

CHAPTER 20  
SUBDIVISION CONTROL ORDINANCE

Adopted: June, 2006

## Chapter 20 Subdivision Control Ordinance

### 20.01 Purpose.

The purpose of this ordinance is to regulate and control the subdivision of land within the corporate limits and extraterritorial plat approval jurisdiction of the City of Stevens Point. These regulations are designed to protect and provide for the public health, safety, and general welfare of the municipality, lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provisions for transportation, water, sewage, storm drainage, schools, parks, playgrounds and other public requirements; to facilitate the further re-subdivision of larger tracts into smaller parcels of land, to encourage the orderly and beneficial development of the community through appropriate growth management techniques assuring the timing and sequencing of development, to assure proper urban form and open space, to protect environmentally critical areas, to protect areas from premature urban development, to ensure that public facilities and services are available concurrent with development and will have sufficient capacity to serve the proposed subdivision, to provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the municipality having particular regard to the avoidance of congestion and accommodating anticipated traffic. These regulations are made with the reasonable consideration, among other things, of the character of the City with a view of conserving the value of the buildings placed upon land, providing the best possible environment for human habitation and for encouraging the most appropriate use of land. These regulations are formulated to facilitate enforcement of development standards as outlined in the Building Code, Zoning Code, and to guide the future growth and development of the City in accordance with the Comprehensive Plan and Official Map of the City of Stevens Point

In general, residential subdivisions will be encouraged to provide generous distances between building sites and existing industries and between building sites and high capacity streets, highways, and expressways and freeways to act as buffers against noise and noxious fumes. Residential subdivisions will also be discouraged from locating too close to existing or proposed airport approach zones.

### 20.02 DEFINITIONS.

For this purpose certain words and terms are herewith defined; the singular includes the plural and the plural includes the singular; the word "shall" is mandatory and not discretionary.

1. "Major Subdivision" shall mean the division of land into five or more lots or the dedication of streets or other areas for the use of the public, shall be by recorded plat or by certified survey map by a registered land surveyor and such division of land shall be approved by the City Plan Commission and Common Council. In addition, the Public Works Director shall certify to the Plan Commission that the respective plat or certified survey map has met the formal requisite of Chapter 236 of the Wisconsin statutes as amended.

"Minor Subdivision" shall mean the division of land into two to five parcels, regardless of parcel size, shall be by certified survey map by a registered land surveyor. In addition, the Public Works Director shall certify to the Plan Commission that the respective survey or

certified survey map has met the formal requisite of Chapter 236 of the Wisconsin statutes as amended.

The above 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 this ordinance or other applicable laws or ordinances; 4) the sale or exchange of parcels of land between a governmental agency and an owner of adjoining property; 5) the City or its political subdivisions shall be exempt from the provisions of this subsection.

Where Certified Survey Maps are prepared for exempted land divisions as enumerated in 1-5 above, the Community Development Director and the Director of Public Works or her/his designee, upon review, shall have the authority to sign an appropriate notation thereon that the Certified Survey Map is exempted from Plan Commission review pursuant to the applicable provision.

2. "Building line" shall mean a line on a plat between which line and a street no building or structure may be erected.

3. "Cul-de-sac" shall mean a minor street with only one outlet and culminating in a turnaround.

4. "Extraterritorial jurisdiction" shall mean the unincorporated area within three miles from the corporate limits of Stevens Point, Wisconsin.

5. "Local Streets" shall mean those streets which are designed for low speeds and volumes and are to provide access from low-generation land activities to the collector and arterial systems.

6. "Collector Streets" shall mean those streets which provide moderate speed movement of persons and goods within large areas. They are basically local streets which usually, because of more directness of routing and higher capacity than other local streets, receive higher volumes of traffic to be distributed from or collected toward nearby arterial streets.

7. "Arterial Streets and Highways" shall mean those streets which provide rapid movement of concentrated volumes of traffic over relatively long distances. They principally provide for movement of persons and goods between activity areas.

#### 20.03 REQUIRED PLAT AND CERTIFIED SURVEY MAP APPROVAL.

Any division of land within the City or its extraterritorial jurisdiction as described in 20.02 herein shall be surveyed and a plat or certified survey map thereof submitted for approval, conditional approval, or rejection by the City Council. This requirement shall also apply for any division of land within the City's extraterritorial jurisdiction.

