

ORDINANCE AMENDING WAUSHARA COUNTY CODE CHAPTER 42

WHEREAS, Waushara County has enacted Chapter 42, Subdivisions to promote and protect the public health, safety, comfort, convenience, prosperity, aesthetics, and other aspects of the general welfare and to affix reasonable standards as applicable thereto; and

WHEREAS, the Waushara County Planning and Zoning Committee has determined that it is in the interest of the public health, safety and welfare to enact certain amendments to such Chapter; then

NOW, THEREFORE BE IT RESOLVED the County Board of Waushara County, Wisconsin, do hereby ordain as follows:

FOLLOWING ARE AMENDMENTS PROPOSED TO THE WAUSHARA COUNTY CODE CHAPTER 42:

(amended sections are underlined)

~~(deleted sections are stricken)~~

SECTION 42-44(h) IS HEREBY CREATED TO READ AS FOLLOWS:

(h) If any portion of a minor or major subdivision falls within a long term planning area identified under a WDNR adopted NR-121 Sewer Service Area Plan, the person submitting the application shall be required to submit written estimates comparing the short and long term costs of private on-site wastewater treatment systems with the costs of connection to the municipal sewer system serving the area, including operation, maintenance, and replacement costs projected over a 40 year period, using the cost comparison procedures identified in NR-110, Wisconsin Administrative Code. The agency shall use these cost comparisons and the availability of municipal sewer, based upon the recommendations of the Sanitary District or municipality, in determining if the subdivision should be served by private on-site wastewater treatment systems or municipal sewer. In applying the provisions of this section, the agency shall, in writing, recite the particular facts upon which it bases its conclusions, including, but not limited to economics, availability of municipal sewer, future growth and needs of the community and area, including any recommendations contained within the local land use plan, and groundwater contamination and other environmental consequences.

(Ord. No. 75, § 2.07, 3-13-1984; Ord. No. 268, § 7(2.07(6)), 3-9-1999)

Explanatory note: State statutes and administrative codes do not have specific and clear language granting municipalities the ability to require developments that are outside of the sewer service area, but within the planning area to connect to municipal sewer. This proposed language clarifies that the County may require a development that is within the planning area to connect to municipal sewer, depending upon such variables as cost, availability, and environmental limitations.

SECTION 42-48(b)(15) IS HEREBY AMENDED TO READ AS FOLLOWS:

(15) In addition to the other provisions in this chapter and other requirements, such as, but not limited to extraterritorial subdivision reviewal authority regarding certified survey map requirements, a signature page shall be attached to any certified survey map for any land division within a township that has an approved land use management or comprehensive plan, or in any township that requests in writing such review. Such page shall contain, at a minimum, signature of a representative of the township showing that they have reviewed and approved the land division, ~~signature of a representative of the agency, and where extraterritorial plat approval authority is applicable, the signature of a representative of the city or village.~~

Explanatory note: This simplifies the certified survey map procedures for land divisions where a township has an approved land use plan, and limits extra territorial reviewal authority to major subdivisions, which is what was originally intended.

SECTION 42-51 IS HEREBY AMENDED TO READ AS FOLLOWS:

~~(a) The developer shall pay to the agency a fee amounting to \$100.00 plus \$10.00 for each lot or parcel shown on the preliminary plat to assist in defraying the cost of reviewing the plat. In addition, the developer shall pay to the agency prior to approval of a final plat of a subdivision a fee to defray the costs of checking improvement plans and inspecting improvements amounting to \$50.00 plus \$5.00 per lot as shown on the final plat.~~

~~(b) At the time of the filing of the certified survey map, the subdivider shall pay to the agency a fee of \$25.00 plus \$10.00 per lot for the review of such map. This review fee is applicable to all certified survey maps filed with the agency, regardless of whether they are new or existing parcels. The Zoning Committee shall establish fees to be paid at the time of the filing of the certified survey map, preliminary plat, or final plat to defray the cost of administration, investigation, advertising and processing. These fees shall be kept on file at the zoning office and may be modified from time to time by the Zoning Committee.~~

~~(c)~~ (b) If the zoning administrator or agency or board of adjustment shall subsequently determine that the public interest reasonably requires the county to engage special consultants, such as engineers, planners, or experts on pollution, governmental finance, or the preservation of the environment, it may require the applicant to deposit a sum deemed sufficient to defray the expected costs of such work by consultants. Any excess over actual contract cost shall be refunded to the applicant. Any deficiency shall be billed to him and formal approval of the plat withheld until payment is made by him.

(Ord. No. 75, § 8.02, 3-13-1984; Ord. No. 158, § 2, 6-9-1992; Ord. No. 281, § 1, 11-9-1999)

Explanatory note: This proposed language would be the same as in the Zoning Code, allowing the Zoning Committee to adjust fees without having to amend the code itself.

SECTION 42-81(o) IS HEREBY AMENDED TO READ AS FOLLOWS:

o) Table.
TABLE INSET:

	Standard Arterials and Collectors	County Trunk Roads	Town Roads	Marginal Access
Minimum right-of-way width in feet	66	66	66	50-
Minimum roadway width		34	26 28	
Minimum surface width		22	20 22	
Minimum radius of curvature in feet of centerline	150	150	150	
Maximum grade	10 8 percent	10 8 percent	10 8 percent	

Explanatory note: These proposed changes would conform more closely to the minimums listed in Chapter 82 of the Wisconsin Statutes for local road developments, based upon average daily traffic (adt).

EFFECTIVE DATE

Upon passage by the County Board of Supervisors, the amendments will be in full force and effect, as provided for in Section 59.97(5)(e), Wis. Stats.

Ordinance _____

Ayes _____ Nays _____ Abstain _____ () Voice Vote

Approved and adopted this _____ day of _____, 20 _____

Approved:

Submitted by:

Ruth Zouski,
Corporation Counsel

Richard Reese, Chairman
Planning & Zoning Committee

Attest:

Signed by:

John Benz,
Waushara County Clerk

Norman Weiss, Chairman
Waushara Co. Board of Supervisors