

**CHAPTER VIII**  
**LAND DIVISION ORDINANCE**

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## 8.01 GENERAL PROVISIONS.

1. Authority. This ordinance is enacted and adopted pursuant to the provisions of Sections 60.74, 60.75, 61.35, 62.23 and 236.10, Wis. Stats. and Chapter 703, Wis. Admin. Code.
2. Purpose. The purpose of this ordinance is to guide the division and development of land within the jurisdiction of the Town of Beloit to promote the public health, safety and general welfare; encourage the most appropriate use of land; to provide the best possible living environment for people; and to conserve prime agricultural land and the value of buildings placed upon land by:
  - a. Furthering the orderly layout and use of land;
  - b. Ensuring proper legal description and proper monumenting of land;
  - c. Preventing overcrowding of land and avoiding undue concentration of population;
  - d. Lessening congestion in the streets and highways;
  - e. Securing safety from fire, panic and other dangers;
  - f. Providing adequate light and air;
  - g. Facilitating adequate provision for transportations, water, sewerage, schools, parks, playgrounds, open space and stormwater drainage; the conservation of land, natural resources, scenic and historic sites, and energy; and other public requirements;
  - h. Facilitating further resubdivision of larger parcels into appropriate smaller parcels of land;
  - i. Ensuring enforcement of the development concepts and standards delineated in the Town's Master Plan, Official Map, Zoning and Building Codes; and
  - j. Minimizing the public costs of providing necessary services to the people who will live or work in the new development.
3. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid due to a decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phase thereof.
4. Compliance Required.
  - a. Generally. Except as specifically provided in this ordinance (Sections 8.06(1-3)), no person shall divide, redivide, subdivide, file or record a plat or replat, or resubdivide land within the Town of Beloit, without complying with the applicable provisions of Chapters 236 and 703, Wis. Stats., which are incorporated in this ordinance as if fully set forth; all applicable Town ordinances including the Town Master Plan, Official Map, Zoning and Building Codes; and all applicable ordinance of other municipalities having jurisdiction over the area and the applicable rules and regulations of the State of Wisconsin relating to safety of access to State trunk highways and connecting streets, plumbing or sanitary sewerage facilities and land divisions adjacent to public waters.
  - b. Survey Requirement. Except when a variance is granted under Section 8.01(8), land divisions shall comply with the survey requirements of Section 236.34, Wis. Stats., relating to certified survey maps, or Section 703.11, Wis. Stats., relating to condominium plats, as applicable. Subdivision plats shall comply with all requirements of Chapter 236, Wis. Stats., including survey requirements.
  - c. Condominiums. No person shall record a condominium plat or an amendment to a condominium plat or a declaration of condominium as defined in Chapter 703, Wis. Stats., without first complying with the provisions of this ordinance. It shall not be necessary to

file or record a separate certified survey map or subdivision plat for a condominium development that complies with this ordinance, Chapter 703, Wis. Stats., and the Town of Beloit Zoning and Building Code if such condominium development does not involve the division of a lot, parcel or tract of land.

- d. Prohibited Land Divisions. No land shall be divided that is unsuitable for development of the proposed use by reason of flooding or potential flooding, soil limitations, inadequate drainage, incompatible surrounding land use, inconsistency with the Town of Beloit Master Plan, or any other condition likely to be harmful to the health, safety or welfare of present or future residents or users of the area or the community unless the developer agrees to limit the land to a use acceptable to the Town Board and such agreement is recorded by separate instrument or noted on the face of the map or plat.
5. Adequate Public Facilities. A preliminary or final plat or certified survey map shall not be approved unless adequate public facilities as described in this ordinance are available to meet the needs of the proposed development or sufficient funds are provided in the current municipal budget to meet such needs. Where one or more public facilities or services are not adequate for the proposed development but a portion of the area can be served adequately by careful phasing, only such portions as will be adequately served shall be approved.
6. Dedications and Reservations of Land.
  - a. Streets and Easements. All or part of a street, highway, greenway, parkway, watercourse or drainage or utility easement designated in the Master Plan or Official Map, or as required by the Town Board, shall be platted or mapped and dedicated in the location and width indicated.
  - b. Public Sites and Open Space. When designated on the Master Plan or Official Map, or otherwise where such locations would be appropriate, the Town Board shall require the subdivider/developer to dedicate to the public sufficient land area to provide adequate park, playground, recreation area, and open space in whole or in part within the proposed land division.
7. Exceptions. The following are not subject to the provisions of this Code:
  - a. Changes in ownership, leases or easements.
8. Variances.
  - a. The Town Board may grant a variance upon receiving a report from the Plan Commission in any case where the subdivider can show that by reason of exceptional topography or other physical conditions the strict compliance with these regulations could cause an exceptional and undue hardship on the enjoyment of a substantial property right provided such relief may be granted without detriment to the public welfare and without impairing the intent and purpose of these regulations.
  - b. Application for any such variance shall be made in writing, to the Town Clerk, by the subdivider at the time when the preliminary plat is filed for consideration, stating fully all facts relied upon by the petitioner, and shall be supplemented with maps, plans or other additional data that may aid the Plan Commission in the analysis of the proposed project. The plans for such developments shall include such covenants, restrictions or other legal provisions necessary to guarantee the full achievement of the plan.
  - c. Any variance or modification thus granted shall be recorded in resolution form and entered in the minutes of the Town Board setting justification for this action.

- d. In granting variances and modifications, the Town Board may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.
9. Planned Residential Developments. In cases where a land division is part of a Planned Residential Development for which a Specific Implementation Plan containing revised design standards is approved by the Plan Commission and the Town Board and recorded with the Rock County Register of Deeds, the waiver of, or variance in, the design standards required by this ordinance shall be considered to have been granted.
10. Violations and Penalties.
- a. Failure to Comply Invalidates Transfers. Failure to comply with the requirements of this ordinance shall invalidate purported transfers of titles at the option of the purchaser in accordance with the provisions of Section 236.31(3), Wis. Stats.
  - b. Penalties. Any person, firm, association, or corporation who shall violate any of the provisions of this ordinance shall, upon judgment or conviction thereof, forfeit not more than \$500.00 and not less than \$50.00 and the cost of prosecution to the Town. In default of payment of such forfeiture and such costs of prosecution, shall be imprisoned in the County Jail for Rock County until such forfeitures and such costs are paid but for not more than 30 days. Each day that a violation is permitted to exist shall constitute a separate offense. In any such action, the fact that a permit shall have been issued by any Town official or department shall not constitute a defense, nor shall any oversight on the part of any public official, board or department constitute a defense.
  - c. Building Permits Denied. A building permit shall be refused for any site violation of this ordinance.

## 8.02 DEFINITIONS.

1. The following terms, whenever they occur in this ordinance, are defined as follows:
- a. Certified Survey Map (CSM). A map of a land division, as defined in this ordinance, that is not a subdivision as defined herein.
  - b. Condominium Plat. A plat of a condominium as defined in Section 703.11, Wis. Stats.
  - c. Developer or Divider. Any person, firm, partnership, corporation, association, estate, trust or other legal entity requesting review or approval of a proposed certified survey map or subdivision plat, or a condominium plat.
  - d. Final Plat. A map or plan of a subdivision prepared for recording, and any accompanying material, as required by Chapter 236, Wis. Stats., or a map or plan of a condominium and any accompanying material as required by Chapter 703, Wis. Stats.
  - e. Land Division. The division of a lot, parcel, tract, or interest in land by the owner or owner's agent for the purpose of transfer of ownership or building development or that creates the need for a public dedication or reservation of land or for public facilities or improvements. For purposes of compliance with this ordinance other than survey requirements, land division includes condominium plat.
  - f. Major Street. Any street designated as an arterial or collector on the Town Master Plan.
  - g. Parcel. Contiguous land or lands under the control of a divider, not separated by streets, highways, or railroad right-of-way.
  - h. Plat. A map of a subdivision or a condominium.

