

CHAPTER 3

MAJOR LAND DIVISIONS

3.01 General.

- (1) Land divisions that create 5 or more parcels or building sites, 10 acres or less in area, either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years shall follow the procedures contained in this chapter.
- (2) The design of the proposed major land division shall be based on a site analysis, such that the design shall preserve the natural features of the site and avoid areas of environmental sensitivity. Additionally, the design shall, to the maximum extent practicable, minimize need for cut and fill activities, avoid creation of unnecessary impervious surfaces, avoid utilization of flood prone areas, and minimize adverse effects of traffic and surface water drainage on neighboring properties.

3.02 Conceptual Sketch Plan

- (1) Before submitting a preliminary plat for approval, the subdivider shall prepare a conceptual sketch plan and shall submit to the Planning Department one full-size copy of the plan and one copy of the plan reduced to 11 inches by 17 inches.
- (2) The conceptual sketch plan shall cover the entire area proposed for development at the time of submittal and shall be prepared in accordance with this Ordinance. Where a subdivider owns, has an interest in, or controls adjacent lands in addition to those proposed for development at the time of submittal, such subdivider shall include a conceptual sketch plan for the development of the adjacent lands, if the applicant proposes to develop those lands in the future.
- (3) Layout and Format. The conceptual sketch plan shall contain or have attached thereto the following information:
 - (a) Existing Conditions.
 1. Applicable existing zoning districts for land in and abutting the land division;
 2. Total approximate acreage of the entire area proposed for subdividing;
 3. Location and right-of-way width of existing roads. Parks and other public lands, permanent buildings and structures, easements, section and corporate lines within the subject area, and all land owned or controlled by the subdivider to a distance 200 feet beyond the subject area shall also be indicated. Aerial photos may be used to accomplish this requirement;
 4. Boundary lines of adjoining unsubdivided or subdivided land within 200 feet of the subject area. The owners of such lands shall be identified by name;
 5. Topographic data shall be provided at vertical intervals of 2 feet. Door County Digital Contour Maps shall be used for all topographic mapping;

6. Location and size of all existing navigable and non-navigable streams, wetlands, wooded areas, rock outcrops, rockholes, escarpments, drainage courses, lakes, ponds, wells, septic systems, cesspools, sewers, water mains, culverts, driveways, power transmission poles and lines, underground facilities, and other utilities within the conceptual plan area and to a distance of 200 feet beyond. Aerial photos may be used to accomplish this requirement;

7. All areas within the subject area and contiguous property of the subdivider where the slope is in excess of 25% when measured over 50 feet or more of horizontal distance;

8. Parcel Identification Numbers for all parcels proposed to be subdivided.

(b) Conceptual Sketch Plan Design Features.

1. Number and layout of residential lots and outlots;

2. Number and layout of proposed roads;

3. Sites, if any, to be reserved for public uses;

4. Easements;

5. Locations of driveways;

6. Sites, if any, for multifamily dwellings, shopping centers, churches, industry, or other non-public uses exclusive of single family dwellings.

(c) Supplementary Data to be Supplied with Conceptual Sketch Plan.

1. Provision for water supply;

2. Provision for sewage disposal;

3. A letter from the Town Chairperson of the town in which the proposed land division is located stating that the town has been made aware of the proposed land division.

(4) Review. The subdivider or an agent acting on behalf of the subdivider may present the conceptual sketch plan to the Committee in order to facilitate discussion in an informal atmosphere regarding the layout and design of the proposed plat. The Planning Department shall within 30 calendar days of such request schedule a presentation at a regularly scheduled Committee meeting.

3.03 Preliminary Plat. The preliminary plat shall conform substantially to the conceptual sketch plan presented to the Planning Department or the Committee.

(1) Submittal. The applicant shall prepare and file with the Planning Department 6 full- size copies and 8 copies reduced to 11 inches by 17 inches of all pages of the preliminary plat.

(2) Information Requirements. The preliminary plat shall contain or have attached thereto all of the information described in Chapter 6, Design Standards, Improvements and Dedications, and the following:

- (a) Evidence of the landowner's authorization for preparation of the preliminary plat.
- (b) The proposed name of subdivision, which name shall not duplicate or be alike in pronunciation of any plat heretofore recorded in the County, unless considered an addition to the subdivision.
- (c) A legal description of the property to include section, town, and range numbers.
- (d) The names, phone numbers and addresses of the owner, any agent having control of the land, subdivider, surveyor, engineer, and designer of the plat.
- (e) A north point arrow or symbol.
- (f) A certification of surveyor certifying to the accuracy of the survey.
- (g) The date of preparation and date of subsequent revisions.
- (h) A small detailed scale drawing of the land division in relation to its location within the section(s).
- (i) Topographic data showing 2-foot contour intervals.
- (j) A copy of all proposed private restrictions.
- (k) The layout of proposed roads, showing right-of-way widths and proposed names of roads.
- (l) The locations and widths of proposed sidewalks, bike paths, and utility easements.
- (m) The dimensions of lots and blocks.
- (n) The front, rear, side, and road setback lines for principal buildings, if the Door County Zoning Ordinance is applicable to the land proposed for the land division.
- (o) Any sites, other than roads, sidewalks, bike paths, and utility easements, intended to be dedicated or reserved for parks or other public use. The dimensions and acreage of such sites shall be shown.
- (p) The location and description of survey monuments.
- (q) An identification system for the consecutive numbering of all blocks and lots within the subdivision.
- (r) A wetland delineation report and map reviewed by and approved by the Planning Department.