#### 20.04 GENERAL REQUIREMENTS.

Subdivisions – major and minor – in the City of Stevens Point or extra-territorial jurisdiction.

1. No person, firm or corporation shall divide any land located within the corporate limits of the City of Stevens Point or within the extraterritorial jurisdiction thereof which shall result in a major or minor subdivision as defined herein without complying with the provisions of Chapter 236, Wis. Stats. and the requirements of this ordinance.

2. The proposed subdivision shall conform to:

- a. The provisions of Chapter 236, Wis. Stats.
- b. All applicable ordinances of the appropriate jurisdictions.
- c. The Comprehensive Plan and Official Map or any portion thereof.

Whenever a parcel to be subdivided includes any part of a street, highway or greenway designated in said Comprehensive Plan or Official Map, such part of such proposed public way shall be platted and dedicated by the subdivider in the location and at a width indicated along with all other streets in the subdivision.

d. The rules of the State of Wisconsin relating to lot size and lot elevation if the subdivision is not served by a public sewer and provisions for such service have not been made. Where soil survey information is available, such data shall also be considered in determining any areas not suitable for on-site soil absorption sewage disposal system due to inappropriate soil, soil subject to flooding, ground water contamination or silting, soils with a high or fluctuating water table, proximity to bedrock, or excessive slopes.

e. The rules of the State Department of Transportation relating to safety of access and the preservation of the public interest and investment on the streets if the subdivision or any lot contained therein abuts on a state trunk highway or street connecting thereto.

f. The requirements of City departments as determined during review of the subdivision.

3. No land shall be subdivided which is held by the City Plan Commission to be unsuitable for use by reason of flooding, bad drainage, soil or rock formations with severe limitations for development, severe erosion potential, or unfavorable topography, or any other feature likely to be harmful to the safety or welfare of future residents or landowners in the proposed subdivision or of the community.

The City Plan Commission in applying the provisions of this section shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for the proposed use, after affording the subdivider an opportunity to present evidence regarding such suitability at a public meeting.

4. In the case of land divisions and platted subdivisions, lot sizes shall conform to the area and width requirements prescribed for the zoning district in which the property is located, provided that in commercial and industrial districts lotting shall be to widths and areas deemed by the Plan Commission to be appropriate for the prescribed use.

5. The City of Stevens Point subscribes to the policy that urbanizing land should desirably be located in a compact manner within an existing city or village where arrangements for public transportation will minimize the impact of commuting automobile traffic on City residents and where the full range of urban services and facilities will be available. Within a recognized future growth zone, those subdivisions that could provide adequate public

facilities and public services would be favored. Subdivisions shall conform to the following policies:

a. Preserve and enhance the existing City and villages and encourage compact balanced growth shared by and in association with all the region's cities and villages. Planned new towns may also be appropriate in the future.

b. Encourage the development of balanced compact communities in Portage County with appropriate commercial, public services, industrial, employment, residential and open space land uses meeting the needs of present and future residents of those communities.

c. Direct new growth to those areas capable of providing a full range of urban services and facilities.

d. Prevent scattered and noncontiguous development without discouraging new and desirable development.

e. Insure that new development will not be detrimental to the physical, social and economic well-being of residents of the City or the County.

f. Insure that new development will be organized and timed so as to permit urban services and facilities to be provided as economically and efficiently as possible.

g. Discourage new developments in those areas that are premature in terms of planning and timing for the provision of adequate public services and facilities.

h. Preserve high quality agricultural lands for that purpose when located in an area designated for preservation.

i. Prohibit development in areas or forms where substantial problems will result from excessive automobile traffic volume.

6. A preliminary plat or final plat of any major or minor subdivision in the City of Stevens Point or in the extraterritorial area shall not be approved unless the Plan Commission and the Common Council determine that adequate public facilities and public services are available to support and service the area of the proposed subdivision, unless the City finds the major or minor plat are in an area not likely to be included in the City's future growth zone. In considering the questions of adequacy of public facilities and public services as set forth above, the Plan Commission and Common Council shall consider but not be limited to: (1) The nature, extent and size of the proposed subdivision and its impact in terms of the estimated increase in population expected to result; (2) The present or projected state of development likely to result when said subdivision is developed with projected densities as anticipated by adopted area Comprehensive Plans and currently approved subdivisions in the immediate vicinity of the proposed subdivision; and (3) The avoidance of expenditures of public funds necessitated by the proposed subdivision which are not in adopted capital or operating budgets. For subdivisions in the City of Stevens Point, the applicant shall furnish data requested by the Director of Public Works, Water Utility Manager, Traffic Engineer and Director of Planning and Development who will coordinate statements of adequacy for transportation, storm sewer, sanitary sewer, water service, fire and police protection, parks, open space, and recreation and school facilities for the Plan Commission and the Common Council.

