

## TOWN OF FAIRFIELD LAND DIVISION AND SUBDIVISION ORDINANCE

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**1.01 Authority** These regulations are adopted under the authority granted by § 236.45 of the Wisconsin Statutes, and pursuant to § 60.61, 281.31 and 281.33 of the Wisconsin Statutes.

**1.02 Purpose and Intent.** The purpose of this ordinance is to promote the public health, safety and general welfare of the Town of Fairfield, and to lessen congestion in the roads and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision for transportation, water, sewerage, energy and communications facilities, surface drainage, schools, parks, playgrounds and other public requirements; to facilitate the further re-subdivision of larger parcels into smaller parcels of land.

**1.03 Severability.** If any section, provision or portion of this ordinance is adjudged invalid by a

court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

**1.04 Repeal.** All other ordinances or parts of ordinances of Town of Fairfield inconsistent or in conflict with this ordinance, to the extent of inconsistency or conflict only, are hereby repealed.

**1.05 Title.** This ordinance shall be entitled the "*Land Division and Subdivision Regulations, Town of Fairfield, Wisconsin.*"

**1.06 Effective Date.** This ordinance shall be effective upon passage and publication.

**1.07 Definitions.** For the purposes of this ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular

number. The word "shall" is mandatory and not directory.

- (1) ACCESS EASEMENT. A privately owned and maintained easement for ingress and egress, for the purpose of granting to all Owners and their invitees vehicular and pedestrian access across property which abuts a public right-of-way. The access easement may not provide ingress and egress access for more than three (3) lots. The general use and maintenance of the access easement shall be governed by a legal agreement that runs with the land and is recorded with the Sauk County Register of Deeds.
- (2) AGENCY. The Town of Fairfield Town Board.
- (3) AGRICULTURAL PRESERVATION PLAN. Plans developed and adopted by Town of Fairfield and certified by the Wisconsin Land and Water Conservation Board as meeting the standards of Wis. Stat. Chapter 91, to protect agricultural lands through Farmland Preservation Agreements and Exclusive Agriculture zoning, and to enable farmland owners to be eligible for farmland preservation tax credits.
- (4) CERTIFIED SURVEY MAP. A map of land division, not a subdivision, prepared in accordance with Wis. Stat. § 236.34, and in full compliance with the applicable provisions of this ordinance. A certified survey map has the same legal force and effect as a subdivision plat.
- (5) CLUSTER DEVELOPMENT. A PUD that concentrates buildings or lots on a parcel to allow the remaining lands to be preserved as open space for agricultural, recreational, and environmental resource protection and other open space uses. A Cluster Development is further defined as the creation of not more than three (3) lots in a five (5) year period on a parcel, or as provided in the Town's Comprehensive plan(s) or the provisions set forth in the

Town of Fairfield Agricultural Preservation Plan, whichever is more restrictive. A Cluster Development is inclusive of a PUD Development Area and a PUD Preservation Area.

- (6) COMMON ELEMENT. All real property set aside under common ownership for the future use and enjoyment of residents of a conservation subdivision, including, but not limited to: buildings, open space, private roads, parking areas, walkways, recreation areas, drainage easements, and utilities that serve more than one unit, such as sewerage and water supply facilities.
- (7) COMPREHENSIVE PLAN. A community plan which has been developed and adopted in accordance with Wis. Stat. §§ 59.69(2) or (3), 60.22(3), 62.23(2) or (3), or 66.1001.
- (8) CONSERVATION SUBDIVISION. A PUD housing development in a rural setting that is characterized by compact lots and common open space, and where the natural features of land are maintained to the greatest extent possible. A Conservation Subdivision shall be further defined as the creation of four (4) lots or more in a five (5) year period on a parcel or as further defined in the Town's comprehensive plan.
- (9) DENSITY CREDIT. A point system utilized as part of the application of a PUD Cluster Development or Conservation Subdivision derived by assigning a value of one (1) credit to each lot that can be created, as determined by the applicable zoning district's minimum lot size or comprehensive plan(s), whichever is more restrictive, and rounded down to the nearest whole number.
- (10) DENSITY POLICY. A ratio describing the net acreage required to establish a lot or dwelling unit on a given parcel of land as permitted by the applicable zoning district in which the parcel lies as well as the Town's Comprehensive plan(s) or

