

B. "Airport Hazard" means any structure, object, whether man-made or natural, or use of land which obstructs the air space required for the flight of aircraft in landing or taking off at the airport or is otherwise hazardous to such landing or taking off, or to persons using such land or structure.

C. "Airport Master Plan" means the Chippewa Valley Regional Airport Master Plan Report, 2001, as updated.

D. "Alteration" means any construction, which would result in a change in height or lateral dimensions of an existing structure or object.

E. "Avigation Easement" means a grant of a property interest in land over which a right of unobstructed flight in the airspace is established.

F. "Construction" means the erection or alteration of any structure or object either of a permanent or temporary character.

G. "Department" means the Planning and Development Department.

H. "Development" means any manmade change to improved or unimproved real estate, including but not limited to construction of or additions or substantial improvements to buildings, other structures, or accessory uses, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations, deposition of materials.

I. "Growth" means any object of natural growth, including trees, shrubs or foliage, except farm crops, which are cut at least once a year.

J. "Height" means the overall height of the top of a structure, including any appurtenance installed thereon, or the top of any object of natural growth.

K. "Director" means the director of the Chippewa Valley Regional Airport.

L. "Non-conforming Use" means any structure, tree, or use of land which does not conform with a regulation prescribed in this chapter or an amendment thereto, as of the effective date of such regulation.

M. "Person" means any individual, firm, partnership, corporation, company, association, or body politic and includes any trustee, receiver, assignee, or other similar representative thereof.

N. "Principal use" means the principal use allowed by the underlying jurisdiction.

O. "Runway" means a portion of the airport having a surface specially developed and maintained for the landing or taking off of airplanes.

P. "Structure" means any object permanent or temporary constructed or installed by man.

Q. "Tree" means any object of natural growth, except farm crops, which are cut at least once a year, and except shrubs, bushes, or plants, which do not grow to a height of more than 5 feet.

R. "Variance" means an authorization granted by the Board of Land Use Appeals to construct, alter, or use a building or structure in a manner that deviates from the standards of this chapter. (Ord. 163-03, Sec. 1 & 2, 2019; Ord. 162-18, Sec. 1, 2018; Ord. 160-9, Sec. 27, 2016; Ord. 145-96, Sec. 5, 2002).

18.60.050 General Provisions.

A. Use Restrictions. Notwithstanding any other provisions of this chapter, no use may be made of land or water within any districts established by these zoning regulations in such a manner:

1. As to create electrical or electronic interference with navigational signals or radio or radar communication between the airport and aircraft; no use or installation of flashing or illuminated advertising or business signs, billboards or other types of illuminated structures which would be hazardous for pilots because of the difficulty in distinguishing between airport lights and others, or which result in glare in the eyes of pilots using the airport, thereby impairing visibility in the vicinity of the airport or endangering the landing, taking off, or maneuvering of aircraft;

2. Which would emit or discharge smoke that would interfere with the health and safety of pilots and the public in the use of the airport, or which would otherwise be detrimental or injurious to the health, safety and general welfare of the public in the use of the airport.

3. Which would create a pond, retention, detention or other manmade waterbody with a detention period of greater than 48 hours.

B. Persons constructing or purchasing any structure or land within Zone 1 are advised that such dwelling, structure or land is situated in the flight approach/departure area of an airport. The airport by its operation may cause noise or damage to dwellings or structures or may impact adversely on the

health of animals. Eau Claire County, its officers, agents or employees, will not be responsible for noise or damage of any description whatsoever as a result of aircraft operations.

C. Airport Zones. All airport zones established by this chapter are as shown on the map dated April 3, 2002, entitled Airport Zoning District Map on file in the office of the department and adopted as part of this chapter.

D. Height Zones. All height zones established by this chapter are as shown on the map dated July 17, 2007, entitled "Eau Claire County Airport Height Limitation Zone Map", on file in the office of the department and adopted as part of this Chapter.

E. Height Limitations. No structure, tree or growth shall be erected, altered, allowed to grow or be maintained within any zoning district established by this chapter to a height in excess of the applicable height limitations as shown on the Eau Claire County Airport Height Limitation Zone Map, which is maintained in the department. The permitted height shall not exceed the difference between the grade elevation and the height limitation numbers shown within the various zones encompassed by this chapter.

