These improvements may be installed in plat phases approved by the Plan Commission and public improvement phases approved by the Public Works Commission. No building permit may be issued for construction outside of phases of the plat that have not had plans fully approved by the City. Building permits may be issued upon substantial completion of public improvements as defined in Wis. Stats. **236.13(2)(am)(2)**. Occupancy permits shall not be issued prior to the completion, inspection, and acceptance of all requirement improvements.

§ 545-21 **Early Start Permits.**

- A. Pursuant to Wis. Stats. **236.13(2)(am)3.c**, upon application signed by the subdivider and subject to the requirements below, the zoning administrator may authorize the issuance of early start permits if all public improvements related to public safety are complete and the subdivider has posted the necessary security required.
 - (1) The early start permit may authorize only site grading, utilities, footings, and foundation installation. Other noncombustible construction such as steel may be authorized only if no heat source is required for construction. Combustible materials shall not be stored on site.

- (2) The public improvements related to public safety may be deemed to be complete only if all of the following conditions have been met:
- (a) The subdivider shall provide and at all times maintain adequate road access for public safety, including a minimum of road base course, that meets the requirements of the fire department and accommodates the weight, width, and turning radius of the fire apparatus and sufficiently permits access by emergency vehicles.
 - (b) The subdivider's engineer has assigned the top of foundation wall elevation. After completing foundation and prior to issuing additional building permits for vertical construction, the subdivider's or builder's engineer shall certify with their professional license stamp that the top of foundation wall elevation has been constructed according to the approved subdivision drainage plan.
 - (c) Erosion control for each applicable building site has been designed and installed.
 - (d) Lot corner monuments have been installed for each applicable site.
 - (e) Street name signs have been installed, and reflective address plates are present at the building site.
- (3) All fees and charges due to the city, including but not limited to park fees and impact fees, shall be paid, proper security posted, and barricades provided prior to issuing any permit including early start permit for constructing foundations and other noncombustible structure.

§ 545-22 **Monuments.**

- A. The subdivision shall be monumented according to the requirements of § **236.15**, Wis. Stats. If the topography is such that extensive grading is required, the subdivider may place the monuments after the grading is completed with the permission of the Director of Public Works/City Engineer, and provided the subdivider executes a surety bond in an amount required by the Director of Public Works/City Engineer to insure that the monuments will be placed within the required time.
- B. Where the plat is located within a United States Public Land Survey quarter section, the corners of which have been relocated, monumented, and placed on the Wisconsin State Plane Coordinate System by Dodge or Jefferson County or the City, the plat shall be tied directly to two or more of the sections 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 type of monument and Wisconsin State Plane Coordinates of the monument marking the relocated section or quarter corners to which the plat is tied shall be indicated on the plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone. The grid bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision and as adjusted to the City's control survey.

§ 545-23 **Conformity with adopted plans.**

All proposed development shall conform to the Comprehensive Plan, Plan for Parks and Open Space, Transportation Plan, Utility Plans, and the Official Map of the City as they relate to utilities and transportation facilities. The classification and location of all streets shall conform to the Official Map and shall be considered in their relationship to existing and planned streets, to topographic conditions, to natural features, to public convenience and safety, and in their appropriate location to the proposed uses of the land to be served.

§ 545-24 **Relationship to existing and future development.**

- A. The arrangement of streets in new subdivisions shall make provision for continuing existing streets in adjoining areas.
- B. Where adjoining areas are not subdivided or developed and the Comprehensive Plan indicates development is desired, the arrangement of streets in the proposed development shall provide for proper projection of streets to the boundary of the proposed development.

§ 545-25 **Blocks.**

- A. The lengths, widths, and shapes of blocks shall be compatible with the planned use of the land, zoning requirements, need for convenient access, control and safety of street traffic, and the limitations and opportunities of topography.
- B. Block lengths in residential areas shall not be less than 600 feet nor more than 1,000 feet between street lines unless dictated by exceptional topography or other limiting factors of good design.
- C. Blocks shall be sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic and railroad rights-of-way or to protect natural resources.
- D. Pedestrian ways or crosswalks not less than ten feet in width shall be provided near the center and entirely across any block 900 feet or more in length or elsewhere where deemed essential to provide convenient pedestrian circulation or access to parks, schools, shopping centers, churches, or transportation facilities.

§ 545-26 **Lots.**

- A. The size, shape, and orientation of the lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- B. Lot dimensions and setback lines shall conform to the requirements of Chapter **550**, Zoning.
- C. Excessive depth in relation to width shall be avoided, and a proportion of two to one shall be considered normally as a desirable maximum for lots.
- D. Whenever possible, side lot lines shall be right angles to straight lines or radial to curved street lines on which the lots face.
- E. Corner lots shall have sufficient width to permit adequate building setbacks from side streets to conform with Chapter **550**, Zoning.

- F. Every lot shall front or abut a public street for a minimum distance of fifty feet. The minimum lot width may be reduced if authorized by specific zoning districts under Chapter **550**, Zoning.
- G. Lot lines shall follow municipal boundary lines.
- H. Double frontage and reverse frontage lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.
- I. Residential lots fronting or backing on arterial streets shall be platted with extra depth as required in § **545-29**.
- J. Substandard Lots. According to Section **66.10015(2)(e)** of the Wisconsin Statutes, a property owner of a legal nonconforming (substandard) lot that existed at the time of the effective date of this Ordinance may:
 - (1) Convey an ownership interest in a substandard lot.
 - (2) Use the substandard lot as a building site if all of the following apply:
 - (a) The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.
 - (b) The substandard lot or parcel is developed to comply with all other requirements of this Ordinance except the minimum lot dimensional requirement unless otherwise specified.
 - (3) The City may not require one or more lots to be merged with another lot for any purpose without the consent of the owners of the lots to be merged.

§ 545-27 Building setback lines.

- A. Where they are not controlled by the Zoning Code, building setback lines appropriate to the location and type of development shall be established by the Plan Commission but shall in no instance be less than typically required by Chapter **550**, Zoning. Examples of the application of this provision would include requiring greater setbacks for lots on cul-de-sacs or curved streets to achieve the necessary lot width at the setback line, conform to setbacks of existing adjacent development, accommodate a coving or other unique design, avoid placing buildings within buffers, easements, or vision clearance triangles, protect natural resources, or conform to greater setbacks along arterial streets and highways to meet the requirements of Chapter Trans **233** of the Wisconsin Administrative Code.
- B. Where lots abut floodplains, wetlands, navigable waters, or other waters of the State, all improvements shall meet requirements of Chapter **550** and Chapter **532** of the City of Watertown Municipal Code of Ordinances.

§ 545-28 Railroads and limited access highways.

Whenever the proposed subdivision contains or is adjacent to a railroad right-of-way or

limited access highway, the subdivider shall proceed as follows:

- A. In residential districts a buffer strip at least thirty feet in depth in addition to the normal lot depth required shall be provided adjacent to the right-of-way of a railroad or limited access highway. This strip shall be part of the platted lots, but the following restriction shall be written on the plat: "This strip reserved for the planting of trees or shrubs by the owner. The building of structures hereon is prohibited, and this strip shall not be counted as any required yard. Maintenance of this strip is a responsibility of the lot owner."
- B. The Plan Commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land.
- C. Location of local streets immediately adjacent and parallel to railroad rights-of-way shall be avoided.

§ 545-29 **Streets.**

All streets must meet the design standards in Table 1 and the following requirements:

- A. Additional right-of-way on existing streets. Developments that adjoin existing streets which have rights-of-way less than the minimum standard than the roadway as classified in the Comprehensive Plan and/or Official Map shall dedicate additional right-of-way to meet those minimum standards.
- B. Temporary roadway termination. Where a street is terminated temporarily at the edge of a development and the street is longer than 240 feet or two lot widths, a temporary turnaround shall be provided by one of the following methods:
 - (1) If the adjacent land is owned by the subdivider, a temporary turnaround can be provided through a restriction (temporary easement) on said land. Such a turnaround shall be constructed to City standards.
 - (2) The subdivider may provide the required turnaround on one of the last lots fronting on the temporary dead-end street through the use of a temporary easement running to the City. Such a turnaround shall be constructed to City standards.
- C. Reserve strips. There shall be no reserve strips controlling access to streets except where control of such strips is placed in the City under conditions recommended by the Plan Commission and approved by the Common Council.
- D. Half streets. Where an existing dedicated or platted half street is adjacent to a tract being subdivided, the other half of the street shall be dedicated by the subdivider. In new plats, the creation of half streets is prohibited.
- E. Street jogs. Street jogs with center-line offsets of less than 150 feet shall not be allowed. On collectors and arterials, offsets of less than 600 feet shall not be allowed.
- F. Intersections.
 - (1) No more than two streets shall intersect at one point.