- provisions set forth in the Town of Fairfield Agricultural Preservation Plan, whichever is more restrictive.
- (11)DEPARTMENT. Town of Fairfield Planning & Zoning Committee.
- (12)DEVELOPMENT PLAN. A general site analysis for a subdivision or for a Planned Unit Development pursuant to Section 22.71 and its environs identifying and analyzing the natural and cultural features of the area. A development plan is required for all subdivisions.
- (13)DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living sleeping, eating, cooking, and sanitation.
- (14)EXTRATERRITORIAL PLAT APPROVAL JURISDICTION. The unincorporated area within three (3) miles of the city limits of a city of the first, second or third class, if said city has a subdivision ordinance or official map, or within one and one-half (1½) miles of the corporate limits of a city of the fourth class or a village, if said city or village has a subdivision ordinance or official map.
- (15)FARMLAND PRESERVATION AGREEMENT. A Farmland Preservation Agreement shall have the same meaning as defined in Wis. Stat. § 91.01(7).
- (16)LAND DIVISION. Any division of a parcel of land where the act of division creates a new lot of less than 40 contiguous acres, excluding one quarter (1/4) of one quarter (1/4) section parcels as defined by the original Public Land Survey System.
- (17)LOT. A parcel of land occupied by or designed to provide space necessary for one main building and its accessory buildings or uses that abuts a publicly dedicated road. A lot shall be created by a subdivision plat, or certified survey map.
- No land included in any road, highway, or railroad right-of-way shall be included when computing the area for minimum lot sizes. No road, highway, easement, railroad right-of-way, river, stream or water body shall constitute a break in contiguity.
- (18)LOT OF RECORD. A land area designated in a subdivision plat, plat of survey, or certified survey map, or described in a conveyance recorded in the Sauk County Register of Deeds office which complied with zoning laws in existence when the property was originally divided and/or recorded but which no longer complies with the current minimum land area within the applicable zoning district. Such land area shall be occupied by or designed to provide space necessary for one main building and its accessory buildings or uses.
- (19)MASTER PLAN. A plan for guiding and shaping the growth or development of the Town of Fairfield or of a community or area in Fairfield Township which has been adopted by a governmental unit of the Town of Fairfield, and whose preparation is authorized by the Wisconsin Statutes.
- (20)NAVIGABLE WATERS. Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under § 281.31(2)(d), Wisconsin Statutes, notwithstanding any other provision of law or administrative rule promulgated there under, shoreland ordinances required under § 59.692, Wisconsin Statutes, and Chapter NR 115, Wisconsin Administrative Code, do not apply to lands adjacent to farm drainage ditches if:
- (a)Such lands are not adjacent to a natural navigable stream or river.

