TITLE X

Chapter 49

SUBDIVISIONS

49.01	Definitions	49.05	Standards
49.02	Purpose	49.06	Improvements
49.03	General Provisions	49.07	Variances
49.04	Procedure for Submitting Subdivisions	49.08	Easements
		49.09	Enforcement
		49.10	Combining Contiguous Lots

49.01 DEFINITIONS.

(1) Alley. A special public way affording only secondary access to abutting properties.

(2) Arterial Street. A street used or intended to be used primarily for fast or heavy through traffic. Arterial Street shall include freeways and expressways as well as standard arterial streets, highways and parkways.

(3) Comprehensive Plan. The extensively developed plan, also called a Master Plan, adopted by the Planning Commission and certified to the City Council pursuant to Section 62.23 of the Wisconsin Statutes, including proposals for future land use, transportation, urban redevelopment and public facilities. Devices for the implementation of these plans, such as Zoning, Official Map, Land Division and Building Line and Capital Improvement Programs shall also be considered a part of the Comprehensive Plan.

(4) County Planning Agency. Any agency created by a County Board and authorized by statute to plan land use such as a Rural Planning Committee, a Park Commission, a Zoning Committee or a Planning Commission.

(5) Cul-de-Sac Street. Minor Street closed at one end with a turnaround provided passenger vehicles.

(6) Extraterritorial Plat Approval Jurisdiction. The unincorporated area within one and one-half (1½) miles of the City.

(7) Frontage Street. A minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.

(8) Minor Street. A street used or intended to be used primarily for access to abutting properties.

(9) Municipality. An Incorporated City.

(10) Planning Commission. That official body as provided for in Section 62.23(1), Wisconsin Statutes.

(11) Public Way. Any public road, street, highway, walkway or part thereof.

(12) Replat. The changing of the boundaries of a recorded subdivision plat, or part thereof.

(13) Subdivider. Any person, firm or corporation or any agent thereof dividing or proposing to divide land resulting in a subdivision, minor subdivision or re-plat.

(14) Subdivision. The division or a lot, parcel or tract of land by the subdivider thereof for the purpose of sale or a building development where the act of division creates three or more parcels or building sites of five acres or less in area, by successive division within a period of five (5) years.

49.02 PURPOSE.

(1) The purpose of this ordinance is to regulate the subdivision of land to promote public health, safety, and general welfare; to further the orderly layout and use of land; to ensure that land is developed in a manner that supports healthy, livable communities; to foster the development of a range of housing types; to advance complete streets that prioritize safety, comfort, and accessibility for pedestrians, cyclists, transit riders, and motorists alike; to provide for adequate light and air; to facilitate adequate provision for water, sewerage, and other public requirements; to encourage development patterns that provide safe and convenient transportation choices for a variety of users; to provide for proper ingress and egress; and to promote proper monumenting of land subdivided and conveyancing by accurate legal description.

49.03 GENERAL PROVISIONS.

(1) Subdivision Permitted. No division of land with the City of Blair or within its extraterritorial jurisdiction shall be permitted if it results in a subdivision, unless a plat of the subdivision is submitted and approved in accordance with this ordinance and Chapter 236 of the Wisconsin Statutes.

(2) Compliance. In addition to the provisions of this ordinance and Chapter 236 of the Wisconsin Statutes, all subdivisions shall conform to the Zoning Ordinance, the Official Map Ordinance and the General Development Program, for the City of Blair and its extraterritorial planning area.

(3) Improvements. For all subdivision improvements required to be installed by the subdivider, the subdivider shall provide satisfactory proof that he has contracted to install such improvements or shall file a performance bond ensuring installation of such improvements within the time required by the Planning Commission. All improvements shall be inspected and found to have been installed according to specifications, prior to either acceptance of the improvement by the City Engineer's release of the sub-divider's bond.

(4) Objection and Appeal. Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom as provided in Chapters 236 and 62 of the Wisconsin Statutes and these ordinances.

49.04 PROCEDURE FOR SUBMITTING SUBDIVISIONS.

(1) Preliminary Meeting/Pre-submission Conceptual Review. The City offers to any subdivider the opportunity to meet informally with representatives of the City before the subdivider submits a preliminary plat for approval, to obtain the representatives' conceptual review of the subdivider's proposed subdivision and opinions regarding whether the subdivision complies with the City's requirements and conditions for approving plats. Conceptual reviews and opinions provided under this section are not binding on the City, or the subdivider.