- (2) Such intersection shall be laid out so that the angle of intersection is as nearly as possible a right angle.
 - (3) No street shall intersect another street at less than a seventy-five-degree angle.
 - (4) Intersections along arterial streets and highways shall be held to a minimum, and, whenever feasible, the minimum distance between intersections shall be 1,200 feet.
- G. Restriction of access (protection of arterial streets and highways). Whenever a proposed subdivision contains or is adjacent to an arterial street or highway, adequate protection of residential property, limitation of access, and the separation of through and local traffic shall be provided by:
 - (1) Reversed frontage with screen planting contained in a nonaccess reservation along the rear property line; or
 - (2) Marginal access street (frontage road).
- H. Street names. A proposed street that aligns with or joins an existing and named street shall bear the name of the existing street. In no other case shall the proposed name of the street duplicate the name of an existing street within the Watertown Fire Department Service District. The use of the suffix "street," "avenue," "boulevard," "drive," "place," or "court" or similar description shall not be sufficient distinction to constitute compliance with this subsection.
- I. Alleys. Alleys shall not be allowed in residential districts except as approved as part of a planned unit development. In commercial, office, and industrial districts, alleys or other definite and assured provisions shall be made for off-street parking, loading, and service access consistent with and adequate for the uses proposed but not inconsistent with the operation and use of the abutting street. No dead-end alleys shall be allowed, nor shall any alley have its point of connection on an arterial street.
- J. Cul-de-sac streets. No more than twenty percent of the lots within a final plat may abut a cul-de-sac except where necessary to provide a development solution (as determined by the City Engineer) to a portion of the subject property otherwise undevelopable because of surrounding existing development or natural feature such as floodplain, wetland, or steep slope. All cul-de-sac streets shall terminate in a circular turnaround meeting the dimension standards in Table 1.
- K. Parkways, greenways, and environmental corridors. When parkways, greenways, and environmental corridors are to be provided within the proposed plat or certified survey and are not officially mapped in enough detail to determine exact dimensions, their width shall be determined by the City Engineer.
- L. Grades. The maximum street grades shall be those in Table 1. Pedestrian ways shall have a maximum grade of eight percent. Changes in street grades shall provide such sight distances as the City Engineer determines are required. Wherever possible, street grades shall be established to avoid excessive grading, removal of ground cover and trees, and leveling of the topography.

M. Pedestrian ways and bikeways. In the design of the plat, the developer shall make provisions for pedestrian ways and bikeways for transport and recreation as required by the Plan Commission on recommendation of the Park, Recreation and Forestry Commission and the Public Works Commission, based upon recommendations contained with the Comprehensive Plan and formally adopted subplans and policies. Required pedestrian ways and bikeways shall adhere to city specifications as required in Chapter **545**.

N. Street grading.

- (1) With the submittal of the preliminary plat, the subdivider shall furnish standard drawings that indicate the existing and proposed grades of streets shown on the plat. After completing design engineering work on the streets and approving street grades by the Director of Public Works/City Engineer and approving erosion control measures by the City Engineer, the subdivider shall grade as required within the right-of-way of the streets proposed to be dedicated, including the vision clearance triangle on corner lots as required in Chapter **550**, Zoning. In cases where an existing street right-of-way is made part of the plat or abuts the plat, the subdivider shall grade that portion of the right-of-way between the existing pavement and the property line.
- (2) The bed for the roadways in the street rights-of-way shall be graded to subgrade elevation. The City Engineer shall approve all grading within rights-of-way, and said grading shall extend for a sufficient distance beyond the right-of-way to ensure that the established grade will be preserved. The grading of rights-of-way for principal and primary arterials shall be required only where necessary to provide access to the streets or lots in the plat. Where lots abut principal and primary arterials, they shall be graded to proposed street grade or to a grade approved by the Director of Public Works/City Engineer prior to sale.

O. Street construction. **[Amended by Ord. No. 01-10]**

- (1) After sanitary sewer and water utilities, storm sewer trunk lines, manholes, and catch basins have been installed, the subdivider shall construct and dedicate as part of the subdivision streets and sidewalks, including those adjacent to platted lots in existing street rights-of-way abutting the plat, curbs and gutters, local storm sewer inlets, leads, manholes, catch basins, and lines as deemed necessary by the Public Works Commission and required by the Common Council. The subdivider shall surface roadways to the widths prescribed by the Public Works Commission and the Director of Public Works/City Engineer. Construction shall be to City standard specifications for street improvements. Sidewalks shall be installed as per the requirements in § **545-37**.
- (2) All required installations of sanitary sewer, water main, stormwater facilities, bikeways, gravel, binder course of asphalt pavement, curb and gutter, and related improvements shall be made by the subdivider prior to issuing building permits. The final lift of asphalt shall be installed in the construction season following these improvements to permit settling associated with the winter freeze-thaw cycle. Any required installation of curbs and gutters shall be completed by October 15 of any given year, and any required placement of asphalt pavement shall be completed by

November 1 of any given year, unless inclement, unseasonable, or marginal weather conditions exist prior to these respective dates. In that case, the Director of Public Works/City Engineer shall determine under what circumstances either installation may be allowed. If not completed by these dates, no building permits shall be issued until the required work is completed during the next construction season. Sidewalks shall be installed for each lot prior to occupancy, except that the entire required sidewalk network shall be installed within two years of final plat recordation.

- (3) Street and sidewalk construction must comply with City standard specifications and be inspected by the Director of Public Works/City Engineer. The maintenance responsibility for pedestrian ways and bikeways that are not located in the public street right-of-way shall go to abutting property owners in the same manner as those in the public right-of-way.

§ 545-30 **Water.**

The subdivider shall install water facilities necessary to serve the subdivision as designated and approved by the Public Works Commission. These improvements are subject to City of Watertown Standard Specifications and inspection and may be required offsite to ensure appropriate service as determined by the Water Division. The developer shall guarantee the functional operation of all system parts for one year from date of acceptance. Acceptance by the City shall be contingent upon the developer meeting all conditions, including approved design, installation, regulatory approvals, payment of all costs for the total project, and any special provisions indicated for a particular project. Upon inspection and acceptance, all water system improvements become the property of the City of Watertown.

§ 545-31 **Sanitary sewer.**

The subdivider shall install sanitary sewer facilities necessary to serve the subdivision as designated and approved by the Public Works Commission. These improvements are subject to the City of Watertown Standard Specifications and inspection. The developer shall guarantee the functional operation of all system parts for one year from date of acceptance. Acceptance by the City shall be contingent upon the developer meeting all conditions, including approved design, installation, regulatory approvals, payment of all costs for the total project, and any special provisions indicated for a particular project. Upon inspection and acceptance, all sewer system improvements become the property of the City of Watertown.

§ 545-32 **Utility easements.**

A. Underground requirements.

- (1) All new electric distribution lines, all new telephone lines from which individual lots are served, community antenna television cables and services, and gas utility services shall be underground unless the Plan Commission shall find upon study that:
 - (a) The placing of such facilities underground would not be compatible with the development; or
 - (b) Location, topography, soil, swamp, solid rock, boulders, stands of trees, rows of trees, hedges, or other physical conditions would make underground installation unreasonable or impracticable.

- (2) Associated equipment and facilities, such as but not limited to substations, pad-mounted transformers, pad-mounted sectionalizing switches, and pedestal-mounted terminal boxes may be located above ground, provided that they are located in an inconspicuous manner, screened from public view, and fit into the development plans for the subdivision.
- (3) The subdivider or his agent shall furnish proof to the Plan Commission that such arrangements as may be required under applicable rates and rules filed with the Public Service Commission of the State of Wisconsin have been made with the owners of such lines or services for placing their respective facilities underground as required by this section as a condition preceding approval of the final plat, development plan, or certified survey map.
- (4) Temporary overhead facilities may be installed to serve a construction site or where necessary because of severe weather conditions. In the latter case, within a reasonable time after weather conditions have moderated or upon completion of installation of permanent underground facilities, such temporary facilities shall be replaced by underground facilities and the temporary facilities removed.

B. Easement conditions.

- (1) Adequate easements shall be provided and dedicated on each side of all rear lot lines and on side lot lines, across lots, or along front lot lines where necessary for the installation of storm and sanitary sewers, gas, water, electric lines, and communication lines. Such easements shall be noted as “utility easements” on the final plat or certified survey map. Prior to approval of the final plat, the specific implementation plan for a planned unit development (PUD), the comprehensive development plan, or the certified survey map, concurrence of the appropriate electric and gas communications companies as to the location and width of the utility easements shall be noted on the final plat, specific implementation plan for the PUD, comprehensive development plan, or certified survey map. All easements for storm and sanitary sewers, water mains, pedestrian walks, and other public purposes shall be noted thereon as “public easements for” followed by reference to the use for which they are intended.
- (2) Where the electric and gas communications facilities are to be installed underground, the utility easements shall be graded to within six inches of final grade by the subdivider prior to the installation of such facilities, and earth fill and piles or mounds of dirt shall not be stored on such easement areas. When installed on utility easements, whether overhead or underground, utility facilities shall not disturb any monumentation in the plat. In cases where monumentation is disturbed, the utility shall bear the cost of replacement. Failure to comply will be subject to penalty as provided in § 236.32, Wis. Stats.
- (3) Where the electric and gas communications facilities are to be installed underground, a plat restriction shall be recorded with the final plat or certified survey map, stating that the final grade established by the subdivider on the utility easements shall not be altered by more than six inches by the subdivider, his agent, or subsequent owners of the lots except with written consent of the utility or utilities involved. The purpose of this restriction shall be to:
 - (a) Notify initial and future lot owners of the underground facilities at the time of purchase;
 - (b) Establish responsibility in the event of damage to such facilities; and

- (c) Establish the need to alter such facilities. When the utility company uses a service application, said application also should notify the initial and subsequent lot owners of their responsibility regarding such underground facilities.