- (b) Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and
- (c) Such lands are maintained in nonstructural agricultural use.
- (d) Wisconsin's Supreme Court has declared navigable bodies of water that have a bed differentiated from adjacent uplands and levels or flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis (*Muench v. Public Service Commission*, 261 Wis. 492 Wis. (1952) and *DeGayner and Co., Inc., v. Department of Natural Resources*, 70 Wis. 2d 936 (1974)). For example, a stream which is navigable by skiff or canoe during normal spring high water is navigable, in fact, under the laws of this state though it may be dry during other seasons.
- (21) **OFFICIAL MAP.** A map indicating the location, width, extent of existing and proposed roads, highways, parks and playgrounds adopted by the Town of Fairfield in accordance with Wis. Stat. § 62.23.
- (22) **PARCEL.** A contiguous quantity of land in the possession of an owner, single or common interest. No road, highway, easement, railroad right-of-way, river, stream or water body shall constitute a break in contiguity.
- (23) **PLANNED UNIT DEVELOPMENT (PUD).** One or more lots or parcels of land to be developed as a single entity, the plan for which may propose intensity increases, mixing of land uses, open space conservation, or any combination thereof, but which still corresponds to the applicable zoning districts density and use requirements. For the purposes of this ordinance, the terms Planned Unit Development and PUD shall be interchangeable and have the same meaning.
- (24) **PLAT.** A map of a subdivision.
- (25) **PRESERVATION AREA EASEMENT.** A legal agreement recorded with the Sauk County Register of Deeds which conveys an interest in real estate imposing limitations and affirmative obligations on the type and amount of development that may take place on a property. For the purposes of this ordinance said easement shall apply to PUD Preservation Areas as part of a PUD.
- (26) **PRINCIPAL CONSERVATION AREA.** Areas identified as part of a PUD that contain productive agricultural or environmentally and culturally sensitive lands that significantly contribute to the economic and natural resource base of the Town. Because of their importance or State and Federal use restrictions, these areas shall be protected from residential development and shall include the following:
- (a) Economically productive farmland as determined by the 1977 Soil Survey of Town of Fairfield, Wisconsin with a land capability class I that either currently is or could be used for cropland in a contiguous quantity of 5 acres or more, regardless of ownership.
  - (b) Wetlands identified by the Wisconsin Wetland Inventory Map in accordance with Wis. Stat. § 23.32 and Section 8.10.
  - (c) Lakes, rivers, perennial and intermittent rivers or streams as identified on a USGS Map.
  - (d) Floodplains as identified by referring to the maps and studies identified within Section 9.03 (2) of Sauk County Code of Ordinances.
  - (e) Any historical or archaeological site listed on the Wisconsin Archaeological and Historic Resource Database (WisAHRD) by the Wisconsin Historical Society.
- (27) **PUD DEVELOPMENT AREA.** Developed lands as part of a PUD application identified as the area to be

improved so as to accommodate structural development and which includes roads and utilities, public or private, the area and number of lots permitted therein being calculated by the net acreage required for said improved area as expressed by the application of a density policy.

(28) PUD PRESERVATION AREA.

Undeveloped lands as part of a PUD identified as the balance of lands remaining once PUD Development Areas are designated, the area of which is expressly calculated as the difference of lands remaining after the application of a density policy and further, that such lands are placed under a Preservation Area Easement.

(29) ROAD. A publicly owned and maintained right-of-way that provides vehicular and pedestrian access to parcels of land where general use and maintenance of such right-of-way is governed by the appropriate unit of government.

(a) Arterial Streets and Highways. Roads which provide for rapid movement of concentrated volumes of traffic over relatively long distances between activity areas.

(1) Principal arterials: streets serving the major interstate and interregional traffic corridors. These routes provide the highest level of mobility under a high degree of access control.

(2) Primary arterials: streets serving major regions or connecting several cities while also serving as an intercommunity corridor within a designated area. These routes provide for a high degree of mobility under a high degree of access control.

(3) Standard arterials: streets that provide for intermediate trips, thus serving through traffic movement or feeding traffic to primary and principal arterials from

lower activity areas not served by such routes.

(b) Collector Streets. Streets which provide for moderate speed movement within large areas and provide more directness of routing and higher capacity than other local roads, receive higher volumes of traffic to be distributed from or collected toward nearby arterial roads.

(d) Local Roads. Roads designed for low speeds and volumes which provide access from low traffic generating areas to collector and arterial roads.

(e) Marginal Access Roads. Roads which are parallel and adjacent to arterial roads and which provide access to abutting properties.

(f) Cul-de-sac Roads. Roads closed at one (1) end with turnarounds.

(g) Dead End Roads. Roads closed at one (1) end without turnarounds.

(30) SECONDARY CONSERVATION AREA.

Areas identified as part of a PUD that contain productive agriculture or environmentally and culturally sensitive lands that significantly contribute to the economic and natural resource base of the Town. Because of their importance, these areas shall be substantially protected from residential development, and shall include the following:

(a) Economically productive farmland as determined by the 1977 Town of Fairfield Soil Survey with land capability classes II and III that either currently is or could be used for cropland in a contiguous quantity of 5 acres or more, regardless of ownership.

(b) Steep slopes in excess of 20 percent.

(c) Large contiguous blocks of forestry in excess of 40 acres.