F. District Boundaries.

1. District boundary lines are the centerlines of highways, roads, pavements or section, division of section, tract and lot lines, or such lines extending as applicable or as otherwise indicated.

2. When a district line divides a lot/parcel of record existing prior to the effective date of this ordinance in such a manner that a use not permitted in the most restrictive district of such lot but is permitted on that portion of such lot in the lesser restrictive district, then a permitted use may be developed only on that portion of the lot/parcel where it is permitted, provided:

a. The use is permitted by the underlying municipality's zoning ordinance;

b. The use complies with all applicable setback requirements;
c. A site plan drawn to scale showing the location of the use and the district line on the lot/parcel is submitted to the department and is reviewed and approved pursuant to the procedure contained in 18.31.030.

3. Where a lot/parcel of record existing on April 3, 2002 of 15,000 square feet or less is divided by a district line between Zones 1 & 2, the lot shall be considered to be in Zone 2.

4. Zone 1 shall be considered as the most restrictive and Zone 3 being the least restrictive.

G. No land, building or structure shall hereafter be used or occupied and no building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered, except in conformity with all the regulations herein from the zone in which it is located.

H. Avigation easements. All avigation easements required by this Chapter shall be completed on forms provided by the department.

I. Conflict. The provisions of this chapter shall prevail over the zoning districts and regulations of the Cities of Altoona, Chippewa Falls and Eau Claire, the Village of Lake Hallie, Chippewa and Eau Claire Counties, and the Towns of Hallie, Seymour, Union and Wheaton. However, the provisions of this chapter shall be considered minimum requirements. In Zones 1, 2, and 3 where a conflict exists between any of these zoning regulations and any other regulations or ordinances applicable to the same site, whether the conflict be with respect to the height of structures, or growths, the use of land, or any other matter, the more stringent regulations or ordinances shall govern and prevail. Regulations contained herein pertaining to Zone A shall supersede and control over any local regulation to the contrary.

J. Severability. If any of the provisions of these zoning regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these zoning regulations which can be given effect without the invalid provision of the application, and to this end, the provision of these regulations are declared to be severable. (Ord. 163-003, Sec. 3, 2019; Ord.154-2, Sec. 48, 2010; Ord. 151-13, Sec. 1, 2007; Ord. 145-96, Sec. 5, 2002).

18.60.060 Non-conforming use.

A. Nothing contained herein shall require any change in the construction or alteration of any structure, if the construction or alteration of such was begun prior to the effective date of this chapter, if such is diligently pursued, on a lot existing as of April 3, 2002.

B. The owner of any non-conforming use, building, structure or tree which, as a result of fire, explosion or other casualty is destroyed, shall be allowed to rebuild, reconstruct or rehabilitate the same non-conforming use of the same parcel, provided the following requirements are met:

1. The non-conforming use complies with the height limitation imposed by this chapter and a statement showing such compliance is signed by the department prior to any rebuilding, reconstructing or rehabilitation.

2. The non-conforming use that is rebuilt, reconstructed, or rehabilitated shall comply with construction techniques that provide a minimum of 10 decibels of outdoor to indoor noise reduction over industry standards for similar structures.

3. The non-conforming use shall not be rebuilt, reconstructed or rehabilitated unless it conforms to the size, location and use, which existed immediately prior to its destruction or damage.

C. Expansion of Non-conforming uses. Any principal non-conforming uses, as described in this chapter, may be expanded, altered or otherwise enlarged as long as the following requirements are met:

1. The expansion, alteration or enlargement meets the requirements of height limitation zoning and a statement showing such compliance is signed by the department prior to the expansion, alteration or enlargement.
2. The expansion, alteration or enlargement in no way increases or creates any hazard within the airspace required for the flight of aircraft in landing or takeoff or creates or increases any potential hazard to persons assembled within the non-conforming use.
3. The addition or alteration shall not exceed 25% of the gross floor area of the structure.
4. An aviation easement shall be filed and recorded with the respective county register of deeds office.