§ 545-33 Drainage and environmental corridor easements.

- A. Greenways and environmental corridors included within land to be divided shall receive the following prescribed treatment by the owner of the subdivision. Where a subdivision is traversed by a waterway, drainageway, channel or stream, or mapped greenway/environmental corridor, an adequate drainageway or easement granted to the City of Watertown shall be provided as required by the Plan Commission conforming substantially with the line of such watercourse. The location, width, alignment, and improvement of such drainageway or easement shall be subject to the approval of the Plan Commission. Parallel streets or parkways may be required. Stormwater drainage shall be maintained by landscaped open channels of adequate size and grade to accommodate the flow resulting from the one-hundred-year rainfall event of any duration with such sizes and design details subject to review and approval by the Director of Public Works/City Engineer.
- B. The subdivider shall be responsible for an acceptable continuous drainageway through the proposed plat as determined by the Director of Public Works/City Engineer. The subdivider shall furnish the Director of Public Works/City Engineer with a plan outlining the greenway/environmental corridor boundaries and the location of existing drainageways. Such areas shall be dedicated or reserved as required by § 545-4E. In addition, the subdivider shall furnish to the Director of Public Works/City Engineer a set of cross sections (on fifty-foot stations) of the greenway based on City datum oriented upon a base line as prescribed by the Director of Public Works/City Engineer. Where a natural drainageway exists with acceptable hydraulic capacities, including alignment and grade as determined by the Director of Public Works/City Engineer, construction will not be required, and the existing natural growth shall be preserved. Where such natural growth is not preserved by action of the subdivider or his agents, the subdivider shall be responsible for repairing the disturbed areas by returning them to the original condition by methods approved by the Director of Public Works/City Engineer. When it is determined by the Director of Public Works/City Engineer that the hydraulic capacities including alignment and grade are not acceptable, then such alignment, grade, and slopes shall be improved by the subdivider to the cross section specified by the Director of Public Works/City Engineer.
- C. The subdivider shall install permanent pipes or culverts at a grade approved by the Director of Public Works/City Engineer under all streets crossing a greenway or drainageway. Said installation shall be according to the State of Wisconsin Specifications for Road and Bridge Construction. Culverts required across intersections for temporary street drainage shall be furnished and installed by the developer. All temporary culverts installed by the developer shall be completely removed when the streets are constructed to City standards and the area restored to as nearly original condition as possible as determined by the Director of Public Works/City Engineer.
- D. In order to assure proper drainage, the ground elevation along any lot line common with the boundary of a greenway/environmental corridor shall be to an elevation approved by the Director of Public Works/City Engineer. All lot grading and building elevations shall provide for positive drainage. Grading or filling within the greenway/environmental corridor limits is prohibited.
- E. Greenways/environmental corridors shall be limited to public uses.

§ 545-34 **Intrablock drainage and foundation design.**

- A. Two weeks prior to submitting the preliminary plat for review and approval, the subdivider shall submit to the City Engineer a surface water drainage plan for the plat. This plan may be a part of the erosion control plan. The plan shall indicate but not be limited to the following: elevation of streets, existing topography of the block, proposed drainage swales, proposed yard swale, proposed lowest finished floor elevation range, and indication of the direction of drainage.
- B. Upon approval of the plan, the developer shall place on the preliminary plat arrows to indicate the direction of drainage swales required for intra-block drainage and the following note: "Arrows indicate direction of drainage swale construction during grading and said swales shall be maintained by the lot owner unless modified with approval of the Director of Public Works/City Engineer."
- C. A minimum ten-foot-wide drainage easement (five feet on each side of the property line) shall be retained along all joint property lines on the plat. Such easement shall be designated as a stormwater drainage easement and shall conform to the drainage plan.
- D. Where a subdivider's subsoil investigation indicates potential for groundwater less than ten feet from the proposed street center-line elevation, the subdivider shall note that on the face of the plat and indicate the lots affected.
- E. Basement floor surfaces shall be built a minimum of one foot above the highest groundwater table elevation as documented in the submitted soil evaluations according to City Standards. On sloped sites, basements may be allowed partially below the highest groundwater table only on the upslope side if they meet City drainage system standards for design, discharge, engineering oversight, and long-term maintenance. For these sites, the one-foot groundwater separation will be enforced at the farthest downslope point of the basement.

§ 545-35 **Erosion control.**

- A. The subdivider shall install all temporary and permanent erosion control and sediment control structural aid works as outlined in approved plans required by Chapter **288**, Erosion and Sediment Control, of this Code.
- B. The subdivider shall employ erosion control measures to prevent erosion, siltation, sedimentation, and washing and blowing of dirt and debris from excavation, grading, open cuts, side slopes, and related activities of the subdivider or the contractors. Such measures shall include but not be limited to seeding, sodding, mulching, watering, ponding, and constructing berms. Erosion control plans shall meet the requirements of the Municipal Code relating to land grading and Chapter **288**, Erosion and Sediment Control Guidelines, standards, and specifications contained in the Wisconsin Department of Natural Resources Conservation Standards, current edition, shall provide a framework for developing, reviewing, and implementing the erosion control plan.

§ 545-36 **Stormwater management.**

All proposed development shall comply with Chapter **288**, Erosion and Sediment Control, and Chapter **453**, Stormwater Management, of this Code. Specifically, the subdivider shall install storm sewers and all other facilities necessary for the management of all stormwater deriving from the lands being developed according to the requirements of said policy and related provisions of this chapter.

§ 545-37 Sidewalks and bikeways.

[Amended by Ord. No. 98-6]

As used in this Chapter, the following definitions shall apply:

ARTERIAL STREETS

Arterial streets serve trips of moderate length and provide intracommunity continuity and access to major streets. They provide more emphasis on land access than major streets.

BIKEWAYS

Bikeways shall serve both pedestrian and bicycle traffic in areas where the majority of the adjoining lots do not have frontage or access to a street. In general, those lots which do not front or have access on the street in question are not the generating or terminating point for the pedestrian or bicycle traffic. Bikeways shall be designed to transport the majority of pedestrian or bike traffic through the area as opposed to serving the adjoining lots as a sidewalk does. Bikeways shall be constructed of bituminous pavement at least eight feet in width according to City specifications.

LOCAL STREETS

Local streets provide both land access service and traffic circulation within residential neighborhoods and commercial and industrial areas.

LOW USE STREETS

Low use streets comprise all facilities not classified to a higher use. These streets serve small traffic volume and a limited number of properties and provide access to the higher ordered streets. Cul-de-sacs and short streets are included in this classification.

MAJOR STREETS

Major streets serve the major centers of community activity, contain the highest traffic volume corridors, and are through streets for long distances within the City. They shall include all state trunk highways and county trunk highways and their in-town extensions.

SIDEWALKS

Sidewalks shall be constructed of concrete, usually five feet in width, with the thickness to be determined by City specifications. Sidewalks shall be located as far from the traffic lane as is possible but not closer than six inches within the right-of-way line.

- A. Required sidewalk location. The subdivider shall be required to install sidewalks on both sides of all major streets and arterial streets and those local streets where access needs to be obtained to and from uses such as but not limited to business establishments, schools, churches, neighborhood parks, shopping districts, restaurants, and high-density multifamily residential developments. Cul-de-sac streets need not have sidewalks except where access is necessary to and from uses such as but not limited to business establishments, schools, churches, neighborhood parks, shopping districts, restaurants, and high-density multifamily residential developments.
- B. Construction standards.
 - (1) Sidewalks shall be constructed of concrete, usually five feet in width, according to City specifications. Sidewalks shall be four inches thick except at driveway locations, where they shall be six inches thick. If at the time of installation the driveway location is not known, the four-inch slabs shall be replaced with six-inch slabs by the developer or owner once the driveway is located.
 - (2) Bikeways shall be constructed of bituminous pavement or concrete at least eight feet in width according to City specifications.

- (3) Sidewalks and bikeways constructed at street intersections or within five feet of a legal crosswalk shall include provisions for curb ramping as required by § 66.0909, Wis. Stats. and according to City specifications. Sidewalks and bikeways are to be laid to the established grade of the street. The street edge of the sidewalk or bikeway pavement shall be at an elevation above the top of the curb as determined by the Director of Public Works/City Engineer.
- (4) Bikeways shall be reviewed by the Public Works Commission on a case-by-case basis. Maintenance of these bikeways shall be incorporated into the developer's agreement.
- (5) Sidewalks shall be installed for each lot prior to occupancy, except that the entire required sidewalk network shall be installed within two years of final plat recordation.