(d) Other natural or cultural elements of the site identified for preservation or protection by the Town of Fairfield Agricultural Preservation Plan, the

Wisconsin Department of Natural Resources Natural Heritage Inventory and Town comprehensive plan.

(31)SHORELAND AREA. All lands lying within one thousand (1,000) feet of the normal, high water elevation of navigable lakes, ponds, or flowages, or within one thousand (1,000) feet of the high water mark of glacial potholes; all lands lying within three hundred (300) feet of the normal, high water mark of navigable streams, or within the flood plain thereof, whichever distance is greater. For the purposes of this ordinance, the term "navigable waters" applies to all non intermittent streams and bodies of water indicated on the 7.5 minute series of the United States Geological Survey Quadrangles, and any other rivers, streams, lakes, ponds or flowages designated as navigable by the Wisconsin Department of Natural Resources.

(32)SUBDIVIDER. A person, firm, corporation and/or their designated agent initiating the creation of a land division or subdivision or condominium plat.

(33)SUBDIVISION. The division of a lot, parcel, tract or one-quarter (¼) of one-quarter (¼) section by the owner thereof or their agent, for the purpose of transfer of ownership or building development, where the act of division creates four (4) or more lots, or where the act of division creates four (4) or more lots by successive division within a five year period.

(a)Class I Subdivision. A subdivision which consists of fewer than ten (10) lots and includes all contiguous lands under one ownership.

(b)Class II Subdivision. A subdivision which consists of fewer than twenty-five (25) lots.

(c)Class III Subdivision. A subdivision which consists of twenty-five (25) or more lots.

(34)USE CONSISTENT WITH AGRICULTURAL USE. An activity that meets all of the following conditions: (a) The activity will not convert land that has been devoted primarily to agricultural use, (b) The activity will not limit the surrounding land's potential for agricultural use, (c) The activity will not conflict with agricultural operations on the land subject to a farmland preservation agreement, and (d) The activity will not conflict with agricultural operations on other properties.

(35)ZONING ADMINISTRATOR. A public official charged with the administration, enforcement and interpretation of the Town of Fairfield Zoning Ordinance and the Land Division and Subdivision Regulations Ordinance. For the purposes of this ordinance, the terms Zoning Administrator and Building Inspector shall not be interchangeable and have the same meaning.

**1.08 Compliance With Ordinances, Statutes, Regulations and Plans.** Any person, firm or corporation dividing land which results in a subdivision or a land division shall prepare a subdivision plat or a certified survey map in accordance with the requirements of this ordinance and;

(1)The provisions of Chapter 236, and Section 80.08, Wisconsin Statutes.

(2)The rules of the Department of Commerce contained in COMM. 83, Wisconsin Administrative Code for subdivisions not served by public sewer.

(3)The rules of the Division of Highways, Wisconsin State Department of Transportation contained in Trans 233, Wisconsin Administrative Code for subdivisions which abut a state trunk highway or connecting road.

(4)The rules of the Wisconsin Department of

Natural Resources contained in Chapter N.R.116, Wisconsin Administrative Code for Flood Plain Management Programs.

- (5)Town of Fairfield ordinances and regulations.
- (6)Master plan or master plan component.
- (7)The official map of the Town municipality or governmental unit having jurisdiction.
- (8)The rules and by-laws of the State of Wisconsin Department of Regulation and Licensing.

**1.09 Access.** Lots designated on a plat or lots designated on a certified survey map shall front on a publicly dedicated and improved road or access easement for a distance of not less than forty (40) feet. The Agency may approve lot frontage of less than forty (40) feet where the strict application of this standard is impractical and where such deviation is not contrary to the public interest, safety and intent of this ordinance.