F. Nothing in this section shall interfere with or prevent the removal of non-conforming uses by purchase or the use of eminent domain. (Ord. 163-03, Sec. 2, 2019; Ord. 145-96, Sec. 5, 2002).

18.60.070 Administration.

A. Regardless of the governmental jurisdiction in which this chapter is in effect, administration of the chapter shall be the responsibility of Eau Claire County, unless otherwise specified.

B. The administration of this chapter requires the approval of the department. The department shall either approve or disapprove the proposed development as defined in 18.60.040 G. based upon land use recommendations contained within the airport master plan and airport layout plan, and the provisions, standards and requirements contained in this chapter, within 14 working days.

C. If the proposed development is approved by the department and meets the building requirements of the affected municipality, a building permit may be issued by the municipality.

D. In any airport zone, whenever a use is neither specifically permitted or denied, the use shall be considered to be prohibited. In such a case, the committee, on its own initiative or upon the request of a specific property owner, may conduct a study to determine which zone, if any, is most appropriate for the use contemplated and which, if any, performance standards are appropriate to govern said use.

E. Conditional uses shall be reviewed by the committee on planning and development pursuant to Chapter 18.21. (Ord.163-03, Sec. 4, 2019; Ord. Ord. 152-19, Sec. 2, 2008; Ord. 146-40, Sec. 1, 2002; Ord. 145-96, Sec. 5, 2002).

18.60.075 Site Plan Procedure.

A. All applications for land use permits for construction, reconstruction, expansion or conversion of use shall be accompanied by a site plan to be reviewed and approved by the Eau Claire County Committee on Planning and Development or to a joint review committee created through a cooperative agreement between the city of Eau Claire, Chippewa County and Eau Claire County. If such a joint review committee is not in existence at the time a site plan is submitted to the department, the committee on planning and development shall retain final site plan approval authority.

B. The site plan shall be drawn to scale and show the lot dimensions, the location of existing and proposed structures and other on-dash site improvements, parking and access, and sanitary system, and any other information deemed necessary by the department.

C. The department shall review the site plan and the accompanying material for conformance to this title and shall coordinate additional review as may be appropriate. The department shall send a copy of the site plan and the accompanying material to the City of Eau Claire Planning and Development staff for their input. The department shall prepare a report and recommendation to the committee for its consideration.

D. Prior to approval of any application, the committee shall hold a public hearing which shall be preceded by a Class I legal notice as well as individual notices sent to all property owners within 100 feet of the property. Failure of property owners to receive the notice or attend a hearing shall not invalidate the proceedings.

E. Acting upon an application, the committee shall consider the proposed site plan in relation to the staff report and the review criteria of 18.60.077. Within 30 days of the public hearing, the committee shall act on the application for site plan approval by approving the site plan with or without conditions, denying it, or deferring it for further study. If denied, the reasons therefore shall be stated in the minutes of the meeting and the applicant shall be notified in writing.

F. An applicant who wishes to change an approved site plan must contact the department. If the proposed changes result in a revised site plan substantially similar to the approved plan, the department may approve the site plan changes. If the proposed changes are not substantially similar to the approved plan, such changes shall require the approval of the committee and following the procedure as set forth in this section. (Ord. 146-40, Sec. 2, 2002).

18.60.077 Site Plan Approval.

A. When acting upon an application, the committee shall rely upon generally accepted site planning and design principles. In addition to the provisions of this title, the airport master plan and such policies as may be adopted by the committee, the committee shall also give important consideration during the review process to the following criteria for approval:

1. The existing natural topographic and landscape features of a site shall be incorporated into a development plan. Such plan shall include all prudent and necessary steps required to protect the natural environment of the site and surrounding areas during and after construction.

2. Site coverage, paved areas, lawn areas, building scale, setbacks, and open spaces shall be in proportion with existing and planned structures and spaces in the surrounding area.

3. Buildings shall be sited in an orderly, non-random fashion. Excessively long, unbroken building facades shall be avoided. Building materials and design features shall be consistent with the general design theme of the development.

4. All areas not otherwise occupied by structures or paved areas shall be landscaped as per provisions of the City of Eau Claire landscape manual, which is adopted by reference herein. Landscape plans for developments with ground floor areas in excess of 10,000 square feet shall be prepared by a professional landscape architect or an experienced landscaper.