§ 545-38 **Streetlighting.**

The developer shall pay to the City of Watertown the costs for installing streetlights along all streets proposed to be dedicated. The Plan Commission shall approve the design and location of all streetlamps, which shall meet the City's standard specifications and shall be compatible with the neighborhood and type of development proposed. Payment for streetlights shall be made prior to issuing building permits. In areas where underground electric facilities are installed, poles for lighting may be ornamental. The subdivider shall provide street, pedestrian way and bikeway lighting systems within the area being developed upon consultation with the appropriate electric utility and as approved by the Public Works Commission. All streetlighting will be installed by the electric utility serving the City of Watertown. Shielded luminaries with downward reflection, luminaries with cutoff optics, LED or similar energy-saving luminaries, and careful fixture placement may be required by the Plan Commission.

§ 545-39 **Street signs.**

The developer shall pay to the City of Watertown the costs for installing all street name signs, temporary street dead-end barricades and signs, all no-parking signs, all traffic control signs, and pavement markings as required by City standards prior to accepting the subdivision or submitting a fee deposit in lieu thereof, per City direction.

§ 545-40 **Street trees.**

The subdivider shall plant street trees of a species approved by the City Forester of at least two inches in diameter and abide by the American Standard for Nursery Stock, ANSI Z60.1. The total number of trees to be planted shall be based on one tree for every fifty feet of frontage on all streets proposed to be dedicated and be spaced on average about fifty feet apart. The required trees shall be planted in the area between the sidewalk and curb according to plans and specifications approved by the Director of Public Works/City Engineer. Contractors shall submit a Tree Planting Permit and follow proper planting procedures along with the approval of tree species from the Boulevard Tree List on file with the City Engineering Department.

§ 545-41 **Buffer strips.**

Where a plat, certified survey, or planned development project contains a buffer strip required by this chapter, prior to recording of a final plat or certified survey or prior to the issuance of a certificate of occupancy for a development project, the developer shall install plantings conforming to this Code or shall file with the City Clerk a contract guaranteed by bond in an amount

determined by the Director of Public Works/City Engineer, in which the developer agrees to provide such plantings. The plantings are to be trees and shrubs of the required varieties and shall be of sufficient density to accomplish visual screening.

§ 545-42 Dedication and improvement of public parks and other public sites.

[Amended by Ord. No. 97-63; Ord. No. 99-13; Ord. No. 02-60; Ord. No. 05-2; Ord. No. 06-22A; Ord. No. 09-21A]

The requirements of this section are established to ensure that adequate parks, open spaces, and sites for other public uses are properly developed, located, and preserved as the City grows and that the cost of providing the park and recreation sites and facilities necessary to serve the additional people brought into the community by land development may be apportioned equitably on the basis of the additional needs created by the development. The requirements shall apply to all lands proposed for all residential development, including those which do not involve an additional land division.

A. Parkland dedication and fees in lieu of land dedication.

- (1) Any development approval which enables the creation of additional dwelling units shall require compliance with this parkland dedication fee and land dedication requirement. This would include any land division that creates new lots. It also would include any building permit for any dwelling unit per existing lot (single-family, duplex, or other multifamily building). Except for developments submitted to the City for approval after June 14, 2006, and before September 7, 2016, each new development within the corporate limits of the City shall be required to comply with the parkland dedication requirements here stated, including the parkland dedication fee imposed in lieu of the mechanism authorized under this chapter (as applicable) and the subsections following hereto. **[Amended 6-20-2017 by Ord. No. 17-17]**
- (2) In the design of a subdivision, including minor subdivisions or planned developments, provision shall be made for suitable sites of adequate area for parks, playgrounds, open spaces, schools, drainageways, stormwater management or treatment facilities, and other public purposes. Such sites as are shown on the Official Map, Comprehensive Plan, or Parks and Open Space Plan shall be made a part of the design. Where such are not shown on said plans or map, consideration shall be given to the preservation of scenic and historic sites, stands of trees, marshes, ponds, streams, and woodland, prairie, and wetland plant and animal communities. **[Amended 6-20-2017 by Ord. No. 17-17]**
- (3) The subdivider shall dedicate suitable land for the park, recreation, and open space needs of the development according to standards and recommendations contained in the Plan for Parks and Open Space. This shall include the provision of pedestrian and bikeway linkages necessary to provide access to park, recreation, and open space areas as determined by the Plan Commission and the Park, Recreation and Forestry Commission. All required land dedications under this subsection are in addition to the dedications or reservations required in § 545-32.
- (4) The subdivider shall dedicate sufficient land area to provide adequate park, playground, recreation, and open space to meet the needs to be created by and provided for the subdivision, minor subdivision, or planned development project. At least 1,005 square feet of land shall be dedicated for each proposed residential

dwelling unit within the approved final subdivision, minor subdivision, or planned development project and 402 square feet of land for each institutional residential unit.

- (5) Where a definite commitment is made by the subdivider with respect to the number of dwelling units to be constructed on any parcel of land, the land dedication shall be based on that number. Where no such commitment exists, the land dedication shall be based on the maximum number of dwelling units permitted in the zoning district, and the Plan Commission shall require additional land dedications for the allowed increase in dwelling units based on the following criteria:
 - (a) If the number of lots in the plat or survey is increased;
 - (b) If zoning classification is changed to increase the number of dwelling units allowed; or
 - (c) If the committed number of dwelling units is increased by the subdivider, developer, or landowner.
- (6) All subdivisions, minor subdivisions, and planned development projects are required to provide convenient pedestrian and bicycle linkages to park and recreation sites. Where such linkages are required outside the public street right-of-way in the opinion of the Plan Commission, they shall be reserved by easement and developed as an obligation of the subdivider or developer. The development of linkages shall be counted toward the parkland dedication requirements in Subsection **A(4)** above.
- (7) Whenever a park site, recreation site, or other public site that is designated in the Park and Open Space Plan, Comprehensive Plan, or Official Map is of a larger area than the required dedication established herein, the required dedication shall occur at the same time as final plat approval. The remaining lands may be reserved by the Common Council for a period not to exceed three years unless extended by mutual agreement. During such time period, the City at its discretion may agree to purchase the reserved lands at the fair market value established at the time of the final plat approval plus any real estate taxes accrued from the date of reservation.
- (8) Any land to be dedicated as a requirement of this section shall be reasonably adaptable for the intended park and recreation uses and shall be at a location convenient to the people to be served. Factors used in evaluating the adequacy of a proposed park and recreation area shall include but not be limited to size, shape, topography, geography, tree cover, access, and location. The determination of land suitability will be at the sole discretion of the Plan Commission acting on the recommendation of the Park, Recreation and Forestry Commission. All lands dedicated under this section shall have at least 100 feet of frontage on a public street. The Plan Commission and Park, Recreation and Forestry Commission may adjust this frontage requirement if better alternatives for access are provided.
- (9) At the discretion of the Plan Commission acting on the recommendation of the

Park, Recreation and Forestry Commission, the Plan Commission may require the developer to pay a parkland dedication fee in lieu of making the required land dedication as the parties may agree to by mutual consent, which has been reduced to writing in a developer's agreement, when the following findings have been made:

- (a) There is no land suitable for parks within the proposed subdivision or planned development project;
 - (b) The dedication of land is not feasible;
 - (c) The dedication of land would not be compatible with the City's Comprehensive Plan and Park and Open Space Plan; or
 - (d) The Commission determines that a cash contribution or combination of land and fees will better serve the public interest.
- (10) The Plan Commission and the Park, Recreation and Forestry Commission may permit the subdivider to satisfy the dedication requirements of this section by combining land dedication with a parkland dedication fee payment as the parties may agree to by mutual consent, which has been reduced to writing in a developer's agreement.
- (11) Needs Assessment. For the purposes of the fee in lieu of land dedication imposed under this section, a Parks Needs Assessment has been prepared on a city-wide basis and is available for inspection at the Clerk's Office. The Needs Assessment provides the rationale and basis for the impact fees and land dedication created under this Section.
- (12) The amount of any parkland dedication fee imposed in lieu of land dedication shall be made in accordance with this Section and the Needs Assessment in the amount as specified in the City's Fee Schedule.
- (13) All dedicated parklands shall be graded, topsoiled, seeded, and prepared by the subdivider per the direction and satisfaction of the Park, Recreation and Forestry Commission or its designee. The costs for this work shall be reimbursed to the subdivider at the time of inspection and acceptance by the City. The reimbursement shall be at a rate of \$2,000 per acre.
- (14) All dedicated parklands shall front a public street and be sited per the direction and satisfaction of the Park, Recreation and Forestry Commission or its designee.

B. Recreation facilities improvement impact fees.

- (1) The subdivider, developer or landowner shall pay a recreation facilities improvement fee as set forth herein. "Recreation facilities" means improvement of land for public parks, including grading, seeding and landscaping, installing utilities, constructing sidewalks, purchasing and installing playground and other recreational equipment, and constructing or installing restroom facilities on land intended for public park purposes.