(2) Preliminary Plat.

(A) The subdivider shall submit to the Planning Commission sufficient copies of the preliminary plat for its review and transmittal to interested parties.

(B) The City Clerk shall be responsible for submitting copies of the preliminary plat to those agencies having the authority to object to the plat under the applicable provisions of Chapter 236, Wis. Stat.

(C) The preliminary plat shall be based upon an accurate exterior boundary survey made by a registered land surveyor, which shall clearly show the proposed subdivision at a scale of not more than one (1) inch per one hundred (100) feet, having two (2) foot contour intervals and identifying the improvements which the subdivider proposes to make.

(D) The plan shall include any easements to be granted.

(E) The Planning Commission shall approve, conditionally approve or reject the preliminary plat within forty (40) days after submission.

(3) Final Plat.

(A) The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable ordinances, Wisconsin Statutes, as well as the Wisconsin Administrative Code.

(B) Evidence shall be submitted that certification is available or will be forthcoming from those agencies having the authority to object to the plat as provided by Chapter 236, Wis. Sat.

(C) The final plat shall be accomplished by detailed construction plans of all improvements.

(D) The final plat shall be presented to the Planning Commission at least fifteen (15) days prior to the meeting at which it is to be considered for final approval.

(E) The Planning Commission shall submit its recommendations to the Council and the Council shall act within sixty (60) days of the submission of the final plat, unless the time is extended by mutual agreement of the parties.

(F) If the final plat is not submitted within six (6) months of the approval of the preliminary plat, the Planning Commission may refuse to approve the final plat.

(G) If the plat is rejected, for any reason, such reason shall be clearly stated in the minutes of the Planning Commission meeting and / or the City Council meeting and a copy thereof furnished to the sub divider.

(H) Approved final plats shall be recorded in accordance with the statutory requirements and at the expense of the sub divider.

(I) If the original copy of the final plat has been submitted to another approving authority, the subdivider may file a true copy of such plat in lieu of the original. It shall be the responsibility of the sub divider to see to it that the copies conform to the original and that the appropriate signatures on the original be obtained once approval is given.

(J) The subdivider shall have the final plat recorded with the Trempealeau County Register of Deeds.

(4) Extraterritorial Subdivisions. In planning a subdivision in an unincorporated area within the extraterritorial zoning authority of the City of Blair, the subdivider shall follow the procedures outlined above. In addition, the subdivider is required to give notice to the town officials of the Town of Preston concerning such proposal.

49.05 STANDARDS.

(1) Streets.

(A) The subdivider shall dedicate land and improve streets as provided herein. Streets shall conform to the Official Map Ordinance of the City of Blair. Streets shall be located with due regard for topographical conditions, natural features, existing and proposed streets, utilities and land uses and public convenience and safety.

(B) Street locations shall be consistent with any street plans officially adopted by the City of Blair. All street right-of-way widths, radii of curvature and grades shall conform to the following requirements:

Street Type	Right-of-Way Minimum Width	Minimum Radius of Curvature	Maximum Grade
Arterial or Highway	One hundred twenty feet (120′)	Three hundred feet (300′)	Six percent (6%)
Collector (carries traffic from minor streets to arterials or highways)	Sixty feet (60′) feet	One hundred feet (100′)	Seven (7%)

Minor (provides access to individual lots)	Sixty feet (60′)	One hundred feet (100′)	Seven (7%)

Streets located in the extraterritorial plat jurisdiction of the City of Blair must also comply with the minimum town road standards of Section 86.26, Wis. Stat.

(C) Streets shall be laid out to provide for possible continuation wherever topographic and other physical conditions permit.

(D) Minor streets shall be so laid out so as to discourage their use by through traffic.

(E) The number of intersections of minor streets with major streets shall be reduced to the practical minimum consistent with circulation needs and safety requirements.

(F) Where a subdivision abuts or contains an existing or proposed arterial highway, the Planning Commission shall require a frontage road, non-access reservation along the rear of the property contiguous to such highway or other treatment as may be necessary to ensure safe, efficient traffic flow and adequate protection of residential properties.

(G) Streets shall afford maximum visibility and safety and shall intersect at right angles.