**1.10 Identification of Road and Access Easement Right-of-Way.** Parcels of land subject to a land division that contain all or in part, a road, drainageway, or other public way, which has been designated in a master plan defined in this ordinance, or an official map adopted under Wis. Stat. § 62.23, said road or public way may be required to be platted and dedicated in the location and width indicated unless otherwise provided herein. Any road or access easement shall be made a part of a plat or certified survey. The dedication of road right-of-way shall not create a commitment on the part of any public agency to construct, improve or maintain any roadbed placed upon said right-of-way. Acceptance of any road, road or highway for maintenance purposes shall require compliance with the design and construction standards of the applicable highway authority. The right-of-way width of any road shall be sixty-six (66) feet, unless a wider right-of-way is requested by the appropriate unit of government, in which case, the wider right-of-way shall be dedicated. The Agency may approve rights-of-way less than sixty-six (66) feet where the strict application of this standard is impractical and where such

deviation is not contrary to the public interest and safety and intent of this ordinance.

**1.11 Land Suitability.** No land shall be divided or subdivided for a use which is held unsuitable by the Town for reason of flooding or potential flooding, soil limitations, inadequate drainage, incompatible surrounding land use, or any other condition likely to be harmful to the health, safety or welfare of the future residents or users of the area, or to the residents of Town of Fairfield.

(1)Except as provided herein, the Town shall determine land suitability at the time the preliminary plat, or first required submission, is considered for approval. The subdivider shall furnish such maps, data and information as may be necessary to make a determination of land suitability. In addition to the data required to be submitted with the preliminary plat or first required submission, the subdivider shall be required to submit some or all of the following additional information for development located in an area where flooding or potential flooding may be a hazard:

(2)Two (2) copies of an aerial photograph, or two (2) maps prepared by a registered land surveyor or engineer, which accurately locates the proposed development with respect to flood plain zoning district limits if present, channel or stream fill limits and elevations, and flood proofing measures taken or proposed to be taken.

(3)Two (2) copies of a typical valley cross-section showing the channel of the stream, the flood plain adjoining each side of the channel, cross-sectional area to be occupied by the proposed development, and high water information.

(4)Two (2) copies of a profile showing the slope of the bottom of the channel or flow line of the stream.

(5)Such other data as may be required.

(6)When a proposed subdivision is located in an area where flooding or potential flooding may be a hazard, the Town shall transmit to the Division of Water Regulation and Zoning, Wisconsin Department of Natural Resources, one (1) set of the information required and shall request that agency to provide technical assistance in determining whether the land is suitable or unsuitable for the use and development proposed, or whether certain modifications, limitations, improvements, or other conditions of the development can overcome the land unsuitability.

(7)In applying the provisions of this section, the Town shall, in writing, recite the particular facts upon which it bases its conclusion that the land is unsuitable for the intended use or development and afford the subdivider an opportunity to present evidence and the means of overcoming such unsuitability, if he so desires. Thereafter, the Town may affirm, modify or withdraw its determination of unsuitability.

(8)Where a proposed subdivision is located wholly or partly in an area where flooding or potential flooding may be a hazard, the Town shall apply the following standards in addition to all other requirements in the approval of plats and certified survey maps.

(9)The development shall be in accordance with flood plain management standards of the Division of Water Regulation and Zoning, Wisconsin Department of Natural Resources.

(10)Building sites must be filled to a height and area sufficient to provide protection from the regional flood as defined by and according to the standards of said Division of Water Regulation and Zoning.

(11)Development shall be carried out or assured so as to not have an adverse effect

on flood flows or storage capacity standards of said Division of Water Regulation and Zoning.

(12)Unless specifically exempted from this requirement elsewhere in this ordinance, all subdivision proposals where private water and/or sewage disposal systems are to be used shall be accompanied by certifications and/or reports:

(13)Describing the probable depth, cost and yield of private wells. This report shall be based on competent scientific investigation and shall include the sources of all data used in the preparation of the report.

(14)Describing the soil conditions existing on the site as applicable to on-site waste disposal. A soils report shall accompany all subdivision proposals.

(15)The subdivider may, as a part of the pre-application procedures, request a determination of land suitability, providing that he shall provide all necessary maps, data and information for such a determination to be made.

**1.12 Exceptions.** The provisions of this ordinance shall not apply to transfer of interests in land by will or pursuant to court order; leases for a term not to exceed ten (10) years, mortgages or easements; or the sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this ordinance, the town of Fairfield zoning ordinance or other applicable laws or ordinances.