- (2) Needs Assessment. For the purposes of the recreation facilities improvement impact fees imposed under this section, a Parks Needs Assessment has been prepared on a city-wide basis and is available for inspection at the Clerk's Office. The Needs Assessment provides the rationale and basis for the impact fees and land dedication created under this Section.
 - (3) The recreation facilities improvement fee shall be made in accordance with this Section and the Needs Assessment in the amount as specified in the City's Fee Schedule. This fee shall be additional to the requirement for parkland dedication or a fee payment in lieu of dedication. **[Amended 1-20-2015 by Ord. No. 15-3]**
- C. Fee revenue administration. **[Amended 10-4-2016 by Ord. No. 16-18; 12-20-2016 by Ord. No. 16-23]**
- (1) All monies collected from fee revenues and interest earned thereon imposed under Subsection **A** or **B** above shall be used solely for the purpose of paying the proportionate costs of providing public parks, playgrounds, open spaces, and athletic fields together with the supporting recreation facilities to expand or improve them that may become necessary because of increased land development within the City. These capital costs may include the cost of land acquisition, debt service on bonds, or similar debt instruments when the debt has been incurred for proceeding with designated public projects before the collection of all anticipated fees for that project, legal, engineering, and design costs to reimburse the City for advances of other funds or reserves as from time to time approved by the Common Council.
 - (2) The Common Council shall place any fee collected pursuant to the provisions of Subsection **A** in a separate interest-bearing, segregated fund to be used for land acquisition of adequate park, playground, recreation, athletic fields, and open space. The Common Council shall place any fee collected pursuant to the provisions of Subsection **B** in a separate, interest-bearing, segregated fund to be used for recreation facilities improvements. The collected fees shall be utilized to construct park facilities for the plat, survey, or development.
 - (3) Revenues derived from funds collected from impact fees imposed and collected but not used as statutorily required within the applicable statutory period from the date of payment of the impact fee as prescribed in § **66.0617(9)**, Wis. Stats. shall be refunded on a prorated, proportional basis, as determined by the Common Council, to the payer of the fees for the property with respect to which the impact fee was imposed. **[Amended 6-20-2017 by Ord. No. 17-17]**
 - (4) The payment of an impact fee imposed under this section as a condition of a permit for new construction or issuing a zoning permit, conditional use permit, or land division may be contested as to the amount, collection, refund, or use of the impact fee to the Watertown Public Works Commission, provided that the applicant files a written notice of appeal in the office of the City Clerk-Treasurer within fifteen days of the approval of the full building permit by the office of the Building Inspector for new construction or issuing any other permit or land division permit upon which the impact fee is imposed. Such notice of appeal shall be titled "Notice of Appeal of

Impact Fee" and shall state the applicant's name, address, telephone number, address if available, legal description of the land development upon which the impact fee is imposed, and a statement of the nature of and reasons for the appeal. Said notice of appeal of impact fee shall be forwarded immediately by the Clerk/Treasurer of the City to the Watertown Public Works Commission Chairperson. The Chairperson shall schedule the appeal for consideration by the Watertown Public Works Commission at a regular meeting as soon as reasonably practicable under the circumstances and shall notify the applicant of the time, date, and place of such meeting in writing by regular mail, deposited in the mail no later than at least three days before the date of such meeting. Upon review of such appeal, the Watertown Public Works Commission may adjust the amount, collection, refund, or use of the impact fee upon just and reasonable cause shown. On and after June 14, 2006, and before September 7, 2016, all impact fees imposed under this chapter not otherwise required to be paid by the developer or land owner as provided above in this subsection shall be imposed upon each buildable lot in a development and shall be payable in full, at the annually adjusted rate then in effect, within fourteen days of issuing any zoning, conditional use, or building permit. After September 7, 2016, all impact fees imposed under this chapter not otherwise required to be paid by the developer or land owner as provided above in this subsection shall be imposed upon each buildable lot in a development and shall be payable in full at the annually adjusted rate then in effect at the time of issuing any zoning, conditional use, or building permit under this chapter or any other controlling authority. **[Amended 6-20-2017 by Ord. No. 17-17]**

- (5) The fees imposed under Subsection **A** and **B** above shall be paid in full by the subdivider, developer, or owner of record of the land development unless expressly excepted under this section at the time of issuing a full building permit by the office of the Building Inspector for any new construction. If the total amount of impact fees due for a development shall be more than \$75,000, a developer may defer payment of the impact fees for a period of four years from the date of issuing the building permit or until six months before the municipality incurs the costs to construct, expand, or improve the public facilities related to the development for which the fee was imposed, whichever is earlier. If the developer elects to defer payment under this paragraph, the developer shall maintain in force a bond or irrevocable letter of credit in the amount of the unpaid fees executed in the name of the municipality. At the time the municipality collects an impact fee, it shall provide the developer from which it received the fee an accounting of how the fee will be spent.
- (6) If the subdivider, developer, or owner of record fails to make the entire payment when due, the Building Inspector of the City shall issue a stop order, pursuant to the City of Watertown Building Code, as from time to time amended, and shall refuse to approve any plans or to perform any further inspections until the fees are paid in full. The Building Inspector also may revoke the entire building permit, pursuant to the City of Watertown Building Code, if such fees remain unpaid for longer than three months after the due date. The unpaid balance of fees shall bear interest at the rate of one percent per month from the date of the full building permit issuance by the office of the Building Inspector through the date of payment. No

certificate of occupancy may be issued for buildings on any parcel for which there are unpaid fees. Unpaid fees shall be billed as special charges to the property owner at the time of permit issuance and, if not so paid, shall become a lien as provided in § **66.0627(4)**, Wis. Stats. and Chapter **76**, Article **III**, of the Code as of the date of such delinquency and automatically shall be extended upon the current or next tax roll as a delinquent tax against that real property parcel. Alternately, developers or landowners at their own option may elect to pay either any or all of the imposed fees at the time of recording or any or all of the imposed fees or special charges at any other time before the issuance of the zoning, conditional use, or building permit.

- (7) For all unplatted lands requiring a plat and for all land divisions, rezonings, or conditional use permits requiring a certified survey map, no final plat or certified survey map shall be certified approved for recording unless the parkland dedication fee is calculated and noticed on the face of the instrument to be recorded for collection under this section. A notation shall be placed upon the face of the plat, map, survey, or other document to be recorded, advising of the fees to be imposed on all buildable lots or developments containing institutional residential housing units. For all land divisions not requiring a plat or certified survey map, no rezoning permit, conditional use permit, or building permit shall be issued for land development unless the fees imposed under this section are calculated and invoiced for collection.
- (8) No subdivider, developer, or owner of record of a vacant parcel, single-family residence, condominium, duplex, or multifamily housing development may transfer, sell, or convey such property interest to any person or entity without first providing such person or entity actual written notice of the amount of the unpaid fees imposed under this section and time schedule for payment of such fees pursuant to this Subsection **C**, unless the subdivider, developer, or owner of record previously has paid the parkland dedication fees and recreation facilities improvement fees. Inclusion of the notice under this subsection in the real estate condition report furnished to a prospective purchaser of a vacant parcel, single-family residence, condominium, duplex, or multifamily housing development shall be sufficient compliance with this requirement.
- (9) The timing of parkland acquisition and recreation facilities development shall be at the discretion of the City as recommended by the Park, Recreation and Forestry Commission. Where parkland improvement fees and recreation facility improvement fees, however, have been acquired to enable the substantial development of planned park and recreation facilities, the City shall make said improvements within eight years of the date of fee collection.
- (10) Credit for private park and recreation areas.
 - (a) Where private park and recreation areas are provided in a proposed planned development district and such space is to be privately owned and maintained by the future residents of the development, such areas may be credited toward but not to exceed twenty-five percent of the requirement of land dedication for park and recreation purposes as set forth in Subsection

A and **B** above provided the City Plan Commission, acting upon the recommendation of the Park, Recreation and Forestry Commission, finds that it is in the public interest to do so and that the following standards are met:

- i. That yards, court areas, setbacks, and other open areas required to be dedicated or maintained by this section and Chapter **550**, Zoning, shall not be included in computing such private open spaces;
 - ii. That the private ownership and maintenance of the open space is provided for adequately by written agreement;
 - iii. That the use of the private open space is restricted for park and recreational purposes by recorded covenants that run with the land in favor of the future owners of property within the tract and that cannot be defeated or eliminated without the consent of the Common Council;
 - iv. That the proposed private open space is reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access, and location of the private open space land; and
 - v. That facilities proposed for the open space are in substantial accordance with the recommendations of the adopted Park and Open Space Plan. If the proposed private park is in the service area of a park site designated in the park plan or a site dedicated and/or developed as a public park, then no credits will be given for private facilities.
- (b) In making the evaluation of the credit for private recreation facilities, the Plan Commission may retain independent professional services agreed upon by both parties to determine the amount of credit, if any, that should be allowed. The fees for such independent evaluations shall be paid by the developer.
- (11) The current owner of a property on which an impact fee has been paid may apply for a refund of such fee if the City has not used such impact fee within the applicable statutory period from the date of payment of the impact fee as prescribed in § 66.0617(9), Wis. Stats, or the building permit for which the impact fee has been paid has lapsed for non-commencement of construction, or the project for which a building permit has been issued has been altered in a manner resulting in a decrease in the amount of the impact fee due, or as otherwise authorized in this chapter. **[Added 6-20-2017 by Ord. No. 17-17]**

§ 545-43 **Contract requirements for installation of improvements.**

- A. Before final approval of any plat located within the corporate limits of the City of Watertown, the subdivider shall be required to enter into a contract with the City agreeing to install all required improvements. The subdivider shall file with said contract subject to the approval of

the City Attorney a bond, certificate of deposit, irrevocable letter of credit, certified check, or other security in an amount equal to the estimate of the cost approved or prepared by the Director of Public Works/City Engineer as a guarantee that such improvements will be completed by the subdivider or his contractors not later than eighteen months from the date of recording of the plat. As a further guarantee that all obligations for work on the improvements are satisfied, the contractor and subcontractors who are to be engaged in the construction of utilities or street improvements on dedicated street rights-of-way shall be listed as qualified for such work by the Public Works Commission. In lieu of said contract or instrument of guarantee, governmental units to which these bond and guarantee provisions apply may file a letter from officers authorized to act on its behalf agreeing to comply with the provisions of this section. The contract also shall require the subdivider to pay all outstanding assessments for public improvements previously installed and all area charges for stormwater drainage facilities, sanitary sewer and water mains, force mains, and pumping stations previously installed by the City. The subdivider shall provide for connecting with water and sanitary sewer mains, stormwater drainage facilities, curb and gutter, sidewalk and street improvements, and walkways and bikeways on all abutting streets and on any streets in the plat not included in the contract that are located in previously approved and developed phases of the plat.