- i. Preliminary Plat or Map. A map delineating the salient features of a proposed land division submitted to the Town Clerk for preliminary consideration and review by the Plan Commission and Town Board.
- j. Re-Divide, Re-Plat and Re-Subdivide. The process of changing the boundaries of a recorded certified survey map, plat, lot or out lot within a recorded plat or certified survey map. The legal division of a larger block, lot, or out lot within a recorded plat, without changing the exterior boundaries of said block, lot or out lot is not a replat or resub division but is a land division, subdivision or condominium plat if it falls within the definitions set forth in this ordinance.
- k. Street. A public way for vehicular and pedestrian traffic, however designated, and includes without limitation because of enumeration a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or court.
- l. Subdivision. A division of a lot or parcel of land for the purpose of transfer of ownership or of building development, where:
  - i. The act of division creates 5 or more parcels or building sites of one-and-one half (1.5) acres each or less in area, or:
  - ii. The act of division creates 5 or more parcels or building sites of one-and-one-half (1.5) acres each or less in area by successive divisions within a period of 5 years.
- m. Subdivision, Minor. A division of a lot or parcel by Certified Survey Map for the purpose of transfer of ownership or building development where the act of division creates 4 or fewer parcels, lots or building sites.

### **8.03 PLATTING PROCEDURES AND APPROVAL PROCESS.**

- 1. Preapplication Procedure.
  - a. Preapplication Meeting Request. Prior to filing of an application for approval of a preliminary plat or a certified survey map, the subdivider may consult with the Town staff and the Plan Commission to review the procedures and requirements of this ordinance and other ordinances, and any plans or data that may affect the proposed development.
  - b. Plan Commission Review. The sketch plan will be considered as the basis for discussion between the subdivider and Plan Commission. Submission of such sketch plan shall not constitute formal filing of a preliminary plat. The Plan Commission will, based on such sketch plan, unofficially advise the subdivider of the extent to which the proposed subdivision conforms with this ordinance and other ordinances of the Town and will discuss possible modifications. No fee shall be required of the subdivider for the submission of sketch plans.
- 2. Environmental Assessment.
  - a. Purpose. An environmental assessment facilitates orderly, systematic review of the effects of a new land division upon the community environment in accordance with the principles and procedures of Section 236.45(1), Wis. Stats. the goals of the Town of Beloit in this assessment are to eliminate or reduce pollution and siltation to an acceptable standard, assure ample living space, preserve open space and parks for recreation, preserve prime agricultural lands, provide adequately for stormwater control, maintain scenic beauty and aesthetic surroundings, administer to the economic and cultural needs of its citizen, provide for the effective and efficient flow of goods and services, and provide for development that is consistent with the Town of Beloit Master Plan.

- b. When Required. An Environmental Assessment Checklist is required for all proposed subdivision plats, condominium plats, or certified survey maps. The Plan Commission may require a complete or partial environmental assessment if it determines the public interest requires a more comprehensive review.
  - c. Checklist for Environmental Assessment of Plats and Land Divisions. At the time of submission of the preliminary plat application, the developer shall complete and submit the Environmental Assessment Checklist furnished by the Town of Beloit.
  - d. Review. The Plan Commission shall review the Environmental Assessment Checklist and may require supporting or additional data, and department or committee reviews necessary to determine the suitability of the land for the proposed development.
3. Preliminary Plat Procedure.
- a. Submittal. Before dividing any tract of land in such a manner to create a subdivision as defined in this ordinance, a subdivider shall file an application, submittal documents and fees as required in Section 8.06(1) to the Town Clerk for preliminary plat approval. Any necessary applications for variances from the provisions of this and related ordinances shall be submitted with the plat to complete the official filing.
  - b. Distribution. The Town Clerk shall distribute copies of the preliminary plat documents to the Town Administrator, Building Department, other appropriate Town departments and other governmental agencies for their review and comments.
  - c. Comments Filed with Town Clerk. The reviewing agencies and officials shall, within 30 days after receipt of the application materials, review the proposed development with the applicant and file recommendations with the Town Clerk. The Town Clerk shall provide the Plan Commission with copies of the recommendations and the preliminary plat documents within 5 days of the scheduled meeting.
  - d. Plan Commission Review. The Plan Commission shall have the preliminary plat on its agenda at its next regular meeting within forty-five (45) days of submittal.
  - e. Plan Commission Recommendation. The Plan Commission shall review the preliminary plat and submit its recommendation to the Town Board.
  - f. Reasons for Denial. If the preliminary plat is not recommended for approval, the reasons for such action shall be recorded in the proceedings and transmitted to the applicant and the Town Board.
  - g. Preliminary Plat Amendments. Should the subdivider desire to amend the preliminary plat as approved, he or she may submit an amended plan that shall follow the same procedure except for the hearing and fee unless the amendment is, in the opinion of the Plan Commission, of such scope as to constitute a new plat, then it shall be refiled.
  - h. Town Board Approval. The Town Board shall consider the application for preliminary plat approval and the Plan Commission's recommendation at its regularly scheduled meeting following the Plan Commission recommendation. No preliminary plat shall be considered approved until it has been officially approved by the Town Board.
  - i. Basis for Approval. Approval of the preliminary plat shall be conditioned upon compliance with:
    - i. The provisions of Chapter 236, Wis. Stats.;
    - ii. All applicable Town ordinances that are in effect when the preliminary plat is submitted;
    - iii. The Town's comprehensive plan under Section 66.1001, Wis. Stats.;

- iv. The rules of the Department of Commerce relating to lot size and lot elevation necessary for proper sanitary conditions in a subdivision not served by a public sewer, where provisions for public sewer have not been made; and
  - v. The rules of the Department of Transportation relating to provision for the safety of entrance upon and departure from the abutting state trunk highways or connecting highways and for the preservation of the public interest and investment in such highways.
- 4. Effect of Approval of Preliminary Plat. Preliminary plat approval shall entitle the developer to approval of the final plat if it conforms substantially to the approved preliminary plat or approved portion thereof, all conditions of approval have been met, and all applicable laws, ordinances, and regulations are complied with.
- 5. Final Plat Procedure.
  - a. Time for Submission. The final plat or an initial phase final plat application and submitted documents as required in Section 8.06(2) shall be submitted to the Town Clerk not later than thirty-six (36) months after the date of approval of the preliminary plat. If it is submitted later than 36 months, the Town Board may refuse to approve the final plat or may extend the time for submission of the final plat. The final plat may, if permitted by the Town Board, constitute only that portion of the approved preliminary plat that the subdivider proposes to record at the time. The owner or subdivider shall also submit at this time evidence as the Town Attorney may require showing title or control in the applicant.
  - b. Submittal. The owner or subdivider shall submit an application for final plat approval to the Town Clerk and a final plat which is in full compliance with Section 236.20, Wis. Stats. The final plat will have incorporated all changes or modifications required by the Town Board as part of its approval of the preliminary plat. In all other respects, it shall conform to the preliminary plat. It may constitute only that portion of the approved preliminary plat that the subdivider proposed to record and develop at the time, if such portion conforms to all requirements of these regulations.
  - c. Distribution. The Town Clerk shall immediately distribute copies of the final plat documents to the Town Engineer, Town Administrator, Building Inspector, other appropriate Town departments and other governmental agencies for their review and comments.
  - d. Comments Filed with Town Clerk.
    - i. The reviewing agencies and officials shall, within thirty (30) days after receipt of the application materials, review the proposed development with the applicant and file recommendations with the Town Clerk. The Town Clerk shall provide the Plan Commission with copies of the recommendations and the final plat documents within five (5) days of the scheduled meeting.
    - ii. A professional engineer, a planner, or another person charged with the responsibility to review plats, shall provide the Town Board with his or her conclusions as to whether the final plat conforms substantially to the preliminary plat and with his or her recommendation or approval of the final plat. The conclusions and recommendations shall be made part of the record of the proceeding at which the final plat is being considered and are not required to be submitted in writing. The cost of the professional engineer, planner or other

person charged with the responsibility to review plats, shall be paid by the Developer.

- iii. Plan Commission Review. The Plan Commission shall have the final plat on its agenda at its next regular meeting within forty-five (45) days of submittal. The Plan Commission shall act on the final plat and submit its recommendation to the Town Board within forty (40) days of the date on which the final plat is first placed on the agenda.

e. Town Board Action.