**1.13 Pre-Application Procedure.** Prior to submitting an application for approval of a certified survey, subdivision plat, or PUD, the subdivider and/or his agent shall consult with the staff of the Town for advice and assistance for the purpose of reviewing the procedures and requirements of this ordinance and other



ordinances, and any plans or data which may affect the proposed development.

**1.14 Development Plan Procedure.** A development plan is to be used for the purpose of generating information and to allow analysis of major developmental proposals. The general physical and cultural characteristics of the land on which development is proposed should be ascertained by the subdivider and the Town before major resource commitments are made.

(1) A development plan shall be required of all subdivisions.

(2) A required development plan shall be submitted at least thirty (30) days prior to the submission of a preliminary or final plat. Within the first ten (10) days after submission of the development plan, the Zoning Administrator may request additional relevant information or clarification of the submitted information. The aforementioned thirty (30) day period may, at the Zoning Administrator's option, be extended from the date of receipt of the requested supplemental information. A reproducible developmental plan, together with three (3) copies, shall be submitted to the Department. A development plan review fee, as established by the Town of Fairfield Board, shall also be submitted at the time of submission of the development plan. At a minimum, the review and comment procedure shall consist of:

(3) Preparation of a written report by the Zoning Administrator addressing any issues relevant to the development proposal and including any recommendations deemed appropriate. Copies of the Administrator's report shall be forwarded to the subdivider, the Town, and the town(s), village(s) and/or city(ies) directly affected by the proposed subdivision.

(4) All parties notified and any other interested parties may review and comment, in writing, or orally, on any development plan submitted and/or the

Zoning Administrator's report. All written comments shall be forwarded to the Town, and all parties who received the Zoning Administrator's report and any other parties commenting on said report shall be notified in writing of any public meeting at which the Town will consider or discuss the proposed development plan.

(5) The Town shall consider any development plan submitted to it at a minimum of one (1) public meeting. The Town, after reviewing the development proposal and the resulting reports and comments, shall report their findings concerning the suitability and appropriateness of the development proposal to the subdivider, the affected town(s), village(s) and/or city(ies); and include a summary of the report in the minutes of the first regular meeting of the Town following completion of the report. The Town report shall not constitute approval or denial of a subdivision plat, nor shall it preclude submission of preliminary or final plats by the subdivider. However, the Town shall consider the development plan and the comments generated when acting on any subsequent preliminary or final plat.

**1.15 Preliminary Plat Procedure.** A preliminary plat shall be required for all subdivisions, and is recommended for all Class I subdivisions. No final plat shall be approved prior to the approval of required preliminary plat. The application for approval of a preliminary plat shall include all data required by this ordinance accompanied by one (1) reproducible and five (5) copies of the proposed preliminary plat.

(1) The preliminary plat shall include the entire contiguous area owned or controlled by the subdivider unless a development plan has been filed, in which case, only that portion of the area designated for development in the development plan need be included.

(2)The Town shall forward copies of each preliminary plat submitted to all units of general purpose local government within one thousand (1,000) feet of the area shown in the preliminary plat; and within sixty (60) days from the date submitted, approve, approve conditionally or reject, the preliminary plat, based on its determination of conformance with the provisions of this ordinance.

**1.16 Final Plat Procedure.** Provided that all preliminary procedures have been completed, the subdivider may submit one (1) reproducible and ten (10) copies of the final plat. If the final plat meets the requirements of this ordinance, and other applicable statutes and ordinances, the Town shall approve the final plat of the subdivision within forty (40) days from the date submitted. Town approval shall be required prior to final county approval, where applicable.

**1.17 Certified Survey Map Procedure.** No person, firm or corporation shall divide any land located within the Town of Fairfield which shall result in a Cluster Development as defined under Section 1.07 (4) or land division, as defined under Section 1.07(16) of this ordinance without first filing for approval by the Town and subsequently recording with the Sauk County Register of Deeds a certified survey map which complies fully with Wis. Stat. § 236.34, and with all applicable requirements contained within this ordinance.

(1)A certified survey map shall include all lots, parcels or building sites created by a Cluster Development as defined under Section 1.07 (4) or land division as specified under Section 1.07(16) of this ordinance and all remnants of the original parcel that meet the applicable zoning requirements.