- B. In those cases where the Common Council determines it is in the interest of the City to install improvements by City contract and at such time as the City may designate, the subdivider shall petition the City for water, sanitary sewer main, sanitary sewer laterals, stormwater drainage facilities, curb and gutter, and sidewalk and street improvements. The cost of such improvements shall be paid by assessments to the benefitted properties. When improvements are installed partially by City contract in lieu of the preceding contract, the subdivider shall provide a contract and bond for all other required improvements.

§ 545-44 **Documentation.**

[Amended by Ord. No. 05-17]

The subdivider shall furnish the City with a reproducible "as built" file in digital AutoCad format (.dwg or .dxf file format) and geographic information system (GIS) format (.shp or geodatabase format) showing all improvements for the plat prior to issuing any building permits. This file shall be tied to the Wisconsin State Plane Coordinate System, NAD83 South Zone, U.S. Foot. The subdivider also shall furnish an itemized cost for the infrastructure improvements in the plat before issuing any building permits.

§ 545-45 **Compliance with Appendix A.**

All improvements shall comply with the requirements of Appendix A (attached) and all other requirements of the City of Watertown.

§ 545-46 **Restoration of disturbed areas; vegetation.**

[Added by Ord. No. 03-7]

- A. The subdivider shall stabilize all areas disturbed by mass site grading and utility and infrastructure installation within two weeks of completion of same or as soon as conditions allow.
- B. The subdivider shall cut all vegetation within all platted subdivisions once by each and every June 10 and August 25 or any other time when vegetation exceeds eight inches in height according to Chapter **446**, Article **III**, of the City's Code. This requirement shall apply to all lands still owned by the subdivider. **[Amended 10-4-2016 by Ord. No. 16-18; 12-20-2016 by Ord. No. 16-23; 5-2-2017 by Ord. No. 17-11]**
- C. After review by the Weed Commissioner, if vegetation is not cut by those dates stated above

or as required by Chapter **446**, Article **III**, the Weed Commissioner shall notify the Building, Safety and Zoning Department, and the subdivider, contractor, or subcontractors shall not be issued any new permits until vegetation is cut.

Article IV Modifications and Appeals

§ 545-47 **Modifications.**

- A. In cases where a subdivision or minor subdivision is part of a planned unit development for which a specific implementation plan containing revised design standards is recommended by the Plan Commission and approved by the Common Council and recorded with the Dodge or Jefferson County Register of Deeds, the waiver of or modification in the design standards required by this section shall be considered to have been granted.
- B. Modifications not related to a planned unit development may be granted by the Common Council so that substantial justice may be done and that the public interest is secured when, in its judgment, it would be inappropriate to apply a provision of this chapter or when such application would cause extraordinary hardship.
- C. A Modification may be granted by the Plan Commission to permit a parcel to be created by a proposed land division in the extraterritorial review area when it is shown that the application satisfies the following standards:
 - (1) A finding of fact must be made that the purpose of the proposed parcel is to be a lot for a dwelling unit to be occupied by a person who, or a family at least one member of which, earns a substantial part of his or her livelihood from farm operations on the parcel and/or contributes work which is substantially needed in the farm operation and is the parent or child of the farm operator or the spouse of the farm operator; and
 - (2) A finding of public interest must be made that the proposed parcel and development design is reasonable upon consideration of these factors:
 - (a) The potential for conflict with agricultural use.
 - (b) The need of the proposed development for a location in an agricultural area.
 - (c) The availability of alternate locations.
 - (d) Compatibility with existing or permitted development on adjacent lands.
 - (e) The productivity of the lands involved.
 - (f) The location of the proposed development so as to reduce to a minimum the amount of productive agricultural land converted.
 - (g) The need for public services created by the proposed development.
 - (h) The availability of adequate public services and the ability of affected local units of government to provide them without a reasonable burden.
 - (i) The effect of the proposed development on water or air pollution, soil erosion, and rare or irreplaceable natural resources.

- (3) When the site is zoned Exclusive Agricultural (A-1) under the Dodge or Jefferson County Zoning Ordinance, the Commission shall defer to the county conditional use decision on the standards of Subsection **C2** where such a county decision is needed to establish the dwelling unit.
 - (4) The minimum parcel size allowable under this Subsection **C** by modification is one acre, excluding any area dedicated to the public.
 - (5) If a modification is granted under this subsection, the division of land shall be subject to all other pertinent provisions of this and related ordinances.
- D. Reasons and conditions for any waiver or modification granted shall be entered in the minutes of the Common Council.

§ 545-48 **Appeals.**

- A. The following decisions of the Plan Commission may be appealed to the Common Council:
- (1) Rejection of a preliminary plat, a final plat, or a certified survey map.
 - (2) A determination that land is unsuitable for subdivision.
 - (3) The requirement of a preliminary plat for a land division.
- B. The procedure for the filing and handling of the appeal shall be that outlined in § **550-156** of the Zoning Code.

§ 545-49 Reserved.

Article V **Definitions**

§ 545-50 **Definitions of terms.**

The following terms, whenever they occur in this chapter, are defined as follows. All other pertinent terms shall be as defined in Chapter **550**, Zoning, of the Code of the City of Watertown and in Ch. **236**, Wis. Stats.

ACT OF DIVISION

The division of a lot or parcel of land into two or more parcels.

BIKEWAY

A general term describing any or all of the following defined types of facilities used for bikes. A network of bikeways constitutes a bike route system. Class designations are those in the Long Range Bikeway Program:

- A. **BIKE PATH (Class I)** A bike route completely apart from a street used by motor vehicles and restricted to bicycles unless designated otherwise.
- B. **BIKE LANE (Class II)** A designated lane of a street restricted to bicycle usage and separated from motor vehicles by a painted line, raised divider, or curb.
- C. **MIXED TRAFFIC ROUTE (Class III)** A route designated by signs along streets used by motor vehicles and bicycles.

CERTIFIED SURVEY MAP

A map or plan of record of a minor subdivision meeting all the requirements of § 236.34, Wis. Stats. and of this chapter.

CLOSED DRAINAGE BASIN

A drainage basin which has no surface outlet during periods of normal rainfall.

COMMON COUNCIL

The City of Watertown Common Council.

COMPREHENSIVE DEVELOPMENT PLAN

A total site plan for an area of land eighty acres or more in size under the control of a developer(s) at the time of submission for review. Said plan specifies and illustrates the location, relationship, and nature of all uses, easements, streets, pedestrian paths, bikeways, and common open space.

COMPREHENSIVE PLAN

The comprehensive plan for guiding and shaping the growth and development of the Watertown community, including all of the component parts, as prepared by the Plan Commission and certified to the Common Council.

CONDOMINIUM DEVELOPMENT

A real estate development, redevelopment, or ownership regime conversion project involving establishment or alteration of the condominium form of ownership for all or part of the development.

DEVELOPER

See "subdivider."

DIVISION OF LAND

The division of a lot or parcel of land into two or more parcels.

DRIVEWAY

A vehicle access from private property to a public street.

ENVIRONMENTAL CORRIDORS

Continuous open space systems based on natural resources and environmentally important lands. The corridors are based primarily on streams, lakes, shorelands, floodplains, waterways, and wetlands.

EXTRATERRITORIAL PLAT APPROVAL JURISDICTION

As defined in § 236.02(5), Wis. Stats. (three miles from corporate limits).

FINAL PLAT

The map or plan of record of a subdivision and any accompanying material as required in § 545-14.

GOVERNING BODY

The City of Watertown Common Council.

GREENWAY

An open area of land included under the definition of "parkway," the primary purpose of which is to carry stormwater on the surface of the ground in lieu of an enclosed storm sewer. Greenways may serve the following multiple public purposes in addition to their principal use, including but not limited to vehicular and/or pedestrian traffic, sanitary sewers, water mains, storm sewers, stormwater retention basins, waterways, conservancy areas, environmental corridors, and park development.

LAND DIVISION

The division of a lot or parcel of land into two or more parcels. Also referred to as

"division of land."