- (3) Other Requirements. The preliminary plat shall comply with the following:
 - (a) It shall be prepared by a land surveyor who is registered in the state of Wisconsin and shall conform to all County requirements and the requirements of this Ordinance.
 - (b) S. 1.09(2) of this Ordinance.
 - (c) Chapter 6, Design Standards, Improvements and Declarations, of this Ordinance.
 - (d) The graphic scale shall not be less than one inch to 100 feet or a scale as agreed to by Planning Department staff and applicant.
- (4) Review and Decision.
 - (a) After reviewing the preliminary plat and data for compliance with this Ordinance, as in effect when the subdivider submitted the preliminary plat, the Committee shall approve, approve conditionally, or reject the preliminary plat and shall state in writing any conditions of approval or reasons for rejection. Conditions of approval may include the kind and extent of improvements to be made by the applicant. (Amended: March 10, 2011; Ord. No. 2011-07).
 - (b) Failure of the Committee to act within 40 calendar days of submittal of a complete preliminary plat shall constitute an approval of the preliminary plat, unless such time is extended by agreement between the Committee and the applicant.
 - (c) If the final plat conforms substantially to the preliminary plat as approved, including any conditions of that approval, and to local plans and ordinances adopted as authorized by law, it is entitled to approval. If the final plat is not submitted within 36 months after the last required approval of the preliminary plat, any approving authority 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 approving authority, constitute only that portion of the approved preliminary plat that the subdivider proposes to record at that time. (Recreated: March 10, 2011; Ord. No. 2011-07).

3.04 Final Plat.

- (1) Submittal. The applicant shall prepare and file with the Planning Department a final plat in accordance with the following:
 - (a) The final plat shall be legible and it shall have a binding margin 1½ inches wide on the left side and a one-inch margin on all other sides. Its graphic scale shall not be more than 100 feet to one inch.
 - (b) The final plat shall be a permanent nonfading black image on durable white media that is 22 inches wide by 30 inches long.
 - (c) Final plats shall conform substantially to the approved preliminary plat, except contours and principal building setback lines need not be shown.

(d) If the major land division results in a subdivision as defined in s. 236.02(12), Wis. Stats., the applicant shall also submit the original drawing of the final plat to the appropriate state plat review agency, in accordance with s. 236.12(6), Wis. Stats.

(e) If the major land division results in a subdivision as defined in s. 236.02(12) Wis. Stats., the applicant shall submit a Wisconsin Department of Transportation Trans 233 Certification Number when any portion of the platted property abuts a highway under that department's jurisdiction.

(2) Requirements.

(a) The final plat of subdivision shall be prepared by a land surveyor who is registered in the state of Wisconsin and shall conform to all County requirements and the requirements of this Ordinance.

(b) The final plat shall show on its face all lands reserved for future public dedication or reserved for the common use of property owners within the plat. If common property is located within the plat, then provisions for its use, maintenance, and ownership must also be provided with the plat.

(c) Certificates. All final plats shall provide the following certificates:

1. Surveyor's certificate as described in s. 236.21(1)(a) – (c), Wis. Stats.;
2. Certificate of taxes paid as described in s. 236.21(3), Wis. Stats.

(d) The final plat shall show on its face evidence of acceptance of any dedications by the governmental entity(ies) receiving the dedications.

(3) Final Plat Review and Approval.

(a) The planning department shall provide conclusions as to whether the final plat conforms substantially to the preliminary plat with a recommendation to approve the final plat. The conclusions and recommendations shall be made part of the record and are not required to be submitted in writing. (Recreated: March 10, 2011: Ord. No. 2011-07).

(b) The Planning Department shall approve or reject the final plat and shall state in writing any reasons for rejection. If approved, a written statement certifying approval shall be affixed to the final plat.

(c) The Planning Department shall act within 40 calendar days of final plat submittal, unless such time is mutually extended by both parties, or unless the approval of the governmental entity(ies) is required under s. 3.05, Major Land Divisions Involving Dedication of Land. Failure of the Planning Department to act within the time limits imposed in this subsection shall constitute an approval.

3.05 Major Land Divisions Involving Dedication of Land. Major land divisions that involve the dedication of public rights-of-way or other dedications of public lands shall require approval of the applicable governmental entity(ies). The Planning Department shall not approve such major land divisions until approval of the applicable governmental entity(ies) has been obtained.

3.06 Improvements Required. All improvements required to be installed by the subdivider shall be inspected and approved by the Planning Department prior to issuance of a building permit.

3.07 Recordation. The final plat shall be recorded within 12 months of the date of the last approval of the plat and within 36 months after the first approval. Failure to record the plat within the time specified shall nullify the approval of the final plat. (Recreated: March 10,2011; Ord. No. 2011-07).