5. Access to the site shall be provided by curb cuts, which are limited and located in a manner to minimize traffic congestion and difficult turning movements.

6. The interior circulation of the site shall be designed to provide for the convenient and safe flow of pedestrians and non-pedestrian traffic on the site and onto and from public streets or sidewalks.

7. Sites shall be lighted with fixtures, when required, which relate to the scale and design of the development and which have an intensity high enough to maintain security and low enough to avoid being a nuisance.

8. Paved areas shall be only as large as necessary to serve parking, circulation, and open space needs. The appearance of paved areas shall be enhanced by landscaping. Monotonous, extended, or unbroken parking areas, driveways, and carport or garage structures shall be avoided.

9. Outdoor activity areas, parking lots, storage yards, trash areas and other exterior features or uses shall be adequately landscaped or screened to minimize any potential nuisance features of the use of the site on existing or potential adjacent land uses.

10. Recyclable materials storage areas will be provided for any use, which generates significant amounts of recyclable materials and such area will be appropriately screened.

B. Any person aggrieved by a decision of the committee under 18.60.075 and 18.60.077 may only appeal to circuit court. (Ord. 146-40, Sec. 3, 2002).

18.60.080 Appeals and Variances.

A. Applications for variances shall be made to the department upon a form furnished by the department. Applications shall be forwarded to the Board of Land Use Appeals for consideration pursuant to 18.31.020.

B. Any person aggrieved by any decision made in the administration of this chapter except for 18.60.075 and 18.60.077 may apply to the Board of Land Use Appeals to reverse wholly or partly, or modify or otherwise change, abrogate, or rescind any such decision. Such appeals shall be handled in accordance with 18.31.020. (Ord. 146-40, Sec. 4, 2002; Ord. 145-96, Sec. 5, 2002).

18.60.090 Hazard Marking and Lighting. The FAA may require hazard marking and lighting on facilities as determined during the FAA Obstruction Evaluation process. FAA required Hazard Marking and Lighting will be installed at the owner's expense. The County may also, at its own expense, install, operate and maintain such markers, lights and other aids to navigation as may be necessary to indicate to flyers the presence of an airport hazard, if such action is beyond the requirements of the FAA but deemed advisable by the Airport Commission. (Ord. 163-03, Sec. 5, 2019; Ord. 145-96, Sec. 5, 2002).

18.60.100 Penalties.

A. Violations. In case of any violation, the department may institute appropriate legal action or proceedings to enjoin a violation of this chapter.

1. Each violation of these regulations or of any regulation, order, or ruling promulgated hereunder shall constitute an airport hazard and such hazard shall be removed by proper legal proceedings. Each day a violation continues to exist shall constitute a separate offense. In addition, Eau Claire County may institute in the Circuit Court of Eau Claire County or the Circuit Court of any county in which the airport hazard is wholly or partially located an action to prevent and restrain, correct or abate, any violation of these zoning regulations, or of any regulation, order or ruling made in connection with their administration or enforcement, and the court shall adjudge such relief by way of injunction (which may be mandatory) or otherwise, as may be proper under all the facts and circumstances of the case, in order fully to effectuate the purposes of these zoning regulations as adopted and orders and rulings made pursuant thereto.

2. Any person, firm or corporation found guilty of violating any provision(s) of this chapter shall, upon conviction thereof, forfeit not less than \$100.00 nor more than \$500.00 for each such offense, together with the costs of prosecution and, upon failure to pay said forfeiture, shall be confined in the county jail for not more than 30 days. (Ord. 145-96, Sec. 5, 2002).

18.60.110 District Regulations. For the purpose of this chapter, the lands and waters within 3 statute miles from the boundaries of the airport are divided into four districts.