(2)The Town shall, within forty-five (45) calendar days, approve, approve conditionally, or reject the certified survey map, based on a determination of conformance with the provisions of this ordinance.

(3)The certified survey map shall be prepared by a registered land surveyor at a scale of not more than four hundred (400) feet to one (1) inch. The certified survey map shall include:

(4)The name and address of the individual dividing the lands.

(5)The date of the survey.

(6)A metes and bounds description referenced to a line and a corner of the U.S. Public Land Survey, or referenced to an adjoining recorded plat.

(7)The locations, rights-of-way widths and names of existing or proposed roads, alleys or other public ways; easements, and railroad and utility rights-of-way included within or adjacent to the proposed land division.

(8)The area(s) of the parcel(s) being created in square feet and acres.

(9)The locations of existing property lines, buildings, drives, streams and water courses, lakes, marshes, and other significant features within the parcel(s) being created shall be shown.

(10)Utility easements and access restrictions, where applicable.

(11)The location of an existing on-site sewage disposal system.

(12)The statement on the face of the certified survey map that the parcel(s) created are considered unbuildable until a soil evaluation report as required by the Department of Commerce is filed in the Department. If the parcel has access to a public sanitary sewage system, the surveyor shall note on the face of the certified survey map that the parcel(s) are unbuildable unless a hookup is made to the public sanitary sewer.

(13) If lots were created as part of a Cluster Development, a statement on the face of the certified survey map that shall read as follows, "Lots so noted on this document cannot be further divided unless approved in writing by the Town of Fairfield." The approval provided herein shall be pursuant to the procedures provided in Section 1.39 and 7.07 for a PUD.

(14) Reference to the corresponding PUD Preservation Area easement document number.

(15) Reference to the corresponding Access Easement document number.

(16) When dedication of lands is required, an owner's certification of dedication prepared in accordance with Wis. Stat. § 236.34 and a governmental jurisdiction certificate of acceptance of the dedication, approved by the full governing body of the accepting jurisdiction.

(17) Proof of compliance with Trans 233 Wis. Adm. Code where applicable.

(18) Separate certificates of approval for recording in accordance with Town Board action.

**1.18 Development Plan.** A development plan, when required, shall address the broader issues of development and land use in and around any proposed subdivision or PUD pursuant to Section 22.71. The data used to prepare the development plan may be obtained from readily available sources (i.e., U.S.G.S., N.R.C.S., D.A.T.C.P., DNR, Department, etc.), rather than from detailed field investigations. However, the developer is expected to prepare a comprehensive presentation of the information required. At a minimum, the area to be included in a development plan shall include all contiguous lands owned, leased, optioned or otherwise under the control of the developer, plus those adjacent areas specified in

this section. The following data shall be presented and analyzed in a development plan:

(1) Geographical information: Boundaries of the developer's property, and boundaries of the proposed subdivision, if different; ownership and location of all adjacent properties (excluding public rights-of-ways and streams less than three hundred (300) feet wide); location and name of all public rights-of-way and publicly owned lands within one thousand (1,000) feet of any property boundary; location, size and ownership of all public utilities within three hundred (300) feet of the property.

(2) Natural features: Soil conditions, including wet areas and rock outcrops; general topography and delineation of all areas with slopes over twelve percent (12%); geology, including approximate depth to bedrock, and ground water resources (depth, quality and quantity); location and names of all streams, lakes and flood plains within one thousand (1,000) feet of the property; vegetative cover on the property and all contiguous properties.

(3) Cultural features: Existing zoning of the property and all contiguous properties; all existing easements on the property; the boundary of any unit of government within one thousand (1,000) feet of the property; location of any airport, solid waste disposal site, sewage treatment facility, water treatment plant, school, cemetery, or other significant cultural feature within one thousand (1,000) feet of the property.

(4) Development proposal: Approximate density and type of development; proposed land use(s); approximate lot sizes (minimum, maximum and average); approximate location and size of all roads, public dedications and utilities proposed; proposed filling, grading, lagooning, dredging and/or flood proofing; anticipated timing of the development; where appropriate, the developer may wish to