Land Divisions or Subdivisions in Extraterritorial Plat Approval Jurisdiction. In addition to all other provisions contained in this Ordinance, the Plan Commission may recommend or approve the subdividing of lands in the extraterritorial plat approval jurisdiction based on the applicable criteria and policies contained in this ordinance and the Comprehensive Plan. The Plan Commission shall not consider any subdivision or land division which did not have prior approval by the approving authorities for both the Town(s) and Portage County. The Plan Commission may require any conditions in the approval of a subdivision or land division, including the use of any restrictive covenant.

1. Criteria for Agricultural Land Division. The Plan Commission may grant approval of a land division subdividing portions of agricultural lands provided the Commission shall determine that the proposed land division will assist and assure the continuation of the agricultural use.

2. Criteria for Nonagricultural Subdivision or Land Division. In the case of nonagricultural lands, the Plan Commission may recommend approval of a subdivision to the Common Council or may grant approval of a land division provided that the Plan Commission shall determine that the proposed subdivision or land division complies with all of the following criteria:

a. The proposed subdivision or land division shall be compatible with adjacent land uses and shall maintain the general land use pattern of the area in question.

b. The proposed subdivision or land division shall result in a development pattern which is compatible with surrounding developments and land uses. Measures of compatibility shall consider at least but not limited to lot sizes, traffic generation, access, noise and visual features.

c. The proposed subdivision or land division and the resulting development shall not demonstrably adversely affect the City's ability to provide future public utilities, install future public improvements or accomplish future annexations. The Plan Commission may consider annexation agreements with the property owner in order to comply with this requirement. The Plan Commission may also consider whether the City and Town(s) have reached an agreement on necessary public improvements and public services facilities required to serve the development.

d. The proposed subdivision or land division shall comply with one of the following:

The proposed subdivision or land division shall represent infilling of vacant land. Infilling is defined as a subdivision or land division which will accommodate the development of vacant land located such that surrounding existing land uses render the land impractical for any but similar uses.

The proposed subdivision or land division shall provide permanent open space lands for use by the general public in conformance with the adopted Parks and Open Space Plan for Portage County, Wisconsin, the City of Stevens Point adopted Parks and Open Space Plan or the City's other adopted Comprehensive Plan elements. The permanent open space lands shall be accessible and open for use by the general public.

## 20.05 PROCEDURE

1. Major Subdivision: Preliminary Plat. All preliminary plats of major subdivisions within the

corporate limits and the City's extraterritorial jurisdiction shall be submitted for review by the City's Director of Community Development.

(a) Prior to the submittal of a preliminary plat to the City Plan Commission, a subdivider shall consult with the Director of Community Development and Director of Public Works. This consultation will be for the purpose of detecting issues with the plat and assuring conformance with appropriate local ordinances and the Comprehensive Plan to enable more expedient approval by the Plan Commission.

(b) The preliminary plat and such copies thereof as shall be required shall be submitted to the Plan Commission for approval.

(c) After review of the preliminary plat and negotiations with the subdivider on changes deemed advisable and the kind and extent of public improvements required, the Plan Commission shall, within 40 days of submission, approve, approve conditionally, or reject the plat. The subdivider shall be notified in writing of any conditions of approval or the reasons for rejection. The Plan Commission may request sufficient information and data on the proposed subdivision to demonstrate the expected impact on and use of public facilities by possible uses of the proposed subdivision.

d) Approval of the preliminary plat shall entitle the subdivider to final approval of the layout shown by such plat if the final plat conforms substantially to such layout and conditions of approval have been met and is submitted within 6 months of approval of the Preliminary Plat.

e) The approval of the preliminary plat shall be contingent upon evidence that sufficient easements are shown on the plat for the purpose of utility easements.

(f) Approval, approval with conditions, or rejection of a preliminary plat shall be based on consistency or conflict with the City's subdivision control ordinance; Chapter 236 of the Wisconsin statutes; the Zoning Ordinance; Official Map; Comprehensive Plan, assurance adequate public facilities exist to service the proposed use, and any other preliminary or adopted City plans, policies, or studies applicable in the review of subdivision plats or certified survey maps.