A. Zone A - Airport District. The airport district is created to encompass areas, which due to the operation of aircraft, will be exposed to excessive noise, are within the approach and departure areas of aircraft and are within the crash hazard area of the airport. The airport district is established to implement the recommendations of the airport master plan and airport layout plan, to protect the approaches of the airport from incompatible land uses, to preserve the airport's ability to serve its present and future air transportation needs, and is intended to include all county land owned for airport purposes. Any expansion, alteration or enlargement to any building, structure or property within this zone must be consistent with the airport master plan and airport layout plan, as amended, and approved by the department. Such expansions, alterations or enlargements are not subject to zoning regulations of the underlying municipality except for building requirements. Any expansion or enlargement must be in conformity and have approval of the Federal Aviation Administration and Wisconsin Department of Transportation, Bureau of Aeronautics.

1. Permitted uses and structures. Any uses and structures that are directly related and necessary for the function and operation of the airport.

- a. Air Terminals.
- b. Aircraft Hangars.
- c. Aircraft runways, taxiways, aprons and related lighting and air support apparatus.
- d. Airport administration buildings.
- e. Airport maintenance, rescue and firefighting buildings.
- f. Aircraft repair and maintenance buildings and facilities.
- g. Fuel storage and pumps.
- h. Commercial uses directly related to the airport operations.
- i. Public gatherings in conjunction with an airport related activity sponsored or approved by the airport.
- j. Air Cargo Facilities.
- k. Intermodal facilities.
- l. Other related airport uses and structures.
- m. Any other FAA approved use.

2. Dimensional Requirements:

a. Height Regulations. No structure or growth shall exceed the height permitted by the airport height limitation as shown on the official airport height limitation zone map.

b. Setback Regulations. The placement of structures shall adhere to Federal Aviation Administration design standards or 30 feet, whichever is more restrictive.

B. Zone 1-Runway Approach and Departure District. The purpose of this district is to establish requirements in areas that are within the aircraft hazard area as shown on the map dated April 3, 2002, entitled Airport Zoning District Map on file in the office of the department.

1. Permitted Uses.
 - a. Agriculture, including essential non-residential facilities.
 - b. Floriculture, horticulture, silviculture, orchards, hatcheries, game farms, wildlife sanctuaries and game preserves, except aviaries only with the approval of a wildlife expert prior to development.
 - c. Mining and excavation.
 - d. Open space.
 - e. Transportation routes including roads and rail lines.
 - f. Parking lots and parking facilities.
 - g. Light recreational (non-spectator).

2. Conditional Uses. Commercial, industrial and governmental uses provided:

- a. The structures shall meet the official airport height limitation zone map.
- b. All structures shall be sound proofed consistent with the requirements of 18.60.110 A.5.a.
- c. No residential uses are allowed.
- d. The proposed use meets the underlying municipal zoning requirements.
- e. An avigation easement shall be filed and recorded with the respective county register of deeds office.

3. Prohibited Uses: The following uses are prohibited within Zone 1:

- a. Residential uses.
- b. Hospitals.
- c. Churches.
- d. Schools.
- e. Theatres.
- f. Amphitheaters.
- g. Stadiums.
- h. Campgrounds.
- i. Any land use that would attract hazardous wildlife or encourage the concentration of bird (avian) populations.
- j. Places of public or semi-public assembly.
- k. Any use or structure that may be susceptible to being adversely affected by loud and extensive noise or would interfere in the use or operation of the airport.

4. Dimensional Requirements:

- a. Height Regulations. No structure or growth shall exceed the height permitted by the airport height limitation as shown on the official airport height limitation zone map.
- b. Setback Regulations. The setback requirements shall meet the municipal setback requirements of the applicable zoning code.

c. Minimum Area Regulations. The minimum lot area for agricultural operations is 35 acres, 5 acres for commercial/industrial, and 1 1/2 acres for all other permitted or conditional uses. Any lot in existence on April 3, 2002, and legally created, shall be considered a lot of record, and shall be considered legally buildable even though the lot may not meet the minimum lot area requirements, provided that the lot is in separate ownership from abutting land, and further provided that the lot is a conditional use as provided in 18.60.110 B.2.

d. Lot Density. The maximum lot coverage allowed is 50% or as allowed by the underlying municipal jurisdiction whichever is the lesser coverage.

5. Construction Requirements:

a. All enclosed office, sales and work areas that will be subject to a minimum of four hours of continuous human occupancy per working day shall utilize construction techniques that provide a minimum of 10 decibels outdoor to indoor noise level reduction over industry standards for similar structures.

b. A copy of the proposed techniques shall be submitted to the department.