- i. The Town Board shall review and act for approval or denial on the final plat within forty (40) days of Plan Commission recommendations, unless the time is extended by agreement with the subdivider. If the final plat is not approved, the reasons for such action shall be recorded in the proceedings and transmitted to the applicant and the Town Board.
- ii. Approval of the final plat shall be conditioned upon compliance with:
  - A. The provisions of Chapter 236, Wis. Stats.;
  - B. All applicable Town ordinances that are in effect when the subdivider submits a preliminary plat, or a final plat if no preliminary plat is submitted;
  - C. The Town's comprehensive plan under Section 66.1001, Wis. Stats.;
  - D. The rules of the Department of Commerce relating to lot size and lot elevation necessary for the proper sanitary conditions in a Subdivision not served by a public sewer;
  - E. The rules of the Department of Transportation relating to provision for the safety of entrance upon and departure from the abutting state trunk highways or connecting highways and for the preservation of the public interest and investment in such highways.
  - F. The subdivider may construct the project in such phases as the Town Board approves, which approval may not be unreasonably withheld. If the subdivider's project will be constructed in phases, the amount of any surety bond or other security by the Town Board shall be limited to the phase of the project that is currently being constructed. The Town Board may not require that the subdivider provide any security for improvements sooner than is reasonably necessary before the commencement of the installation of the public improvements.

f. Recording. Upon approval of the final plat by the Town Board, the subdivider shall:

- i. Record the plat with the County Register of Deeds within twelve (12) months after the date of approval of the final plat and within thirty-six (36) months of approval of the preliminary plat by the Town Board; otherwise the approval shall be considered void.
- ii. Furnish the Town with an electronic & reproducible copy of the recorded plat and three (3) prints showing evidence of the recording.

g. Alterations After Approval. Once a final plat or certified survey map is approved, land proposed for public use shall not be altered without approval of the Town Board.

6. Certified Survey Map Procedure.

- a. Town Approval Required. No person, firm, or corporation shall divide any land located within the limits of the Town of Beloit which shall result in a land division of less than five (5) lots without first receiving approval from the Town Board and then filing with the Rock



County Register of Deeds a certified survey map that complies fully with Section 236.34, Wis. Stats., and with all applicable requirements contained within this ordinance.

- b. Certified Survey Map. A certified survey map, prepared in accordance with this ordinance.
  - c. Plan Commission Review. The Plan Commission shall, within 31 days or less, review the certified survey map based on the determination of conformance with the provisions of this ordinance. The Plan Commission shall make a recommendation to the Town Board.
  - d. Town Board Approval. The Town Board shall be the body responsible for approving certified survey maps after receiving the Plan Commission recommendation.
  - e. Recording. A copy of the recorded document shall be submitted to the Town Clerk.
  - f. Building Permit Issuance. Only after all of the preceding requirements have been met can the building permit(s) be issued.
7. Clerk to Inscribe Final Approval on Plat Map. If the original of the final subdivision plat or certified survey map has been filed with another approving authority, the divider may file a true copy of such land division in lieu of the original. However, before approval of the Town Board will be inscribed on the original of the final plat or map, the surveyor or the developer shall certify the respects in which the original of the final land division differs from the true copy and all modifications must be first approved by the Town Board. Any additional security required by the Town Board shall be posted prior to inscribing of the approval by the Town Clerk. When the final plat or map has been approved by the Town Board and all conditions imposed under this chapter have been met, the Town Clerk shall inscribe the Town's approval on the final plat or map or a true copy thereof.
8. Land Division Created by Successive Divisions. When it is not practicable to require that a final plat or map of a land division created by successive division be filed in accordance with this ordinance, the Town Board may, in lieu thereof, order an assessor's plat to be made under Section 70.27, Wis. Stats., and may assess the cost thereof as provided in such section or to the divider. Any such land division by assessor's plat shall comply with all provisions of this ordinance to the extent that they may reasonable be applied.

#### **8.04 REQUIRED GUARANTEES & ASSURANCES.**

1. Required Agreement and Guarantees for Improvements.
  - a. Before the recording of any final plat or C.S.M. located within the corporate limits of the Town of Beloit, the subdivider shall be required to enter into a contract with the Town agreeing to install all required improvements. The subdivider shall file said contract, subject to the approval of the Town Attorney, certificate of deposit, irrevocable letter of credit, certified check, or other security in an amount equal to 110% of the estimate of the improvement costs as approved or prepared by the Town Engineer as a guarantee that such improvements will be completed by the subdivider or contractors not later than eighteen (18) months from the date of recording of the plat.
  - b. In those cases, where the Town Board determines it is in the interest of the Town to install improvement by Town contract and when the Town may designate, the subdivider shall petition the Town for water, sanitary sewer main and laterals, curb and gutter, sidewalk and street improvements. The cost of such improvements shall be paid by assessments to the benefited properties. When improvements are partially installed by Town contract in lieu of the preceding paragraph, the subdivider shall provide a contract and bond for

all other required improvements. The subdivider shall remain personally responsible for payment for improvements, even if those improvements are installed by the Town.

2. Land Divider's Agreement. Developers shall execute the agreements and file the securities required in this section.
  - a. Preliminary Developers Agreement.
    - i. Execution and Contents. At the time of filing a preliminary application under Section 8.03(2), the developer shall execute for the benefit of the Town of Beloit an agreement to pay and providing adequate security guaranteeing payment of the cost of review of the preliminary application and the final plat or map by the Plan Commission and Town Board including, without limitation by enumeration, legal, engineering and general administrative costs.
    - ii. Evidence of Agreement. No preliminary application shall be processed by the Town of Beloit until a Preliminary Developer's Agreement is executed and filed with the Town Clerk and the required security, approved by the Town Administrator or their designee, is provided.
    - iii. Town Board to Adopt Model Agreement. The Town Board may, from time to time, adopt a model Preliminary Developer's Agreement. A copy of the model agreement shall be kept on file in the office of the Town Clerk.
  - b. Final Developers Agreement.
    - i. Execution and Contents. At the time of submission of the final map or plat under Section 8.03(5), the developer shall execute a Final Developer's Agreement agreeing to pay and providing adequate security guaranteeing payment to the Town of Beloit of the costs of required public improvements described in Section 8.05, including, without limitation by enumeration, the legal, engineering, general administrative and construction costs.
    - ii. Evidence of Agreement on Face of Plat. No final plat shall be recorded until the Town Clerk states on the face of the proposed final plat that the contract required by this ordinance has been executed and the required security provided.
    - iii. Town Board to Adopt Model Agreement. The Town Board may, from time to time, adopt a model Final Developer's Agreement. A copy of the model agreement shall be kept on file in the office of the Town Clerk.
3. Public Improvements Requiring Guarantees.
  - a. Streets and Utilities.
    - i. Sanitary sewer collector lines, laterals to lot lines, manholes, force mains, lift stations (if required), and appurtenances;
    - ii. Water mains, valves, hydrants, water services, and appurtenances;
    - iii. Storm sewer lines, manholes, catch basins, catch basin leads, retention/detention basins, and appurtenances;
    - iv. Streets, as established by the Town of Beloit Comprehensive Plan, fully constructed and surfaced as required by the "construction standards and policies";
    - v. Curb and gutter where required;
    - vi. Sidewalks, trails, and other pedestrian facilities as required; and
    - vii. Other public improvements when deemed necessary by the Town Board upon recommendation of the Plan Commission.

- b. Monumenting. All subdivision plats shall be monumented as required by Section 236.15, Wis. Stats. All certified survey maps shall comply with Section 236.34, Wis. Stats.
- 4. Inspection of Improvements. The Town shall provide for the inspection of required infrastructure improvements during the construction and insure their satisfactory completion. The developer shall pay to the Town reasonable and customary inspection fees equal to the actual cost incurred by the Town. Funds shall be escrowed for such fees in an amount estimated by the Town Engineer. The final plat shall not be recorded until such fees have been paid. No building permits shall be issued until such fees have been paid. If the inspector determines that any of the required improvements have not been constructed in accordance with the Town's standards, the developer shall be responsible for completing the improvements. The Town Board shall approve the final acceptance of the required improvements.
- 5. Documentation of Completed Improvements. The subdivider shall furnish the Town with a reproducible "as built" set of plans showing all improvements for the plat. Assurances and guarantees shall be released upon certification by the developer and by the Town Engineer that the improvements are completed to Town standards.
- 6. Required Improvements Prior to Issuance of Building Permits. Prior to issuance of any building permits in a land division located within the jurisdiction of the Town of Beloit, the subdivider shall install required street and utility improvements as hereinafter provided.
  - a. Street and Alley Grading. The full width of the right-of-way of each street and alley dedicated in the plat shall be graded.
  - b. Water Supply. Water mains shall be provided to serve the subdivision by extension of the existing public water system. Service connections stubbed in the property line and all necessary fire hydrants shall also be provided.
  - c. Sewage Disposal. Sanitary sewer mains and service connections stubbed in to the property line shall be provided to serve all the lots in the subdivision and shall be connected to the existing Town sewer system, except that where connection to the Town sewer system is not available in a street adjacent to or within the subdivision.
  - d. Street and Alley Paving. All streets and alleys shall have an adequate subbase and shall be improved with an all-weather, permanent surface.
  - e. Curb and Gutter. Permanent curb and gutter shall be installed as required.
  - f. Drainage. A system that will adequately take care of the water runoff within the subdivision shall be provided.
  - g. Monuments. Monuments of a permanent character (pipes, steel rods, concrete, or equivalent) shall be placed in each corner of each lot and in each intersection of street center lines. All United States, state, county or other official benchmarks, monuments, or triangulation stations shall be preserved in precise location. It shall be the subdivider's responsibility to see that the monuments are maintained in good order during construction and development.
  - h. Erosion Control. An approved system of erosion control is required during construction.