(H) Half-street: where, on the date of enactment of this ordinance, an existing dedicated or platted half-street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider. The platting of new half-streets is prohibited.

(I) Permanent dead-end streets or cul-de-sacs shall not be longer than six hundred (600) feet and shall have a minimum width of forty feet (40′).

(J) No street names shall be used which will duplicate or may be confused with the names of existing streets. Street names shall be subject to the approval of the Planning Commission.

(2) Lots.

(A) All lots shall have sufficient frontage on a public street to allow access by emergency and service motor vehicles.

(B) Lot lines shall be perpendicular to straight street lines and radial to curved street lines.

(C) Subdivision lots in the City of Blair and the extraterritorial plat jurisdiction area shall be in conformance with the area and width requirements of the Blair Zoning Ordinance, Town and County Zoning Ordinances and Division

of Health, Department of Health and Social Services, Chapter H65, Wisconsin Administrative Code.

(D) Upon substantial completion of any necessary public improvements, any outstanding local building permits for home sites on any approved plat that meet the requirements of applicable building codes, zoning ordinances, and other City regulations, shall be released and may not be withheld solely because of the status of the public improvements.

49.06 IMPROVEMENTS.

(1) Approval. All improvements or proposed improvements to subdivision plats shall be with the preliminary approval of the Planning Commission and final approval of the City Council. Whenever practical, such proposals for improvements shall be submitted with the preliminary and final plat.

(2) Public Improvements and Costs. The City requires that the subdivider agree to install any and all public improvements reasonably necessary and provide financial security to the City to ensure that the subdivider will make those improvements within a reasonable time after approval. However, the City may not require that public improvements be installed, or accepted, as a condition of submitting, reviewing, approving, or recording of a preliminary or final plat, nor to provide security at the commencement of a project in an amount that is more that 120 percent of the estimated total cost to complete the public improvements. Notwithstanding anything herein to the contrary, the City shall require as a condition of approval that public improvements be installed within a reasonable time after the plat is approved. All costs of all improvements shall be borne by the subdivider, including but not limited to all sub-grade and streets, curb and gutter, water and sewer and sidewalks.

49.07 VARIANCES.

(1) Variance Granted. The Planning Commission and City Council may grant variances from the provisions of this ordinance if:

(A) Unique conditions of the subdivision would create or impose a hardship if the variance were not granted.

(B) There is no violation of the overall purpose of the ordinance or applicable provisions of Chapter 236, Wis. Stat., by the granting of such variance.

(2) Requirements not Waived. The requirements of filing and recording a plat pursuant to this ordinance may not be waived, even if a variance is granted.

49.08 EASEMENTS.

(1) Easements Required. The Planning Commission may require easements of at least ten (10) feet in width across the back of all lots for wires, conduits, storm and

sanitary sewers, gas, water and mains or any other utility lines. The purpose of such requirement would be to assure proper grade, maintenance of established grade, prohibit construction of permanent fences or retaining walls over underground installation and to further prevent any other interference in the easement area.

(2) Drainage. The Planning Commission may require that easements be provided for a segment or segments of watercourses, drainages, or drainage ways, channels or streams.

(3) Installation. The Planning Commission may provide for underground installation of utility lines. Such installation of underground utility lines is preferred unless impractical.

49.09 ENFORCEMENT.

(1) Primary Responsibility. The City Council shall have primary responsibility for enforcing this ordinance. No permit, approval of plat or any other appropriate action shall issue until such time as the Council is satisfied that the ordinance has been complied with in all respects.

(2) Penalties. Any person violating this ordinance shall be subject to a forfeiture of not less than $50.00, nor more than $250.00, for each offence. Failure to pay the forfeiture, upon conviction, will result in the issuance of a Civil Commitment Order

49.10 COMBINING CONTIGUOUS LOTS

(1) The owner of two contiguous lots, which have the same zoning designation, may combine said lots, without subdividing the same, into one larger lot consisting of all of the incorporated lots, by recording a certified survey map. Said proposed certified survey map shall be provided to the City prior to recording for review and approval.

August 12, 2013 – repeal and recreate Section 49.09(2)
December 6, 2021 – created Section 49.10
May 27, 2026 – amend entirely 49.02(1), 49.04(1), 49.06(2), created 49.04(3)(J) and 49.05(2)(D)