2. Major Subdivision: Final Plat. All final plats of major subdivisions within the corporate limits and the City's extraterritorial jurisdiction shall be submitted for review by the City's Director of Community Development

(a) The final plat and such copies as shall be required shall be submitted within six months of the approval of the preliminary plat. However, if approval of the preliminary plat must be obtained from another approving authority subsequent to approval by the Common Council, the final plat shall be submitted within six months of such approval. The Common Council may waive failure to comply with this requirement.

(b) The City Plan Commission shall approve or reject the final plat within 60 days of its submission, unless the time is extended by agreement with the subdivider. Approval, approval with conditions, or rejection of a final plat shall be based on consistency or conflict with the City's subdivision control ordinance; Chapter 236 of the Wisconsin statutes; the Zoning Ordinance; Official Map; Comprehensive Plan, assurance adequate public facilities exist to service the proposed use, and any other preliminary or adopted City plans, policies, or studies applicable in the review of subdivision plats or certified survey maps. Reasons for rejection shall be stated in the minutes of the Plan Commission meeting and a copy thereof

or a written statement of such reasons shall be supplied the subdivider.

(c) The final plat shall be considered for approval only upon submission at an official meeting of the City Plan Commission of the original plat on muslin-backed paper or as required by Section 236 of the Wisconsin Statutes.

(d) Certification of Common Council approval. The final plat as noted in subsection (c) above shall have affixed on the face of said final plat a statement certifying the Common Council's approval. This certificate shall read as follows:

Be it resolved that the plat of \_\_\_\_\_ in the City of Stevens Point (Town of \_\_\_\_\_) is hereby approved by the Stevens Point Common Council.

\_\_\_\_\_  
Mayor, City of Stevens Point

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Stevens Point, WI.

\_\_\_\_\_  
Clerk, City of Stevens Point

### 3. Minor Subdivision: Certified Survey Maps

(a) All certified survey maps within the corporate limits and the City's extraterritorial jurisdiction shall be submitted for review by the City's Director of Community Development except as provided in paragraphs (1) and (2) below:

1. Land divisions for purposes exempted by chapter 236.45(2) of the Wisconsin statutes.
2. Surveys of parcels of lots of record existing at the time of adoption of this ordinance where dedications for public purposes are not involved.

(b) Prior to submittal of a certified survey map for official review, the subdivider or his/her agent shall consult with the City staff on the proposed land division. This consultation shall be for the purposes of detecting issues that might be encountered with the certified survey map and assuring awareness and conformance with appropriate local ordinances and the Comprehensive Plan to enable an expedient review and approval of the finalized certified survey map. The Plan Commission may request sufficient information and data on the proposed subdivision to demonstrate the expected impact on and use of public facilities by possible uses of the proposed subdivision.

(c) Within the fifteen (15) days of receiving copies of the final certified survey map, the Director of Community Development and the Director of Public Works shall take action to approve, approve conditionally, or schedule the certified survey map for reviews by the City Plan Commission. The City Plan Commission and the Common Council are the only bodies having authority to reject a certified survey. All certified survey maps within the corporate limits that include a dedication of land for public purposes shall be approved by the Plan Commission and Common Council.

(d) Approval, approval with conditions or rejection of a certified survey map shall be based on apportionment of taxes; consistency or conflict with the City's Subdivision Control



Ordinance; chapter 236 of the Wisconsin statutes; the Zoning Ordinance; Official Map; Comprehensive Plan, assurance adequate public facilities exist to service the proposed use, and any other preliminary or adopted City plans, policies, or studies applicable in the review of subdivision plats and certified survey maps.

(e) All certified survey maps submitted to the City for review shall be subject to the general requirements, design standards, and required improvements as specified in the City's Subdivision Control Ordinance. The Director of Community Development in consultation with the Director of Public Works shall determine which improvement requirements are applicable to the certified survey maps, and shall require such improvements as a condition of approval of the certified survey map.

(f) Any appeal from the decision of the Director of Community Development and the Director of Public Works with regard to conditions of approval of a certified survey map may be taken before the City Plan Commission by any applicant for a land division.