C. Zone 2 - Noise Control/Overflight District. The purpose of this district is to minimize the conflict between allowed uses and the noise generated in this zone and to establish requirements in areas that are within 1,000 feet of the edges of the runways and extending from the end of each runway or within the over-flight area all as shown on the map dated April 3, 2002, entitled Airport Zoning District Map on file in the office of the department.

1. Permitted Uses. All uses allowed by the underlying zoning of the affected municipality.

2. Dimensional Requirements.

a. Height Regulations. No structure or growth shall exceed the height permitted by the airport height limitation as shown on the official airport height limitation zone map.

b. Setback Regulations. The setback requirements shall meet the municipal setback requirements of the applicable chapters.

c. Minimum area Regulations. The minimum lot area shall meet the municipal area requirements of the applicable codes or if no requirements are in place the minimum lot size shall be 1 1/2 acres.

d. Lot density. The maximum lot coverage allowed is 50% or as allowed by the underlying municipal jurisdiction whichever is the lesser coverage.

3. Construction Requirements.

a. Construction techniques for residential, commercial, and industrial structures shall be submitted to the department which provide a minimum of 10 decibels outdoor to indoor noise level reduction over industry standards for similar structures. Installation of air conditioning shall meet the 10-decibel reduction requirement of the ordinance.

b. An aviation easement shall be filed on all new construction and alterations to existing structures and shall be recorded with the respective County Register of Deeds Office.

D. Zone 3 - Height Limitation District. The purpose of this district is to protect the approaches to the airport from incompatible land uses by establishing height limitations within three miles of the airport boundaries as shown on the map dated July 17, 2007, entitled Eau Claire County Airport Height Limitation Zone Map on file in the office of the department.

1. Permitted Uses. All uses allowed by the underlying zoning of the affected municipality.

2. Prohibited Uses. No use may be established in this zone which would create electrical interference with navigational signals or radio communications between the airport and aircraft; create confusion in identifying airport lights; results in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport or otherwise endanger or interfere with the landing, or take off or maneuvering of aircraft intending to use the airport.

3. Dimensional Requirements.

a. Height regulations. No structure or growth shall exceed the height permitted by the airport height limitation as shown on the official airport height limitation zone map. The restrictions shall not apply to structures that are less than 35 feet above ground level.

b. Setback regulations. The setback requirements shall meet the municipal setback requirements of the applicable ordinances.

c. Minimum area regulations. The minimum lot area shall meet the municipal area requirements of the applicable codes.

4. Construction Requirements.

a. Construction plans for residential, commercial, and industrial structures shall be submitted to the department for review and permitting if greater than 35' above ground level.

i. A permit is not required for a temporary structure placed for less than 24 consecutive hours below the height limitation zone map when Chippewa Valley Airport issues a Notice to Airmen.

ii. A permit will not be issued if Federal Aviation Administration Form 7460-1 is completed and Federal Aviation Administration finding of a hazard is determined.

c. A permit and variance are required for any permanent structure exceeding the height limitation zone map. (Ord. 163-03, Sec. 6-10, 2019; Ord. 162-18, Sec. 2, 2018; Ord. 151-13, Sec. 2, 2007; Ord. 145-96, Sec. 5, 2002).

18.60.120 Fees. Chapter 4.35 shall apply. (Ord. 145-96, Sec. 5, 2002).

III. SUBDIVISION CONTROL

Chapter 18.76

INTRODUCTION

Sections:

<u>18.76.001</u>	Statutory authority.
<u>18.76.002</u>	Purpose.
<u>18.76.003</u>	Definitions.
<u>18.76.010</u>	Abrogation and greater restrictions.
<u>18.76.020</u>	Interpretation.
<u>18.76.030</u>	Severability and nonliability.

18.76.001 Statutory authority. These regulations are adopted under the authority granted by Wis. Stat. § 59.69, 281.31, and 236.45. (Ord.141-03, Sec.1, 1997; Ord. 80-81/286 Sec.2(part), 1981).