**8.05 SPECIFIC DESIGN & ENGINEERING STANDARDS**. Except when a variance is granted in accordance with Section 8.01(8), the design and engineering standards set forth in this ordinance shall apply to all land divisions whether accomplished by plat or certified survey map.

1. Streets.

- a. General Considerations. Streets shall be designed and located in relation to existing and planned streets; topographical conditions and natural terrain features such as streams and existing tree growth; public convenience and safety; and shall be appropriate for the proposed uses of the land to be served.
- b. Width. All streets shall be dedicated as shown on the Official Map. Existing public roads shall be considered as local streets with a street right-of-way of 66 feet and a half width of 33 feet unless records indicate otherwise. Half width dedication shall only be used when a land division abuts an existing public street that is not indicated as a collector or arterial. Tables 1 and 2 detail minimum roadway design standards for urban and rural streets.
- c. Additional Right-Of-Way on Existing Streets. Developments that adjoin existing streets that have a right-of-way of less than the minimum standard as classified in this ordinance, the Comprehensive Plan, or Official Map shall dedicate additional right-of-way to meet those minimum standards.
- d. 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 cul-de-sac turnaround shall be provided by one of the following methods:
  - i. If the adjacent land is owned by the subdivider or other parties, a temporary turnaround can be provided through a restriction (temporary easement to be recorded) on said land. Such a turnaround shall be constructed to Town of Beloit standards and shall be maintained by the subdivider.
  - ii. The subdivider may provide the required turnaround on one of the last lots fronting on the temporary dead-end street through use of a temporary easement running to the Town of Beloit. Such turnarounds and easements shall be constructed to Town of Beloit standards and subject to Town Engineer approval.
- e. Street Naming. Streets dedicated for public use as part of land division, and by all other means, shall be named in accordance with the standards found in this ordinance. The Town of Beloit reserves the right to approve, disapprove, or change the names of all public streets and private streets connecting to the public street system.
  - i. Extensions of existing streets shall be named the same as the existing street. This includes new streets that may be connected to existing streets at some time in the future.
  - ii. Streets that are not extensions of existing streets shall be named under the following rules:
    - A. Use of existing street names, where the new street and the previously named street do not connect and may not connect at some time in the future, is prohibited.
    - B. Use of a street name that closely resembles an existing street name is prohibited.
    - C. Use of street names that sounds similar to an existing street name is prohibited (for example: Beech Street and Beach Street).
    - D. Use of a cardinal direction, in any form, in a street name is prohibited (for example: north, south, west or east).
    - E. Cul-de-sacs shall be named after the through street to which they connect using the name extensions as listed below (for example: a cul-de-sac extending from "Maple Street" may be named "Maple Court", "Maple Circle" or "Maple Mews").

- F. No street name shall exceed fifteen letters in length, including spaces, but not including the name extension (Street, Road, Avenue, Parkway, etc.).
- G. Name extension shall be added to the street name under the following general conventions:
  - 1) "Road" shall be used to identify a rural road or highway.
  - 2) "Street", "Drive", "Lane", "Terrace" and "Avenue" shall be used to identify roadways within residential subdivision.
  - 3) Cud-de-sacs shall have the name extension "Circle", "Mews" or "Court", which shall begin at the point of intersection with the connecting through street.
  - 4) "Parkway" and "Boulevard" are reserved for use by the Town of Beloit to designate thoroughfares and collector streets.
  - 5) "Square" and "Place" may be used to designate roadways serving specific commercial developments.
- H. The name of a person may only be used in a street name by resolution of the Town Board.
- I. Private streets connecting to the public street system shall be given street names different from any other street name in the Town and shall follow the same naming rules used for public streets. They shall have a name extension of "Commons", "Pass", "Way" or "Close".

2. Intersections.

- a. Continuous Alignment. Streets shall have continuous alignment at intersections, and street jogs or off-center intersections shall be avoided. Street jogs with centerline offsets of less than 150 feet shall not be allowed. On collectors and arterials, offsets of less than 600 feet shall not be allowed.
- b. Right Angles. Streets shall intersect as nearly as possible at right angles. No street shall intersect another street at less than an 80-degree angle.
- c. Two-Street Maximum. Not more than two streets shall intersect at one point unless approved by Town Board.

3. Alleys. Alleys shall be continuous through blocks. Alleys shall not be used in residential areas unless approved by the Town Board.

4. Easements.

- a. When necessary, easements for the installation of utilities shall be provided across lots or centered on rear or side lot lines. 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 shall be a minimum of 8 feet. Easements across lots shall have a minimum width of 10 feet or as required by the appropriate utility.
- b. Where the electric and communication facilities are to be installed underground, the utility easements shall be graded to within 6 inches of the final grade by the subdivider, prior to installation of such facilities, and earth fill, piles or mounds of dirt shall not be stored on such easement area. Utility facilities when installed on utility easements whether overhead or underground shall not disturb any monumentation in the plat. In cases where monumentation is disturbed, the utility shall bear the cost of the replacement. Failure to comply will be subject to penalty as provided in Section 236.32, Wis. Stats.

- c. Where the electric and 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 6 inches by the subdivider, his agent, or by subsequent owners of the lots, except with the written consent of the utility or utilities involved. The purposes of this restriction shall be to:
    - i. Notify initial and future lot owners of the underground facilities at the time of purchase.
    - ii. Establish responsibility in the event of damage to such facilities, and
    - iii. Establish the need to alter such facilities. When the utility company uses a service application, said application should also notify the initial and subsequent lot owners of their responsibility regarding such underground facilities.
  - d. Drainage and greenway/environmental corridor easements shall be established where a subdivision is traversed by a waterway, drainage way, channel or stream, or mapped Greenway/ Environmental as required by the Plan Commission conforming substantially with the line of such watercourse. The location, width, alignment, and improvement of such drainage way 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 100-year rainfall event of any duration, such sizes and design details to be subject to review and approval by the Town Engineer and the Parks and Forestry Commission.
5. Blocks. The lengths, widths and shapes of blocks shall be appropriate for the topography and the type of development contemplated. Pedestrian crosswalks may be required by the Town Board through the center of blocks more than 900 feet in length. Where deemed essential to provide circulation and access to community facilities, including schools.

**TABLE 1  
MINIMUM ROADWAY DESIGN STANDARDS—URBAN SECTION**

Description	ROW	Pavement Width E-E	Lane Width	Parking	SIDEWALKS	MIN. RET. RAD.	MIN. RAD.	Min. Reverse Curve Tangent	MAX GRADE	CUL-DE-SAC				TEMPORARY DEAD END	
										Max length	Row	Dis.	Pavement Width e-e	Max. Length	Pavement Width E-E
Arterials	100'	48'	12'	None	2	30'	450'	150'	6 %	--	--	--	--	1000'	44'
Collectors	80'	36'	12'	2 Sides	2	20'	450'	150'	6 %	--	--	--	--	1000'	36'
Industrial	80'	40'	12'	Optional	Optional	30'	320'	150'	6 %	600'	140'	94'	36'	1000'	40'
Local	66'	32'	10'	2 Sides	1	20'	200'	100'	9 %	600'	140'	94'	32'	1000'	32'
Alleys	24'	18'	--	None	None	10'	--	--	--	--	--	--	--	--	--

- i. Pavement width without curb and gutter (edge of pavement to edge of pavement).
- ii. If a vertical curve is under 500' radius, the maximum grade allowed is 5% minus .5% for each 50' of radius under 500'.
- iii. Requirement to be determined by Plan Commission.
- iv. Minimum street grade .5% - Shall not exceed standards unless necessitated by topography, and approved by Town Board upon recommendation by Town Engineer.