(g) Required Certificates:

1. All certificates required by section 236 of the Wisconsin statutes.

2. The Director of Community Development along with the Director of Public Works shall certify the City's approval on the certified survey map. Certified survey maps required by this ordinance without the City's certification of approval, shall not be officially recorded by the register of deeds.

#### 20.06 GENERAL REQUIREMENTS AND DESIGN STANDARDS.

1. General. The proposed subdivision shall conform to:

(a) The provisions of Chapter 236, Wisconsin Statutes.

(b) All applicable ordinances of the City of Stevens Point.

(c) The rules of the State of Wisconsin relating to lot size and lot elevation, if the subdivision is not served by a public sewer and provision for such service has not been made.

(d) The rules of the Wisconsin Department of Transportation relating to safety of access and the preservation of the public interest and investment in the streets, if the subdivision or any lot contained therein abuts on a state trunk highway or connecting street.

2. Streets.

(a) General Considerations. Streets shall be designed and located in relation to existing and planned streets, to topographical conditions and natural terrain features such as streams and existing tree growth, to public convenience and safety, and in appropriate relation to the proposed uses of the land to be served by such streets. Streets shall be made to be continuous within the subdivision and with adjacent existing or future development where possible. Cul-de-sacs shall be avoided where possible. Subdivisions or certified survey maps which are adjacent to existing or proposed streets, easement, or other utilities which do not meet the minimum standard may be required to dedicate the minimum width as a condition of approval.

(b) Width. All streets shall be not less than 60 feet in width, except that cul-de-sacs or dead-end streets may, at the discretion of the City, be 50 feet. Streets that are collector or arterial streets or are expected to carry heavy traffic may be required to be at least 66 feet or larger.

(c) Grades. The grade of streets shall not exceed 8% unless necessitated by topography and approved by the Common Council.

(d) Alignment and Visibility. There shall be a minimum sight distance with clear visibility along the center line of all major streets of not less than 300 feet.

(e) Dead-end Streets. Cul de sacs, or streets designed to have one end permanently closed, shall not exceed 500 feet in length unless approved by the Plan Commission and Common Council and shall terminate with a turn-around of not less than 110 feet in diameter.

### 3. Intersections.

(a) Where streets intersect or cross major streets, their alignment shall be continuous and street jogs or off-center intersections shall be avoided.

(b) Streets shall intersect at right angles as nearly as possible.

(c) Not more than two streets shall intersect at one point unless approved by the Common Council.

4. Alleys. Alleys shall not be less than 24 feet wide and shall be continuous through blocks. Alleys shall not be used in residential areas unless approved by the Common Council.

5. Easements. Easements across lots or centered on rear or side lot lines shall be provided for the installation of utilities where necessary and shall be at least 10 feet wide and such easements shall be continuous from block to block. When an easement is centered on a rear or side lot line, the width of the easement in each lot can be added together to meet the width requirement.

6. Blocks. The lengths, widths and shapes of blocks shall be appropriate for the topography and the type of development contemplated. Block lengths in residential areas shall not be more than 1500 feet nor less than 300 feet between street lines unless approved by the Common Council. Pedestrian crosswalks of not less than 10 feet wide may be required by the Common Council through the center of blocks more than 900 feet in length where deemed essential to provide circulation and access to community facilities.

### 7. Lots.

(a) In General. The size, shape and facing of lots and the minimum building setback lines shall be appropriate for the topography of the subdivision and for the type of development and use contemplated.

(b) Lot Dimensions. Residential lots shall have a minimum area as determined by the zoning category in which the land is located.

1. The size of lots to be served by private sewage disposal facilities shall comply with the rules of the State of Wisconsin.

2. Lots fronting on major streets should be platted with extra depth to permit generous distances between the buildings and such streets. The City may limit access to major roads to preserve traffic capacity and to provide for public safety.

3. Lot size: Lots shall have a minimum area as determined by the zoning category in which the land is located.

Lands located in the Wellhead Protection Overlay District shall be subject to that zoning category.

Uses other than residential in the Wellhead Protection Overlay District shall present data to project nitrate levels recharging to the groundwater. Analysis shall use the BURBS model Center for Environmental Research, Cornell University or other analysis approved by the Common Council. No development which contributes more than 6 mg/liter nitrate to the groundwater shall be allowed.