LAND IN ITS NATURAL UNDEVELOPED STATE

Land which has runoff characteristics equivalent to runoff curve number (CN) 70 as used in the runoff methodology promulgated by the United States Natural Resources Conservation Service National Engineering Handbook.

LOT

A parcel of land having frontage on a public street occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the minimum lot width, lot frontage, lot area, setback, yard, parking, or other requirements of the City zoning ordinance.

LOT, CORNER

A lot abutting two or more streets at their intersection, provided that the corner of such intersection shall have an angle of 135 degrees or less.

LOT, DOUBLE OR REVERSE FRONTAGE

A lot other than a corner lot with frontage on more than one street. Such lots normally shall be deemed to have two front yards, two side yards, and no rear yard.

LOT, FLAG

A lot not fronting on or abutting a public street and where access to the public street system is by a narrow strip of land (sometimes called a "neck," "narrow leg," or "flag staff"), easement, or private right-of-way. Flag lots generally are not considered to conform to sound planning principles.

MINOR SUBDIVISION

The division of a lot or parcel of land for the purpose of transfer of ownership or building development where the act of division creates four or fewer parcels, lots, or building sites, any one of which is thirty-five acres or less in area. A minor subdivision of a lot or parcel shall occur not more than once in five years.

OFFICIAL MAP

The map indicating the location, width, and/or extent of existing and proposed streets, highways, parkways, parks, waterways, and playgrounds as adopted by the Common Council pursuant to § 62.23(6), Wis. Stats.

OUTLOT

A parcel of land other than a buildable lot or block, so designated on the plat, which is used to convey or reserve parcels of land. Outlots may be created to restrict a lot that is unbuildable because of high groundwater, steep slopes, or other physical constraints or to create common open space that may accommodate certain recreational amenities and stormwater management facilities. Outlots also may be parcels of land intended to be re-divided into lots or combined with lots or outlots in adjacent land divisions in the future for the purpose of creating buildable lots. An outlot may be further created if a lot fails to meet requirements for a POWTS but may be buildable if a public sewer is extended to the lot or land division. Section 236.13(6) of the Wisconsin Statutes prohibits using an outlot as a building site unless it complies with all the requirements imposed for buildable lots. The City generally will require that any restrictions related to an outlot be included on the face of the plat.

PARCEL

Contiguous lands under the control of a subdivider(s) not separated by streets, highways, or railroad rights-of-way.

PARKWAY

Any right-of-way for vehicular traffic including bicycles or pedestrian traffic or both with full or partial control of access and usually located within a park or a ribbon of park-like development. Said parkway may include greenways required for stormwater drainage purposes where the drainage improvement is to include park-like treatment and where pedestrian or vehicular travel including bicycles may be permitted.

PLAN COMMISSION

The City of Watertown Plan Commission.

PLANNED UNIT DEVELOPMENT

Any zoning district which allows diversification and variation in land development to achieve an improved living environment and to preserve open space.

PLAT

A map of a subdivision.

POWTS

Private Onsite Wastewater Treatment System.

PRELIMINARY PLAT

A map delineating the features of a proposed subdivision as described herein, submitted to the Plan Commission for preliminary consideration prior to the final plat.

PRIME AGRICULTURE LAND

Lands containing Class I, II, and III soils and other lands having a history of agricultural production.

REPLAT and RESUBDIVISION

The process of changing or the map that changes the boundaries of a recorded plat or part thereof. The legal division of a larger block, lot, or outlot within a recorded plat that does not change the exterior boundaries of said block, lot, or outlot, is not a replat. See § **236.36**, Wis. Stats.

STREET

A public way for vehicular and pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, thruway, road, avenue, boulevard, lane, place, or however otherwise designated.

- A. Arterial streets and highways. Those streets providing for rapid movement of concentrated volumes of traffic over relatively long distances.
 - (1) Principal arterials. Streets serving the major interstate and interregional traffic corridors and providing the highest mobility level and a high degree of access control.
 - (2) Primary arterials. Streets serving major regions or connecting important cities and major intracommunity corridors in the metropolitan area. These routes provide high mobility and a high degree of access control.
 - (3) Standard arterials. Those streets that more commonly provide for intermediate length trips, thus serving through traffic movement in trade areas or feeding traffic to the principal and primary arterial streets from lower activity areas not served by such routes.
- B. Collector streets. Streets which provide moderate-speed movement of persons and goods between major arterials and/or activity centers. These are basically local streets that because of directness of routing and higher capacity receive higher volumes of traffic to be distributed from or collected toward nearby arterial streets.
- C. Local streets. Streets designed for low speeds and low volumes which provide access from low traffic-generating areas to collector and arterial systems.
 - (1) Industrial street. A local street serving an industrial, office, or commercial area as defined in Chapter **550**, Zoning.

(2) Residential streets.

(a) Residential, typical. A standard residential street.

(b) Residential, major. A street located within and/or between plats or other residential development that serves to connect local streets to collector or arterial streets.

D. Marginal access streets (frontage roads). Streets parallel and adjacent to arterial streets and highways that provide access to abutting properties and separation from through traffic.

E. Alley. A public right-of-way which affords a secondary means of access to abutting property.

F. Cul-de-sac streets. Streets closed at one end with turnarounds.

G. Dead-end streets. Streets closed at one end without turnarounds. These are prohibited.

STRUCTURE

Anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having permanent location on the ground, excepting public utility facilities and appurtenances attached thereto.

SUBDIVIDER

Any person, firm, partnership, corporation, association, estate, trust, or other legal entity requesting review or action on a plat, minor subdivision, or condominium.

SUBDIVISION

The division of a lot or parcel of land for the purpose of transfer of ownership or of building development where:

A. The act of division creates five or more parcels or building sites of thirty-five acres each or less in area; or

B. The act of division creates five or more parcels or building sites of thirty-five acres each or less in area by successive divisions within a period of five years.

SUBSTANDARD LOT

A lot, the area, dimensions, or location that existed at the time of the effective date of this Ordinance or an amendment thereto that does not conform to current regulations of this Ordinance. Substandard lots are also referred to as nonconforming lots.

URBAN SERVICE AREA

That area which the City of Watertown that the Common Council has designated as the area within which it expects the provision of the full range of urban facilities and services. For purposes of this chapter, the full range of services includes but is not limited to sanitary sewer, storm sewer, water supply and distribution, fire service and police, parks and open space, recreation, schools, and transportation. The designated urban service area may include areas in which other local governments will provide these services consistent with the land use plans for Dodge and Jefferson Counties and policies of the City of Watertown.

WATERWAYS

Rivers, streams, creeks, ditches, drainage channels, watercourses, lakes, bays, ponds, impoundment reservoirs, retention and detention basins, marshes, and other surface water areas, regardless of whether the areas are natural or artificial.

ZONING CODEChapter **550**, Zoning, of the Code of the City of Watertown.**Attachments:**[Attachment 1 - Site Assessment Checklist](#)**SUBDIVISION OF LAND***545 Attachment 1***City of Watertown****Site Assessment Checklist**

NOTE: All "yes" answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.

Item No.	Item of Information	Yes	No
I.	Land Resources. Does the project site involve?		
A.	Changes in relief and drainage patterns (attach a topographical map showing, at a minimum, two-foot contour intervals)		
B.	A landform or topographical feature, including perennial streams and hills over 50 feet in elevation		
C.	A floodplain (If "yes" attach two copies of the one-hundred-year floodplain limits and the floodway limits - if officially adopted)		
D.	An area of soil instability — greater than 18% slope and/or organic soils, peats or mucks at or near the surface as depicted in the applicable County Soils Atlas		
E.	An area of bedrock within 6 feet of the soil surface as depicted in the applicable County Soils Atlas		
F.	An area with groundwater table within 10 feet of the soil surface as depicted in the applicable County Soils Atlas		
G.	An area with fractured bedrock within 10 feet of the soil surface as depicted in the applicable County Soils Atlas		
H.	Prevention of gravel extraction		
I.	A drainageway for 5 or more acres of land		
J.	Lot coverage of more than 50% impermeable surfaces		
K.	Prime agricultural land as depicted in adopted farmland preservation plans		
L.	Wetlands as depicted on wetland inventory maps		
M.	Area within the airport height limitations or noise impact zone		
N.	Officially mapped environmental corridors		
II.	Water Resources. Does the project involve?		
A.	Location in an area traversed by a navigable stream or dry run		
B.	Impact on the capacity of a stormwater storage system or flow of a waterway within 1 mile		
C.	The use of septic tank for on-site waste disposal		
D.	Lowering of water table by pumping or drainage		

545 Attachment 1:1

08 - 01 - 2016

WATERTOWN CODE

Item No.	Item of Information	Yes	No
E.	Raising of water table by altered drainage		
F.	Lake or river frontage		
III.	Biological Resources. Does the project site involve?		
A.	Critical habitat for plants and animals of community interest per DNR inventory		
B.	Endangered, unusual or rare species of:		
1.	Land animals per DNR inventory		
2.	Birds per DNR inventory		
3.	Plants per DNR inventory		
C.	Removal of over 30% of the present trees on the site		
IV.	Human and Scientific Interest per State Historical Society Inventory. Does the project site involve?		
A.	An area of archaeological interest		
B.	An area of historical interest		
1.	Historic buildings or monuments		
V.	Energy, Transportation and Communications.		
A.	Does the development increase traffic flow on any arterial or collector street by more than 10% based upon the most recent traffic counts and trip generation rates provided by the ITE?		
B.	Is the development traversed by an existing or planned utility corridor (gas, electrical, water, sewer, storm, communications)?		
VI.	Population.		
A.	Which public school service areas (elementary, middle and high) are affected by the proposed development, and what is their current available capacity?	E: _____ Cap.: _____ M: _____ Cap.: _____ H: _____ Cap.: _____	
VII.	Comments on any of the above which may have significant impact.		
VIII.	Appendixes and Supporting Material.		