- v. "T" type turnaround may be used. Turnaround shall extend a minimum of 20' behind the back of the curb on the permanent street and be 20' wide. Turnaround shall be crushed stone base course.

**TABLE 2  
MINIMUM ROADWAY DESIGN STANDARDS—RURAL SECTION**

Description	ROW	Pavement Width E-E	Lane Width	Parking	Sidewalks	Min. Ret. Rad.	Min Rad.	Min. Reverse Curve Tangent	Max Grade	CUL-DE-SAC				TEMPORARY DEAD END	
										Max Length	ROW	Dis.	Pavement Width E-E	Max Length	Pavement Width E-E
Arterials	100'	48'	12'	None	Optional	30'	450'	150'	4%	--	--	--	--	1000'	44'
Collectors	80'	36'	12'	2 Sides	Optional	20'	450'	150'	4%	--	--	--	--	1000'	36'
Industrial	80'	40'	12'	Optional	Optional	30'	320'	150'	4%	600'	140'	94'	36'	1000'	40'
Local	70'	24'	10'	2 Sides	1	20'	200'	100'	7%	600'	120'	94'	24'	1000'	24'
Alleys	24'	18'	--	None	None	10'	--	--	--	--	--	--	--	--	--

- i. Pavement width without curb and gutter (edge of pavement to edge of pavement).
- ii. If a vertical curve is under 500' radius, the maximum grade allowed is 5% minus .5% for each 50' of radius under 500.
- iii. Requirement to be determined by Plan Commission.
- iv. Minimum street grade 0.3# - Shall not exceed standards unless necessitated by topography, and approved by Town Board upon recommendation by Town Engineer.
- v. "T" type turnaround may be used. Turnaround shall extend a minimum of 20' behind the back of the curb on the permanent street and be 20' wide. Turnaround shall be crushed stone base course.

6. Lots.

- a. General Requirements. The size, shape, and facing of lots and the minimum building setback lines shall be appropriate for the topography and for the type of development and use contemplated.
- b. Lot Dimension. All lots shall have a minimum area as prescribed in the zoning ordinance.
- c. Corner Lots. Corner lots shall provide the applicable front yard building setback on all sides fronting a dedicated street.
- d. Access to Public Street. Every lot shall front or abut on a public street for at least 50 feet.
- e. Lot Lines. Side lot lines shall be substantially at right angles or radial to street lines.
- f. Large Lots. A parcel divided into lots or parcels containing one or more acres shall be arranged to allow the redivision or resub division of any such parcels into normal lots in accordance with these standards.
- g. Municipal Boundaries. Lots shall follow, rather than cross, municipal boundary lines wherever practicable.

- 7. Coordination of Layout. Proposed streets shall be extended to the boundary lines of the tract to be platted or mapped. The arrangement of right-of-way shall provide for the continuation of existing and proposed streets in adjoining tracts. Temporary cul-de-sacs may be utilized if recommended by the Plan Commission and approved by the Town Board.

8. Sidewalks.
  - a. The Plan Commission may recommend requiring sidewalks for the safety of pedestrians in areas surrounding schools and other public buildings or on any new street if deemed necessary to protect the areas residents or users.
  - b. Where required, sidewalks shall be constructed and paid for by the subdivision developer at the time of street construction, or the developer may choose to escrow funds to the Town of Beloit. The Town of Beloit shall have the sidewalk installed when the plat reaches 50% build-out, or within 18 months from the start of construction, or total build-out, whichever comes first. The amount of these funds shall be derived from two (2) separate bids from qualified contractors for installing the sidewalks 18 months into the future. Any amount remaining in the escrow account in excess of construction costs shall be refunded to the Developer. If these construction costs exceed the amount in the account, that additional amount shall be paid by the Developer.
  - c. Sidewalks shall be constructed on the north side of streets running east-west and the east side of streets running north-south. On diagonal streets where a north-south or east-west orientation cannot be clearly determined, the Plan Commission shall determine the side of the street for construction of the sidewalk, after recommendation from the Town Engineer. Any deviation from this standard that may be proposed by the developer shall be subject to approval by the Plan Commission.
  - d. Sidewalks shall not be required on any cul-de-sac with 10 or less dwelling units, counting the dwelling units of the corner lots. Cul-de-sacs with over 10 dwelling units shall require sidewalks on one side of the street. Sidewalks required on cul-de-sacs shall be constructed from the street corner to the beginning of the cul-de-sac bulb.
  - e. Detailed specifications for sidewalk construction will be recommended by the Town Engineer. General standards shall be as follows:
    - i. 5 feet in width;
    - ii. 4 inches in depth;
    - iii. poured concrete 5 bag mix over a 4-inch granular base; and
    - iv. drive apron 6 inches in depth over 4-inch granular base.
9. Trees. Prior to recording of the final plat, the subdivider shall submit a tree planting plan. The planting plan shall be approved by the Town Board.
10. Street Signs.
  - a. Street Signs. Street signs shall be paid for by the subdivider and be of a standard design and materials as approved by the Director of Public Works.
11. Erosion Control and Stormwater Management. The subdivider shall employ erosion control and stormwater management measures in accordance with the procedures, practices and regulations outlined in Chapter 7 of this Code of Ordinances pertaining to Construction Site Erosion and Sediment Control and Post-Construction Stormwater Management.
12. Intra-Block Drainage and Foundation Design.
  - a. Two (2) weeks prior to submittal of the final plan for review and approval, the subdivider shall submit to the Town Engineer a Surface Water Drainage Plan for the plat. The plan shall indicate, but not be limited to, the following: Elevation of streets, existing topography of the block, proposed drainage swales, and indication of the direction of drainage and detention basin design features if found to be required.



- b. Where a subdivider's subsoil investigation indicates potential for groundwater less than 10 feet from the proposed street centerline elevation, the subdivider shall so note on the face of the plat and indicate the lots affected.
13. Public Sites and Open Space. The requirements of this ordinance are established to ensure that adequate parks, open spaces, and sites for other public uses are properly located and preserved as the Town grows and that the cost of providing the park and recreation sites and facilities necessary to serve the additional people brought in the community as a result of subdivision activity may be equitably apportioned on the basis of the additional needs created by the development.
  - a. Reservation of Parks and Other Sites. Where a proposed park, playground, school site, or other public site as shown on the Master Plan, Comprehensive Outdoor Recreation Plan, or Official Map is embraced in part or in whole by the boundary of a proposed subdivision and such public sites are not dedicated, such public ground shall be reserved and no action taken toward approval of the preliminary or final plat for a period not to exceed ninety (90) days to allow the opportunity to consider and take action toward acquisition of such public ground or park by purchase of other causes.
  - b. Natural Features. In the subdividing of any land, due regard shall be shown for all natural terrain features such as tree growth, water courses, historic spots, or similar conditions that, if preserved, will add attractiveness and stability to the proposed development.
  - c. Parkland Dedication.
    - i. Land Dedication. The minimum dedication shall be 1,000 square feet for each proposed residential dwelling unit within the development or subdivision. In multifamily or high-density residential developments, the Plan Commission shall determine the acreage for dedication based on the number of dwelling units planned to occupy the site or permitted by the zoning ordinance, with the area of dedication to be not less than 8% of the total area developed.
    - ii. Land Suitability. Lands to be dedicated shall be suitable for the public use for which they are proposed. Each dedication shall be of suitable size, dimension, topography, and general character, and shall have a minimum of a 20-foot wide service access. In general, land dedicated for recreation purposes shall have an area of at least 2 acres. The Plan Commission may require that the dedication be located at a suitable place on the edge of the subdivision so that additional land may be added when the adjacent land is subdivided. Dedicated parkland must be relatively level outside of floodplains and wetlands and suitable for playground and playfield improvements. Acceptance of dedicated land shall be at the discretion of the Town Board, after conferring with the Plan Commission. The area dedicated shall be seeded according to Town of Beloit specifications.
    - iii. Parkland Shown on Final Plat. The area shall be shown and marked on the plat "Dedicated to the Public for Park and/or Recreation Purposes." The developer shall dedicate all such recreation areas to the local government as a condition of the final subdivision plat approval. Land dedicated for park and recreation purposes shall not be used to fulfill any land dedication or monies in lieu of requirements for storm sewer water management.
    - iv. Existing Parkland. The Plan Commission shall not require land or monies in lieu of land to be dedicated to a public agency for park and recreation purposes where there is an existing residential dwelling.