(c) Lot Dimensions within Wellhead Protection Overlay District. Residential, commercial, or industrial lots located within the following described area:

Beginning at the intersection with U.S. Highway 51 (belt-line) and the Township line between Township 23 and 24 North; thence east along said Township line to the southeast corner of said Township 24 North Range 8 East; thence north along the Range line between Range 8 East and Range 9 East to its intersection with Jordan Road and its easterly extension located in said Township 24 North Range 8 East; thence west along said Jordan Road and its extension to its intersection with U.S. Highway 51 (belt-line); thence southeasterly along said U.S. Highway 51 (belt-line); to the point of beginning and there terminating.

Shall be subject to the following minimum design standards:

1. Lot size: One-half acre per residential unit if served by municipal sanitary sewer; two acres per residential unit if served by on-site sanitary septic system. In order to provide for efficiently serving these developments with municipal utilities, lots smaller than two acres can be approved, provided that sufficient land area will be maintained in an undeveloped state such that no more than one residence is allowed for each two acres of the overall development.

Uses other than residential shall present data to analyze nitrate levels recharging to the groundwater. Analysis shall use the BURBS model Center for Environmental Research, Cornell University or other analysis approved by the Common Council. No development which contributes more than 6 mg/liter nitrate to the groundwater shall be allowed.

2. Lot cover: A minimum of 85% of the lot cover shall be retained in natural vegetation not treated with fertilizers and pesticides on residential lots with on-site sewage disposal.

A minimum of 60% of the lot cover shall be retained in natural vegetation not treated with fertilizers and pesticides on residential lots with municipal sanitary sewer.

d) Corner Lots. Corner lots for residential use shall have a width sufficient to provide a building setback of at least 25 feet from each street or as required by the zoning district in which the land is located.

(e) Access to Public or Private Street. Every lot shall front or abut on a public or private street.

(f) Lot Lines. Side lot lines shall be substantially at right angles or radial to street lines.

(g) Large Lots. A tract subdivided into parcels containing one or more acres shall be arranged to allow the re-subdivision of any such parcels into normal lots in accordance with the provisions of these subdivision standards.

(h) Municipal Boundaries. Lots shall follow municipal boundary lines whenever practicable, rather than cross them.

(i) Storm water and drain discharge shall not be allowed to discharge directly to subsurface drainage.

#### 20.07 REQUIRED IMPROVEMENTS.

1. Receipt of the signed copy of the preliminary plat is authorization for the subdivider to proceed with the preparation of the plans and specifications for the following minimum improvements and with the preparation of the final plat. Prior to the construction of any improvements required or to the submission of a bond in lieu thereof, or to the provision for any assessment for such construction, the subdivider shall furnish the Director of Public Works all plans, information, and data necessary to determine the character of said improvements. These plans shall be examined by the Director of Public Works and will be approved, if in accordance with the requirements of this ordinance. Following this approval, construction can be started or the amount of a bond determined, or provision for assessment made.

2. No final or official plat of any subdivision shall be approved unless one of the following exists:

(a) The subdivider agrees with the Common Council upon an assessment whereby the City is placed in an assured position to install the improvements listed below in paragraphs 3(a), (b), and (c), at the cost of the owners of property within the subdivision.

(b) The improvements listed below in paragraphs (a), (b), and (c) have been installed according to City specifications and have been inspected by the Director of Public Works prior to such approval.

(c) The subdivider has filed with the City a surety bond, cashier's check or a certified check upon a solvent bank located in the City of Stevens Point or other form of guarantee accepted by the City Attorney, conditioned to secure the construction of the improvements listed below in paragraphs (a), (b), and (c) in a satisfactory manner and within a period specified by the council, such period not to exceed two years. No such bond or check shall be accepted unless it be enforceable by or payable to the City in a sum at least equal to the cost of constructing the improvements as estimated by the Director of Public Works, and conform with surety and conditions approved by the City Attorney.

3. The owner of a tract may prepare and secure approval of a preliminary subdivision plat of an entire area and may install the above improvements only in a portion of such area, but the improvements must be installed in any portion of the area for which a final plat is approved for recording.

(a) Street Improvements. All street and public ways shall be graded to their full width, including side slopes, and to the appropriate subgrade, and the traveled roadway shall be surfaced with four inches of road gravel and finished with asphalt or concrete in accordance with applicable standard specifications of the City. Such construction shall be subject to inspection and approval by the Director of Public Works. The City shall determine final pavement width, finish material, need for turning lanes if any, need for traffic control devices, street lighting, drainage utilities, and other necessary improvements to provide for public safety.