18.76.002 Purpose. The purpose of this subtitle is to regulate and control the division of land within the unincorporated areas of the county in order to promote the public health, safety, prosperity, aesthetics, economic well-being, and general welfare of the county. (Ord. 80-81/286 Sec.2(part), 1981).

18.76.003 Definitions.

A. For the purposes of this subtitle, the following definitions shall be used. Words in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular. The word "shall" is mandatory and not directory.

1. Arterial Road. "Arterial road" means a street used, or intended to be used, primarily for fast or heavy through traffic. "Arterial street" includes freeways and expressways as well as standard arterial streets, highways and parkways.

2. Best Management Practices. "Best Management Practices" (or "BMP") means structural and nonstructural measures, practices, techniques or devices employed to avoid or minimize sediment or other pollutants carried in runoff.

3. Bond. "Bond" means any form of security including cash deposit, surety bond, collateral, property, or instrument of credit in any amount and form satisfactory to the county.

4. Certified Survey. "Certified survey" means a map of a parcel of land, dividing the parcel into not more than 4 building sites or lots any of which is less than a government protracted quarter-quarter section, or the division of a lot, block, or outlot within a recorded subdivision into not more than four building sites or lots, without changing the original exterior boundaries of the lot, block or outlot. Certified survey maps shall be prepared by a registered land surveyor and meet the requirements of Wis. Stat. ch. 236.34 and this subtitle.

5. Collector Road. "Collector road" means a street used, or intended to be used, to carry traffic from local streets to arterial streets and includes entrance roads to large subdivisions.

6. Construction Plan. "Construction plan" means the maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in a subdivision in accordance with the requirements of this subtitle or conditions placed on the plat by the committee.

7. "Contamination" means any physical, chemical, biological or radiological substance or matter in water that exceeds current state or federal standards.

8. Contiguous. Lots or parcels shall be considered contiguous if they share a common boundary. Lots or parcels that only meet at a single point are not considered contiguous. Lots or parcels divided by public roads shall not be considered contiguous.

9. Contiguous building area. "Contiguous building area" is the area of a lot for building use exclusive of environmentally sensitive areas, zoning and wetland setbacks, navigable waterways, drainage ways, road rights-of-way, and easements.

10. Corner Lot. "Corner lot" means a lot abutting two or more streets at their intersection provided that the interior angle of such intersection does not exceed 135°.

11. Developer. "Developer" means the owner of land proposed to be subdivided or his or her authorized representative.
12. Environmentally sensitive areas. "Environmentally sensitive areas" are defined as being of the following areas:
 - a. Wetlands, as defined and designated as wetlands on the Wetlands Inventory Maps, and regulated by Title 20 of this code.
 - b. Floodplains, as identified on the official maps and revisions and regulated by Chapter 18.20 of this code.
 - c. Slopes of 20 % or greater. For the purposes of application of these regulations, slope shall be measured over a horizontal distance of 50 feet. Slopes shall be measured as the change in elevation over the horizontal distance between consecutive contour lines and expressed as a percent.
13. Erosion Control Plan. "Erosion Control Plan" means a plan that will describe how the permit holder and other responsible party will minimize, to the maximum extent practicable, soil erosion and the transport of sediment from land disturbing activities to waters of the state or other property.
14. Extraterritorial Plat Approval Jurisdiction. "Extraterritorial plat approval jurisdiction" means the unincorporated area within 1 1/2 miles of a 4th class city or a village or within 3 miles of all other cities.
15. Final Plat. "Final plat" means the map of a subdivision and accompanying data, as required in Chapter 18.80, necessary for final approval of the proposed subdivision by the committee and recording in the office of the register of deeds.
16. Flag lot. "Flag lot" is a lot with its widest point set back from the road, and having a thin, long strip ("the flagpole") of land connected to the road to provide legal access and frontage.
17. Frontage Road. "Frontage road" means a minor street auxiliary to and located adjacent to an arterial road for control of access and for service to the abutting development.
18. High Water Elevation. "High water elevation" means the average annual high water level of a pond, stream, lake flowage or wetland referred to an established datum plane or where such information is not available, the elevation to which the presence of the water is so frequent as to leave a distinct mark by erosion, change in, or destruction of vegetation or other easily recognized topographic, geologic, or vegetative characteristics.
19. Improvement, Public. "Public improvement" means any sanitary sewer, storm sewer, open channel, water main, roadway, park, parkway, public access sidewalk, pedestrian way, planting strip, or other facility for which the county or town may ultimately assume the responsibility for maintenance or operation.
20. Lot. "Lot" means a parcel of land having frontage on a public street or approved private road, intended as a unit for the purpose, whether immediate or future, of transfer of ownership or building development.
21. Lot of Record. "Lot of Record" shall mean any lot that existed at the effective date of this code which is March 15, 1981.
22. Outlot. "Outlot" means a parcel of land located in a plat or certified survey which is not included in a block or lot.