## 8.06 PLAT DATA REQUIREMENTS.

1. Sketch Plans. Subdividers are invited to prepare, for review with the Plan Commission, a proposed subdivision sketch plan that should contain the following information:
  - a. Site location map showing the major streets, school locations, commercial centers, and other significant developments.
    - i. Tract boundaries.
    - ii. North point and scale.
    - iii. Streets within and adjacent to tract.
    - iv. Topography and physical features.
    - v. Proposed general street design.
    - vi. Proposed lot size and lot lines.
  
2. Preliminary Plat. The preliminary plat of the proposed subdivision shall contain or have attached thereto the following information:
  - a. Identification and Description.
    - i. Proposed name of subdivision, which name shall not duplicate or be alike in pronunciation of the name of any plat previously recorded in the County.
    - ii. Legal description of property to include section, township, and range numbers.
    - iii. Names and addresses of the owner, and any agent having control of the land, subdivider, surveyor, engineer and designer of the plan.
    - iv. Graphic scale not less than one (1) inch to one hundred (100) feet.
    - v. North point.
    - vi. Date of preparation.
  - b. Existing Conditions.
    - i. Existing zoning classifications for land in and abutting the subdivision.
    - ii. Total acreage.
    - iii. Location, right-of-way width, and names of existing or platted streets or other public ways. Parks and other public lands, permanent buildings and structures, easements, and section and corporate lines within the preliminary plat and to a distance one hundred (100) feet beyond shall also be indicated.
    - iv. Location and size of existing sewers, water mains, culverts, or other underground facilities within the preliminary plat area and to a distance of one hundred (100) feet beyond. Such data as grades, invert elevations, and locations of catch basins, manholes, hydrants, and street pavement width and type, shall also be known.
    - v. Boundary lines of adjoining unsub divided or subdivided land, within one hundred (100) feet, identified by name and ownership, but including all contiguous land owned or controlled by the subdivision. Topographic data, including contours at vertical intervals of not more than two (2) feet, except where the horizontal contour interval is one hundred (100) feet or more, a one (1) foot vertical interval shall be shown. Water courses, marshes, wooded areas, rock outcrops, power transmission poles and lines, and other significant features shall also be shown. U.S.G.S. datum shall be used for all topographic mapping. Descriptions, reference ties, and elevations of the benchmarks.
    - vi. A copy of all proposed private restrictions shall be submitted.
    - vii. Soil tests if required.
  - c. Subdivision Design Features.

- i. Layout of proposed streets, showing right-of-way widths and proposed names of streets. The name of any street heretofore used in the Town of its environs shall not be used, unless the proposed street is an extension of an already named street, in which event the name shall be used.
      - ii. Location and widths of proposed alleys, pedestrian ways, and utility easements.
      - iii. Typical cross-sections of proposed improvements upon streets and alleys, together with an indication of the proposed stormwater runoff.
      - iv. Approximate centerline gradients of proposed streets and alleys, if any.
      - v. Location, size, and approximate gradient of proposed sewer lines and water mains.
      - vi. Layout, numbers and typical dimension of lots.
      - vii. Minimum front and side street building setback lines, indicating dimensions.
      - viii. Areas, other than streets, alleys, pedestrian ways, utility easements intended to be dedicated or reserved for public use, including the size of such area or areas in acres.
    - d. Attachments. In addition to the preliminary plat or map, an environmental assessment shall accompany the application and supporting or additional data if required by the Plan Commission.
    - e. Other Required Information.
      - i. Statement of the proposed use of lots stating type of residential buildings with number of proposed dwelling units; type of business or industry to reveal the effect of the development on traffic, fire hazards, or congestion or population.
      - ii. Proposed protective covenants.
      - iii. Provisions for water supply.
      - iv. Provisions for sewage disposal, drainage, and flood control.
      - v. If any zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions.
    - f. Qualifications Governing Approval of Preliminary Plat.
      - i. The Plan Commission may return a conditional report. The Town Board may require such changes or revisions as it deems necessary for the health, safety, general welfare, and convenience of the Town.
      - ii. The approval of a preliminary plat by Plan Commission is tentative only, involving merely the general acceptability of the layout as submitted.
      - iii. Subsequent approval will be required of the engineering proposals pertaining to water supply, storm drainage, sewerage and sewage disposal, gas and electric service, grading, gradients and roadway widths, the surfacing of streets, and other required improvements by the Town Engineer, and other public officials having jurisdiction, prior to the approval of the final plat by the Town Board.
      - iv. No plan will be approved that would result in poor drainage of public rights-of-way and/or other private property.
      - v. All public streets shall be at least two feet above the 100-year floodplain elevation.
3. Final Plat. The final plat shall be prepared by a land surveyor who is registered in the State of Wisconsin, and shall conform to all State and County requirements and the requirements of this ordinance.
- a. Necessary Data for Final Plat.

- i. Boundary line survey by a registered land surveyor including measured distances and angles, which shall be tied to the nearest  $\frac{1}{4}$  corner of section corner by traverse.
  - ii. Accurate angular and lineal dimensions for all lines, angles, and curvatures used to describe boundaries, streets, alleys, easements, and areas to be reserved for public use. Dimensions of lot lines shall be in feet and hundredths; no ditto marks will be permitted. When lot lines are not at right angles to the street right-of-way line, the width of the lot shall be indicated at the building setback line. Setbacks shall be measured on the arc.
  - iii. A numbered identification system for all lots and blocks.
  - iv. A boundary line survey including the measured distances and angles and the true distance and bearing between a known point on the boundary and the nearest official monument, which shall be accurately described on the plat. Where the plat is located within a section, the corners of which have been relocated and monumented by the Town of Beloit or within a quarter section adjacent to a relocated corner, the plat shall be tied directly to one of said corners. The exact length and bearing of said tie shall be determined by field measurement of the corner monument and one corner of the plat shall be indicated on the plat.
  - v. Municipal, township, county, or section lines accurately tied to the lines of the subdivision by distances and angles.
  - vi. Radii, internal angles, points and curvatures, tangent bearings, and lengths of all arcs.
  - vii. Final Plat title with name and location of the subdivision.
  - viii. Accurate location of all monuments.
  - ix. Graphic scale and north arrow.
  - x. Certifications by attached information showing that all taxes and special assessments currently due on the property to be subdivided have been paid in full.
  - xi. Names of all streets.
  - xii. Location of water bodies.
  - xiii. Form of approval of the Town as follows:  
Approved by the Town Board of the Town of Beloit, Wisconsin  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_.  
Signed: \_\_\_\_\_  
Attest: \_\_\_\_\_  
Clerk
  - xiv. Form for approval by County authorities as required.
  - xv. Surveyors certification of accuracy.
  - xvi. The following notation shall be attached to final plats:
    - A. Maintenance of the drainage and stormwater detention easements shall be the sole responsibility of the individual property owner. The finished grade of the easements shall not be altered or encroached upon by filling, regrading or construction of surface improvements that obstruct or redirect the flow of water nor shall any buildings or structures be erected within the easements.
- b. Information not Required to be Shown. The following information required on the preliminary plat need not be shown on the final plat:
- i. Existing zoning classification, if any.
  - ii. Total approximate acreage.