(b) Drainage. All necessary facilities as approved by the Director of Public Works shall be installed sufficient to prevent the collection of surface water in any low spot, and to maintain any natural watercourse.

#### 20.08 RESERVATION AND FEES.

1. Subdividers shall provide and dedicate to the public adequate land or fees to provide for the school, park, and recreation needs of the subdivision. The City shall determine the location of such land.

2. The amount of land to be provided for such dedication shall be determined as follows:

Gross Density: Units/Acre	Land Dedication (%)
0. - .5	2%
.6 - 1.0	3%
1.1 - 1.5	4%
1.6 - 2.0	5%
2.1 - 3.0	7%
3.1 - 4.0	9%
4.1 - 6.0	11%
6.1 - 8.0	13%
8.1 - +	14% - 20%

3. Where such land dedication is not compatible with the Stevens Point Comprehensive Outdoor Recreation Plan, as determined by the City, the subdivider shall in lieu thereof pay to the City of Stevens Point a fee as set forth below upon approval of final plat or recording of certified survey map.

4. Schedule of Fees. A park fee shall be paid to the City of Stevens Point for each anticipated residential unit in the amount indicated in the most recently Common Council adopted Department of Community Development Fee Schedule.

#### 20.09 PLATS AND DATA.

1. Preliminary Plat.

(a) The preliminary plat shall be drawn with waterproof non-fading black ink or legibly drawn with pencil on tracing cloth, on a scale of not more than 100 feet to an inch and shall be in sufficient detail and contain such information as will enable the Plan Commission to determine whether the design of the final plat will conform to this ordinance.

(b) Supplementary information. The subdivider shall furnish the following information with his/her preliminary plat:

1. A brief description of the improvements such as grading, paving, tree planting, installation of utilities which the subdivider proposes to make and the time when he/she proposes to make them.

2. A brief description of the deed restrictions, if any, which will be put on the plat.

(c) The preliminary plat shall show:

1. The location of present property lines, streets, buildings, watercourses, wetlands, floodplain, tree masses and other existing features within the area to be subdivided and similar information regarding existing conditions of land immediately adjacent thereto.

2. The proposed location, width, and grade of streets, alleys, lots, building, provisions for storm drainage, and setback lines and easements.

3. Existing sanitary and storm sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat.

4. The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract.

5. The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land.

6. Contours referred to the Stevens Point bench mark with intervals sufficient to determine the character and topography of the land to be subdivided, but in no case shall the intervals be more than five feet.

7. Northpoint, scale, and date.

2. Final Plat or Certified Survey Map.

(a) A final plat of subdivided land shall comply with the requirements of Sec. 236 of the Wisconsin statutes, which is hereby adopted by reference.

(b) The affidavits and certificates required by Chapter 236, Wisconsin statutes, shall be lettered or printed legibly with black durable ink or typed legibly with black ribbon on the final plat.

(c) The final plat or Certified Survey Map shall show:

1. Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.

2. Acknowledgment of the owner or owners of the plat and restrictions, including dedication to public use of all streets, alleys, parks, or other open spaces shown thereon and the granting of easements required.

#### 20.10 SUBDIVISIONS CREATED BY SUCCESSIVE DIVISIONS.

1. Where it is not practicable to require that a final plat of a subdivision created by successive divisions be filed in accordance with this ordinance, the Common Council may, in lieu thereof, order an assessor's plat to be made under section 70.27 of the Wisconsin statutes and may assess the cost thereof as provided in such section, or to the subdivider.

2. Regardless of the type of plat filed, any such subdivision shall comply with all provisions of this ordinance to the extent that they may reasonably be applied.

20.11 VARIANCES. When in the judgment of the Common Council it would be inappropriate to apply literally a provision of this ordinance, because the subdivision is located outside the corporate limits, or because extraordinary hardship would result, it may waive or vary such provision so that substantial justice may be done and the public interest secured, provided that in no event shall the requirement of filing and recording the plat be waived.

20.12 PENALTY. Any person, firm, or corporation who fails to comply with any provision of this ordinance, shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$200.00, together with the costs of prosecution for each violation and in default of payment thereof, be imprisoned in the county jail of Portage County, Wisconsin, until payment of such forfeiture and costs, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense. In addition, the remedies provided by sections 236.30 and 236.31, Wisconsin statutes, shall be available to the City.