545 Attachment 1:2

08 - 01 - 2016

[Attachment 2 - Table 1, Minimum Roadway Design Standards](#)

SUBDIVISION OF LAND

545 Attachment 2

City of Watertown

Table 1
Minimum Roadway Design Standards Revised

Description	Right-of-Way (feet)	Pavement Width ¹ E-E (feet)	Lane Width (feet)	Parking	Sidewalks	Minimum Return Radius (feet)	Minimum Radius (feet)	Minimum Reverse Curve Tangent (feet)	Maximum Grade ⁴	Cul-De-Sac			
										Maximum Length (feet)	Right-of-Way (feet)	Diameter (feet)	Pavement Width ¹ E-E (feet)
Arterials	To be designed in accordance with standard engineering design practices based on regional criteria												
Collectors ²	80	36	12	2 sides	2	20	450	150	6%	—	—	—	—
Local													
1. Industrial ³	70	40	12	Optional ³	Optional ³	30	320	150	6%	1,000	120	94	40
2. Residential (major)	66	32	12	2 sides	2	20	200	100	7%	N/A	N/A	N/A	N/A
3. Residential (typical)	66	30	10	2 sides	2	20	200	100	8%	700	120	82	30
Marginal access (frontage)	50	24	12	None	1	25	200	—	6%	—	—	—	—
Alleys	24	20	—	None	None	10							

NOTES:
¹ Pavement width without curb and gutter (E-E = edge of pavement to edge of pavement).
² If a vertical curve is under 500 feet in radius, the maximum grade allowed is 3% minus 0.5% for each 50 feet of radius under 500 feet.
³ Requirement to be determined by the Plan Commission.
⁴ Minimum street grade is 0.5%.

545 Attachment 2:1

08 - 01 - 2016

SECTION 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	December 5, 2023		December 19, 2023	
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				

ADOPTED December 19, 2023

CITY CLERK

BOARD				
BARTZ				
BLANKE				
SMITH				
SCHMID				
WETZEL				
MOLDENHAUER				
MAYOR MCFARLAND				
TOTAL				

APPROVED December 19, 2023

MAYOR

NOTICE OF PUBLIC HEARING

Section 3, Item A.

In compliance with §236.45(4) of Wisconsin Statutes, notice is hereby given by the Common Council of the City of Watertown, Wisconsin, that a public hearing will be held on the 21st day of November 2023 in the Council Chambers of the Municipal Building, 106 Jones Street, Watertown, Wisconsin at 7:00 P.M., or shortly thereafter, for the repealing and recreation of Chapter 545, Subdivision of Land.

A copy of the proposed ordinance is on file at the City Clerk's Office for review 8:00 a.m. to 4:30 p.m., Monday through Friday.

All persons wishing to be heard are invited to be present. Written comments may be submitted to City Clerk Megan Dunneisen, 106 Jones Street, Watertown, WI 53094.

CITY OF WATERTOWN
Andrew Beyer, P.E.
Assistant City Engineer

PUBLISH:

November 7, 2023
and
November 14, 2023

(BLOCK AD)

Chapter 545 Subdivision of Land Zoning Ordinance Text Amendment Schedule

Timeline	
October 23 rd	Plan Commission Meeting: - Initial Review - Set Public Hearing Date at Common Council
October 24 th	Submit the Notice of Public Hearing to the local paper indicating the date of the Public Hearing.
November 7 th	First Publication of Notice of Public Hearing (<i>Class 2</i>)
November 14 th	Second Publication of Notice of Public Hearing (<i>Class 2</i>)
November 21 st	Common Council Meeting: Public Hearing
November 27 th	Plan Commission Meeting: - Review Comments from Public Hearing - Make Recommendation to Council
November 28 th	Forward Ordinance to City Attorney for review
December 5 th	Common Council Meeting: First Reading of Ordinance Amendment
December 19 th	Common Council Meeting: - Second Reading of Ordinance Amendment - Common Council approval of Ordinance Amendment

WATERTOWN

Regular Plan Commission Meeting: Second & Fourth Mondays

Regular Common Council Meetings: First and Third Tuesdays

Newspaper: Published daily; Legal notices due 3 days prior to publishing

**AN ORDINANCE
FOR ATTACHMENT OF REAL ESTATE BY BOUNDARY ADJUSTMENT
FROM THE TOWN OF EMMET TO THE CITY OF WATERTOWN,
DODGE COUNTY, WISCONSIN**

**SPONSOR: MAYOR EMILY MCFARLAND, CHAIR
FROM: PLAN COMMISSION WITH POSITIVE RECOMMENDATION**

WHEREAS, the City of Watertown and Town of Emmet adopted a Cooperative Plan consistent with § 66.0307, Wisconsin Statutes, and which was approved by the Wisconsin Department of Administration, which identifies areas within the Town of Emmet as expansion areas to attach to the City of Watertown; and,

WHEREAS, the proposed territory to be attached is located within the Highway 16 Residential Area under Section 3.02(d) of the Cooperative Plan, the parcel is furthermore located within the City Growth Area further defined in Section 3.01 of the Cooperative Plan; and,

WHEREAS, Rolf C. & Sandra J. Thornquist have filed a Petition for Attachment of Real Estate by Boundary Adjustment from the Town of Emmet to the City of Watertown, Dodge County, Wisconsin; and,

WHEREAS, a copy of said Petition has been reviewed and positively recommended by the Watertown Plan Commission on April 25, 2022 under Section 8.05(a); and,

WHEREAS, the City of Watertown Under Section 8.05(a) of the City of Watertown and Town of Emmet adopted a Cooperative Plan consistent with § 66.0307, Wisconsin Statutes, has given a minimum of ten (10) days advanced, written notice to the Town of Emmet Clerk; and,

WHEREAS, the Town of Emmet waives it's right to oppose attachment under Section 8.05(e) of the Cooperative Plan; and,

WHEREAS, the property owners have requested temporary zoning to wit, Single-Family Residential – 4 (SR-4) District.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS FOLLOWS:

SECTION 1. That the following described real estate be, and the same is, hereby detached from the Town of Emmet, Dodge County, Wisconsin, and, for the attachment of same to the City of Watertown, Dodge County, Wisconsin, *to wit*:

A part of Lots 3 and 4, in Block 14 of Schnasse & Bonner's Addition to Watertown lying in the South East ¼ of the South East ¼ of Section 28, Township 9 North, of Range 15 East, in the Town of Emmet, bounded and described as follows:

Commencing at the intersection of the South line of said Lot 4 with the East line of Prospect Street, thence North 4° 33' 10" West along the East line of said street, 173.15 feet; thence North 87° 20' East,

186.76 feet; thence South 4° 33' 10" West, 173.15 feet to a point in the South line of said Lot 4; thence South 87° 20' West along the South line of said Lot 4 a distance of 187.02 feet to the place of beginning. (PIN: 016-0915-2844-012; 1523 Prospect Street)

Also, the easterly 33ft of the Prospect Street Right-of-Way immediately adjacent to and lying to the West of and abutting 1523 Prospect Street as described above.

SECTION 2. Pursuant to Section 8.05(i) of the Cooperative Plan, the Right-of-Way abutting 1523 Prospect Street as described above, be located within the City Limits of the City of Watertown, lying to the West of 1523 Prospect Street and immediately adjacent to.

SECTION 3. That the above-described real estate shall be made part of the Fourth (4th) Ward of the Sixth (6th) Aldermanic District of the City of Watertown, Dodge County, Wisconsin.

SECTION 4. That a future zoning classification on the parcel described above shall be designated as Single-Family Residential – 4 (SR-4) District, under the City of Watertown Zoning Code.

SECTION 5. That the property address for the parcel be established as “1523 Prospect Street, Watertown, Wisconsin 53098.”

SECTION 6. That the City’s official map shall be so amended consistent with and pursuant to the alteration to corporate limits resulting by passage and adoption of this Ordinance.

SECTION 7. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 8. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	First meeting date		Second meeting date	
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				
BOARD				
BARTZ				
BLANKE				
SMITH				
SCHMID				
WETZEL				
MOLDENHAUER				

ADOPTED Type meeting date

CITY CLERK

APPROVED Type meeting date

MAYOR

MAYOR MCFARLAND				
TOTAL				

Section 2 Item B.

30

South 4° 33' 10" West
173.15 feet

**Annexed
ROW**

Point of Beginning

57