- iii. Topographical data, including contours at vertical intervals of not more than two feet, except that contour lines shall be no more than one hundred feet apart. Wooded areas, rock outcrops, power transmission poles and lines, and other significant features.
  - iv. Site data including number of residential lots, typical lot size, and acres in park, etc.
  - v. Sites, if any, for multifamily dwellings, shopping centers, churches and industry or other nonpublic uses, exclusive of single-family dwellings.
- c. Required Supplementary Data. The following supplemental certificates, data, and plans shall be supplied with the final plat:
- i. Certifications showing that all taxes due on the property to be subdivided have been paid in full.
  - ii. Title Insurance policy showing title or control of the property to be subdivided by the applicant.
  - iii. A description of the number of dwelling units proposed for the subdivision, if different than the maximum allowed under existing zoning. Such description will be used for setting park dedication or fees in lieu of land dedication requirements as set forth in this ordinance.
- d. Plat Layout. The final plat shall conform in all respects with Section 236.20, Wis. Stats. Where necessary, plat or final plat may be on several sheets accompanied by a key map showing the entire subdivision. For large subdivisions, the final plat may be submitted for approval progressively in contiguous sections satisfactory to the Town Board.
- e. Attachments. In addition to the final plat or map, the following attachments shall accompany the final application:
- i. Written approval of the Town Board for necessary sewer main extensions and of the City of Beloit Water Utility for necessary water main extensions if the proposed development is located within the Town's urban service area; otherwise written approval of the appropriate authorities for installation of the necessary water and sanitary sewerage disposal facilities;
  - ii. Developer's Final Agreement. See Section 8.04; and
  - iii. Any other documents or information required by the Plan Commission or Town Board at the time of approval of the preliminary plat or map as a condition of approval of the final plat or map.
  - iv. The developer shall agree to pay the engineering, inspection, administration, legal fees, and developers share of the construction cost of the project, by providing an irrevocable letter of credit for an amount equal to 110% of the estimated cost of the developer's share of the required improvements, as determined by the Town Engineer. This letter of credit shall permit the Town to draw thereon upon the signature of the Town Administrator and the Town Finance Director/Treasurer if the developer fails to comply with the terms of the Developer's Final Agreement as approved and accepted by the Town Board upon recommendation of the Town Attorney. The letter of credit shall not be drawn on by the developer during construction, except as provided for in the Developer's Final Agreement. The letter of credit shall be in effect for one year after the acceptance of the project or whenever the developer can prove that all contractors, material suppliers, and land owners have been paid in full, and upon acceptance of the project, to turn ownership and control of the improvements over to the Town. The irrevocable letter of credit shall be in place before the

developer embarks on any land disturbing activities. The developer shall provide the Town with a list of all its contractors at the construction drawing phase and shall update the list at the time of the release of the letter of credit.

4. Certified Survey Map (CSM).

a. Certified Survey Map Requirements. The certified survey map shall be prepared by a registered land surveyor at a scale of not more than 400 feet to one inch. It shall be submitted in ten (10) copies along with a letter of transmittal and shall include:

- i. The name and address of the individual(s) dividing the lands.
- ii. The date of the survey.
- iii. A metes and bounds description referenced to a line of the U.S. Public Land Survey. Where the land surveyed is located within a section, the corners of which have been relocated and monumented by the Town of Beloit, or within a quarter section adjacent to a relocated corner, the survey shall be tied directly to one of said corners. The exact length and bearing of said tie shall be determined by field measurement of the corner monument and one corner of the surveyed parcel shall be indicated on the survey.
- iv. The locations, rights-of-way widths, and names of existing or proposed streets, alleys or other public way, easements and railroad and utility rights-of-way included within or adjacent to the proposed land division.
- v. The locations of existing property lines, buildings, drives, streams and water course, lakes, marshes and other significant features within the parcel(s) being created. Buildings or structures and their locations on the parcels shall be dimensioned to the nearest 0.1 feet where the locations of such building or structures will be critical in relation to proposed property boundaries or to zoning yard requirements.
- vi. The area(s) of the parcel(s) being created.
- vii. Utility easements where requested.
- viii. The approximate locations of existing on-site sewage and disposal systems and water wells.
- ix. Access restrictions where applicable.
- x. When dedication of lands is required, a governmental jurisdiction certificate of acceptance provided legibly on the face of the map.
- xi. When dedication of lands is required, an owner's certificate of dedication prepared in accordance with Section 236.34(1)(e), Wis. Stats., provided legibly on the face of the map.
- xii. The following certificate provided legibly on the face of the map:  
"Approved for recording per the Town of Beloit Town Board's action of \_\_\_\_\_ . By: \_\_\_\_\_  
Authorized Representative"
- xiii. The Certified Survey Map shall contain a note as follows:
  - A. Maintenance of the drainage and stormwater detention easements shall be the sole responsibility of the individual property owner. The finished grade of the easement shall not be altered or encroached upon by filling, regrading or construction of surface improvements that obstruct or redirect the flow of water nor shall any buildings or structures be erected within the easements.

b. Attachments. In addition to the certified survey map, the following attachments shall accompany the application:

- iii. Environmental assessment and supporting or additional data if required by the Plan Commission pursuant to Section 8.03(2);

APPENDIX "A"

LAND DIVIDER'S AGREEMENT FOR PRELIMINARY (SUBDIVISION PLAT) (CERTIFIED SURVEY MAP) REVIEW  
IN THE TOWN OF БЕЛОIT, ROCK COUNTY WISCONSIN

**THIS AGREEMENT** is entered into between the Town of Beloit (Town), a Wisconsin municipal corporation, and \_\_\_\_\_ (Subdivider) of the following described lands within the Town:

**WHEREAS**, the person(s) above-named wishes to subdivide or divide the above lands within the Town of Beloit and to obtain Town approval of this division in accordance with applicable State laws and Town ordinances; and

**WHEREAS**, the Town agrees to review the Preliminary Plat or Certified Survey Map of the Subdivider in accordance with law and desires to have such review made without unreasonable expense to Town taxpayers;

**NOW, THEREFORE**, the parties agree as follows:

**PART A PAYMENT FOR REVIEW SERVICES**

The Subdivider agrees to pay all administrative costs incurred by the Town for processing, study, and review of the Preliminary Plat or Map and the Final Plat or Map including, without limitation because of enumeration, legal and engineering service costs and general administration costs incurred by the Town in connection with this review.

**PART B GUARANTEE OF PAYMENT**

The undersigned Subdivider agrees to guarantee reimbursement of the Town for administrative costs described in Part A by depositing with the Town Clerk/Treasurer a (cash deposit) (irrevocable letter of credit in the name of the Town) in the principal sum of \$\_\_\_\_, which includes the sum of \$\_\_\_\_ to recover the cost of unanticipated contingencies.

Said costs shall be payable to the Town within seven (7) days of certification by the Town Clerk/Treasurer of the amount thereof. Interest of one-and-one-half (1-1/2%) percent shall be charged on invoices not paid within thirty days of billing. A deposit in the amount of \$\_\_\_\_ shall be made by the Developer to the Town Clerk/Treasurer within 10 days of preliminary plat approval.

If at any time monies in the account, including earned interest, or the principal amount of the irrevocable letter of credit are insufficient to pay expenses incurred by the Town for administrative costs, the Subdivider agrees to deposit required additional amounts upon demand by the Town Clerk/Treasurer.

**PART C TERMINATION OF GUARANTEE**

Thirty (30) days after completion of review evidenced by resolution of the Town Board approving or disapproving the Final Plat or Map or Certified Survey Map, the Town agrees to refund to Subdivider any monies remaining in the deposit account, including interest earned thereon; or, if guarantee is made in the form of irrevocable letter of credit, to give a written release sufficient to terminate the guarantees of such letter less, in either case, any amounts owing for administrative costs described in Part A.

**PART D ACTION BY TOWN BOARD**

Within 90 days of submission of the preliminary plat or map or within 60 days of submission of the final plat or map, the Town Board shall approve, approve conditionally, or reject the Preliminary Plat or Map and notify the undersigned subdivider in writing of any conditions of approval or of the reasons for rejection. Failure of the Town Board to act within such period of time shall be treated as a rejection of the Plat or Map and the Subdivider shall be entitled to invoke the provisions of Part C as if such inaction were a disapproving resolution of the Town Board.

**IN WITNESS THEREOF**, the parties have executed this Agreement on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.



