

**Town of Washington, Green County Land Division Ordinance –
#09-11-00**

1. AUTHORITY

These regulations are adopted under the authority granted by Section 236.45 of the Wisconsin Statutes.

2. PURPOSE

The purpose of this ordinance is to promote the public health, safety and general welfare of the community. The regulations are designed to further the orderly layout and use of land to avoid undue concentration of population; to facilitate adequate provision for water, sewerage, schools, parks, playgrounds, and other public requirements to minimize the public impact from subdivision of large tracts into smaller parcels of land; to provide the best possible environment for human habitation; to facilitate the goals given in the Town of Washington *Comprehensive* Plan.

3. JURISDICTION

Jurisdiction of these regulations shall include all lands within the Town of Washington. The provisions of this ordinance, as it relates to divisions of tracts of land into less than five (5) acre parcels shall not apply to:

- a. Transfers of interest in land by will or pursuant to court order;
- b. Leases for a term not to exceed ten (10) years, mortgages or easements;
- c. The sale or exchange 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.
- d. The redrawing of lot lines by the owner of a parcel to create the same number or fewer lots within that parcel, as long as each of the resulting lots are of equal or greater size than the minimum sizes required by this ordinance.

4. COMPLIANCE

No person, firm, corporation, partnership or legal entity of any sort shall divide any land located within the Town which results in a land division as defined herein without compliance with all requirements of this ordinance and with:

- a. Chapter 236 of the Wisconsin Statutes.

**Town of Washington, Green County Land Division Ordinance --
#09-11-00**

1. AUTHORITY

These regulations are adopted under the authority granted by Section 236.45 of the Wisconsin Statutes.

2. PURPOSE

The purpose of this ordinance is to promote the public health, safety and general welfare of the community. The regulations are designed to further the orderly layout and use of land to avoid undue concentration of population; to facilitate adequate provision for water, sewerage, schools, parks, playgrounds, and other public requirements to minimize the public impact from subdivision of large tracts into smaller parcels of land; to provide the best possible environment for human habitation; to facilitate the goals given in the Town of Washington *Comprehensive* Plan.

3. JURISDICTION

Jurisdiction of these regulations shall include all lands within the Town of Washington. The provisions of this ordinance, as it relates to divisions of tracts of land into less than five (5) acre parcels shall not apply to:

- a. Transfers of interest in land by will or pursuant to court order;
- b. Leases for a term not to exceed ten (10) years, mortgages or easements;
- c. The sale or exchange 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.
- d. The redrawing of lot lines by the owner of a parcel to create the same number or fewer lots within that parcel, as long as each of the resulting lots are of equal or greater size than the minimum sizes required by this ordinance.

4. COMPLIANCE

No person, firm, corporation, partnership or legal entity of any sort shall divide any land located within the Town which results in a land division as defined herein without compliance with all requirements of this ordinance and with:

- a. Chapter 236 of the Wisconsin Statutes.

- b. Green County Zoning Regulations, Sanitary Code, and Subdivision regulations.
- c. State of Wisconsin rules on sewers and septic systems
- d. State of Wisconsin rules on pollution abatement.
- e. State of Wisconsin Department of Transportation rules relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the subdivider abuts on a state trunk highway or connecting street.
- f. All applicable master plans, zoning ordinances, official maps adopted under Section 62.33 Stats and any other ordinances and regulations.

Where provisions of this ordinance impose greater restrictions than a-f above, it is intended that the provisions of this ordinance shall apply.

5. DEFINITIONS

- a. Certified survey map- A map of land prepared in accordance with Sec. 236.34 of the Wisconsin Statutes and in full compliance with applicable provisions of this ordinance. A certified survey has the same legal force and effect as a subdivision plat.
- b. Commission- The Town of Washington Planning Commission
- c. Board- The Town of Washington Board
- d. Land Division- The division of a parcel of land by the owner thereof or the owner's agent where the act of division creates two or more parcels.
- e. Lot- Land that is two (2) acres or larger created by a land division
- f. Land divider- Any person, corporation, or other entity requesting review or action on a land division.
- g. Parcel- Contiguous land under the control of a land divider regardless of whether it is separated by streets, highways, railroad right-of-ways, utility easements, or other easements. This may or may not contain any building sites.
- h. Land Use Plan- The Town of Washington Land Use Plan
- i. Town Clerk- Clerk of the Town of Washington.

- j. Adjoining property- Parcels of land under the control of separate owners that share common border lines or points regardless of whether they are separated by streets, highways, or railroad right of-ways.
- k. Standard lot- A lot that is contiguous to a road and does not meet the definition of a Setback lot.