TOWN OF BELOIT:

\_\_\_\_\_  
Town Chair

\_\_\_\_\_  
Town Clerk

Witnessed By:

\_\_\_\_\_

\_\_\_\_\_

SUBDIVIDER:

\_\_\_\_\_

\_\_\_\_\_

Witnessed By:

\_\_\_\_\_

\_\_\_\_\_

APPENDIX "B"  
CHECKLIST FOR ENVIRONMENTAL ASSESSMENT OF  
SUBDIVISIONS AND LAND DIVISIONS

	Yes	No
1. <u>Land Resources.</u> Does the development involve:		
a. Changes in relief and drainage patterns?	_____	_____
b. A landform or topographical feature of local or regional interest?	_____	_____
c. A floodplain?	_____	_____
d. An area of soil instability – greater than 18% slope and organic soils, peats or mucks at or near the surface?	_____	_____
e. An area of bedrock within 6 ft. of the soil surface?	_____	_____
f. An area with the groundwater table within 10 ft. of the soil surface?	_____	_____
g. An area with fractured bedrock within 10 ft. of the soil surface?	_____	_____
h. Prevention of gravel extraction?	_____	_____
i. A drainage way for 5 or more acres of land?	_____	_____
j. More than 50% impermeable surface?	_____	_____
k. Prime agricultural land?	_____	_____
l. Wetlands or marshes?	_____	_____
m. Land elevation above 950 (U.S.G.S. Datum)?	_____	_____
2. <u>Water Resources.</u> Does the development involve:		
a. Location within an area traversed by a navigable stream or dry run?	_____	_____
b. Greater than 10% change in the capacity of a storm water storage facility or flow or a waterway within 1 mile?	_____	_____
c. The use of septic tank-soil absorption fields for on-site waste disposal?	_____	_____
d. Lowering of water table by pumping or drainage?	_____	_____
e. Raising of water table by altered drainage patterns?	_____	_____
f. Lake frontage?	_____	_____
3. <u>Biological Resources.</u> Does the development involve:		
a. Critical habitat for plants and animals of community interest?	_____	_____
b. Endangered, unusual or rare species of:		
i. Land animals,	_____	_____
ii. Birds,	_____	_____
iii. Plants?	_____	_____
c. Removal of over 25% of the present trees?	_____	_____
4. <u>Human and Scientific Interest.</u> Does the development involve:		
a. An area of archeological interest?	_____	_____
b. An area of geological interest?	_____	_____
c. An area of hydrological interest?	_____	_____
d. An area of historical interest:		
i. Historic buildings or monuments,	_____	_____
ii. Buildings or monuments of unique architecture?	_____	_____
e. An area of identified community recreational use?	_____	_____
5. <u>Energy, Transportation and Communications.</u>		
a. Does the development increase the traffic flow in any collector system by more than 10%?	_____	_____

b. Is the development traversed by an existing or planned utility corridor (gas, electricity, water, sewer interceptor, communications, storm sewer)? \_\_\_\_\_

6. Population.

a. Does the development increase by more than 10% the school population of any school serving the development? \_\_\_\_\_

7. Comments on any of above which may have a significant environmental impact.

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8. Does the project development adversely affect the environment in any other way?

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9. Appendices and Supporting Material (List then Attach)

APPENDIX "C"  
FINAL LAND DIVIDER'S AGREEMENT FOR SUBDIVISION PLAT OR  
CERTIFIED SURVEY MAP AND CONSTRUCTION OF IMPROVEMENTS

**THIS AGREEMENT**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Town of Beloit, a municipal corporation of Rock County Wisconsin (hereinafter referred to as "Town") and \_\_\_\_\_ (hereinafter referred to as "Developer").

**WHEREAS**, the developer seeks to divide or subdivide the following described lands:

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Within the Town of Beloit for the purpose of sale or development and to obtain Town approval of such alteration in accordance with applicable State laws and current Town of Beloit ordinances; and

**WHEREAS**, the Town desires to have said property developed in accordance with law and public health, safety and welfare without unreasonable expense to the Town taxpayers;

**WHEREAS**, the Plan Commission held a public hearing with regard to the proposed preliminary plat; and

**WHEREAS**, the Plan Commission recommended approval or conditional approval of the preliminary plat; and

**WHEREAS**, the Plan Commission recommended approval or conditional approval of the final plat to the Town Board,

**NOW, THEREFORE**, the Town and Developer mutually agree as follows:

1. The Developer agrees to undertake and construct the following public improvements: sanitary service, manholes, laterals to the lot line and all appurtenances; water mains, laterals to lot line, hydrants, valves and all appurtenances, storm sewers, manholes, catch basins, catch basin leads and all appurtenances, streets, subbase and surfacing; curb and gutter; sidewalks, gas and electric utilities; telephone service and street lights (hereinafter referred to as the "Improvements") in accordance with the plans, specifications, contract administration, staking, and inspection provided by the Developers Engineer, \_\_\_\_\_. In addition, the Developer further agrees to construct improvements required to connect the subdivision to existing utilities, including facilities required outside the boundaries of the Subdivision and to dedicate said improvements, right-of-ways, parklands and storm water detention/retention lands to the Town. The Developer shall provide looped water mains to the development if the policy of the City of Beloit Water Utility requires their installation.
2. It is contemplated that construction of the improvements will commence on or about \_\_\_\_\_, and will be completed on or about \_\_\_\_\_, however, the actual commencement date of construction and the projected completion date shall be determined by the contract between the Developer and the Contractor.
3. The Developer will contract with a contractor of its choice for the improvements specified in Paragraph 1 hereof. Contractor(s) and subcontractors shall be subject to approval by the Town, which approval shall not be unreasonably withheld. The Developer shall pay the total cost of the Improvements pursuant to said Contract between the Developer and the Contractor. The Developer will use its best efforts to expeditiously administer and enforce the contract with the Contractor.

4. The Developer agrees to pay to the Town of the Town's administrative fees, Street Superintendent fees for inspection, engineering fees, and attorney's fees in connection with the Improvements pursuant to said Contract between the Developer and the Contractor. The Developer will use its best efforts to expeditiously administer and enforce the contract with the Contractor.
5. To secure payments required by Developer pursuant to Paragraphs 3 and 4 of this Agreement, Developer shall provide the Town an irrevocable letter of credit or certified check (hereinafter referred to as the "Letter of Credit") for an amount equal to \$\_\_\_\_\_. The letter of credit shall be provided to the Town on or before a date three (3) days prior to commencement of construction of the Improvements. The letter of credit shall permit the Town to draw thereon upon the signature of the Town Administrator and the Town Clerk/Treasurer only in the event the Developer fails to make payment to the Town or Contractor as specified in this Agreement and shall be approved by the Town Attorney.
6. The Developer understands and agrees that the Developer's Contractor(s) is required to meet current insurance requirements and to provide a performance bond for the Contractor's work.
7. The Developer represents and agrees that:
  - i. It is the lawful owner and is now lawfully seized and possessed of the real estate to be improved.
  - ii. It has gained any and all easements or right-of-way necessary to gain access to the property or to provide drainage or utility easements from the property.
  - iii. It will defend, indemnify, and hold the Town harmless for all losses, claims, liabilities, expenses, and costs arising from damage to the property or injuries to person occurring in connection with the making of the Improvements, except for such damage or injury as is caused by the negligence or willful misconduct of the Town.
  - iv. In the event the Town validly exercises its right to draw on the letter of credit pursuant to this Agreement or incurs legal expenses arising from Developer's breach of this Agreement, Developer shall reimburse the Town for its reasonable attorney's fees and disbursements.
8. The Town and Developer agree and mutually recognize that storm water detention/retention dedication requirements, of the Town of Beloit Code of Ordinances, have been satisfied by the dedication of \_\_\_\_\_ to the Town of the payment of fees to the Town in the amount of \$\_\_\_\_\_ in lieu of making the required land dedication. Payment of this amount shall be made to the Town prior to the signing of the final plat.
9. The Town and Developer agree and mutually recognize that public site and open space requirements, of the Town of Beloit Code of Ordinances, have been satisfied by the dedication of \_\_\_\_\_ to the Town or the payment of a fee to the Town in the amount of \$\_\_\_\_\_ in lieu of making the required land dedication. Payment of this amount shall be made to the Town prior to the signing of the final plat.
10. This agreement shall become binding upon the Town when the governing body approves the final plat. Should the governing body of the Town not grant final approval of the plat, the Agreement shall be void as to all parties.
11. This agreement shall be binding on the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

TOWN OF BELOIT, WISCONSIN

DEVELOPER

\_\_\_\_\_  
By:

\_\_\_\_\_  
By:

ATTEST:

ATTEST:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Administrator

Approved as to form:

\_\_\_\_\_  
Town Attorney