- l. Setback Lot- A lot not contiguous to a road except for that portion that serves as the access driveway.
- m. Multifamily home- A duplex, or multiplex housing.
- n. Clustering- Where residential building sites are on (2)acre lots that adjoin one another.
- o. Land locked parcel- Any parcel not having direct access to town, county, or state road.
- p. Condominium- A form of ownership. Typically, under the condominium form of ownership, each dwelling unit is owned by its occupant. The land on which the dwelling is built and the land separating the dwelling units may be owned in common by all of the development owners or a single entity.

6. LAND DIVISIONS WITH OR WITHOUT A CERTIFIED SURVEY

- a. A certified survey map (CSM) prepared by a land surveyor registered in this state shall be required for all land divisions that create any parcel less than thirty (30) acres. A CSM is not required if the division of land does not create any parcels less than 30 acres. The map shall comply in all respects with the requirements of Sec. 236.34 of the Wisconsin Statutes.

- b. Parcel Size and Frontage:

One (1) ****residential building site**** shall be allowed for every thirty (30) contiguous acres under the control of a land divider as of the original effective date of this ordinance (September 11, 2000) The resultant division may create no lots less than two (2) acres, except in the case of a setback lot when the minimum size will be two (2) acres excluding the area for the access driveway. This limitation runs with the land in perpetuity and is irrespective of future ownership. The clerk shall maintain a database tracking the number of allowable *residential building sites* per parcel.

If the land divider has any remaining ****residential building sites**** he or she may choose to transfer one or more of these remaining divisions to the newly created lot(s).

Any lot(s) created exceeding thirty (30) acres may not be further divided if all allowable divisions have been exhausted or transferred. The land divider will be required to include language on conveyance instruments noting the number of allowable future divisions, if any, that are allowed.

Standard lots created by divisions shall have a minimum of two hundred (200) feet of frontage on an existing town road, county highway, or state highway. Set back lots shall have a minimum of sixty six (66) feet of frontage on an existing town road, county highway, or state highway.

- c. Any land division shall not create a land-locked parcel.
- d. One residential building site will be used for each residential unit in a multifamily home. E.g.: A four (4) family residential unit will use four (4) residential building sites.
- e. The lot size for any multifamily home shall be 2 (two) acres for every 2 (two) family units, 3 (three) acres for every 3 (three) and 4 (four) family units, 4 (four) acres for every 5 (five) and 6 (six) family units, 5 (five) acres for every 7 (seven) and 8 (eight) family units etc.
- f. Where residential building sites are clustered together the landowner will have the option to increase the number of residential building sites that may be divided out: For the first 6 residential building sites that are clustered, the landowner may receive two (2) extra residential building sites. Thereafter, for every three (3) additional residential building sites from the original number of sites allowed by the landowner's acreage that are clustered, the landowner will be allowed to divide out one (1) additional residential building site. The new sites must be added to the cluster. These clustered sites must have only one road that accesses the town, county, or state road.
- g. Each new development where three (3) or more residential building sites are divided out shall have all roads completely built before any lots are sold.
- h. Any residential building site that uses a condominium form of ownership shall comply with all the regulations in this ordinance.

- i. Information required **for a Land Division**

The **Certified Survey** Map shall show correctly on its face, in addition to the information required by Sec. 236.34 Wisconsin Stats. the following:

**TOWN OF WASHINGTON, GREEN COUNTY LAND DIVISION ORDINANCE-
AMENDMENT # 10-13-08**

**The following amendments are hereby adopted and added to the
Town of Washington, Green County Land Division Ordinance #09-11-00.**

~~6b4~~ **No access easements created to landlocked parcels.**

**6b5 When a CSM is created, the sub divider will be responsible for the survey
boundary corrections (adverse possession claims, fence lines, drain fields as
examples) and creating quit claim deed(s) or warrant deed(s) to and from
neighboring property owners to correct boundary(s) according to CSM survey.**

EFFECTIVE DATE:

**This Amendment shall take effect one day after it's publication or posting as
required by law.**

**This ordinance Amendment was adopted by the Town of Washington Board of
supervisors at a meeting on the 12th day of October, 2008 by a vote of**

_____ **yes**

_____ **no**

Recorded as follows:

Chairman: _____

1st Supervisor: _____

2nd Supervisor _____

Signatures:

Chairman: _____

1st Supervisor: _____

2nd Supervisor: _____