23. Owner. "Owner" means any person, group, firm, corporation, or partnership having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

24. Preliminary Plat. "Preliminary plat" means the preliminary map of a subdivision described in Chapter 18.79, indicating the proposed manner of layout of the subdivision to be submitted to the committee for approval.

25. Private Road. "Private road" means any street or road not dedicated to the public which serves as a vehicular access to two or more parcels or lots or which crosses a property line. All private roads shall meet the requirements of local roads, and shall be approved as private roads by the committee.

26. Replat. "Replat" means the process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, or lot within a recorded subdivision plat without changing the exterior boundaries of said block, lot, or outlot, and which does not affect the layout of a road or other public land shall not be considered a replat.

27. State Defined Subdivision. "State defined subdivision" means a division of a lot, parcel or tract of land by the owner thereof or his or her agent for the purpose of sale or building development where:

a. The act of division creates five or more parcels or building sites of 1 1/2 acres each or less in area; or

b. Five or more parcels or building sites of 1 1/2 acres each or less in are created by successive division within a period of five years.

28. Storm Water Permit. "Storm Water Permit" means a written authorization made by the land conservation division to the applicant to conduct land disturbing or land development activities in accordance with the requirements of Chapter 17.05. A storm water permit regulates both construction site erosion and post-construction storm water runoff from a site.

29. Subcollector Road. "Subcollector road" means a road used or intended to be used to carry traffic from those lots fronting on the subcollector road to collector or arterial road.

30. Subdivision. "Subdivision" means the division of a parcel of land into 5 or more building sites or lots each of which is less than a government protracted quarter-quarter section or where an act of division creates 5 or more parcels or building sites of less than a government protracted quarter-quarter section from a lot of record within a 5 year period.

31. Zoning Code. "Zoning code" means Subtitle I of Title 18. (Ord. 16-23, Sec. 21, 2017; Ord. 160-014, Sec. 1. & 2., 2016; Ord. 153-31, Secs. 1-7, 2010; Ord. 150-42, Sec. 8, 2007; Ord. 143-98, Secs. 1-6, 2000; Ord. 143-84, Secs. 1-4, 1999; Ord. 128-74 Secs. 13,14, 1985; Ord. 126-16 Secs.5, 6, 1982; Ord. 81-82/213 Secs.1, 2, 1981; Ord. 80-81/286 Sec.2(part), 1981).

18.76.010 Abrogation and greater restrictions. It is not the intent of this subtitle to repeal, abrogate, annul, impair, or interfere with existing easements, covenants, deed restrictions or permits previously adopted or issued pursuant to law. However, where this subtitle imposes greater restrictions, the provisions of this subtitle shall govern. (Ord. 80-81/286 Sec.2(part), 1981).

18.76.020 Interpretation. In the interpretation and application of the provisions of this subtitle, requirements shall be held to be the minimum requirements and shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. (Ord. 80-81/286 Sec.2(part), 1981).

18.76.030 Severability and nonliability.

A. If any section, provision, or portion of this subtitle is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this subtitle shall not be affected thereby.

B. The county does not guarantee, warrant, or represent that only those areas designated as floodplains will be subject to periodic inundation and thereby asserts that there is no liability on the part of the county, its agencies, or employees for sanitation and water supply problems or structural damages that may occur as a result of reliance upon, and conformance with this subtitle. (Ord. 80-81/286 Sec.2(part), 1981).

Chapter 18.77

GENERAL PROVISIONS

Sections:

<u>18.77.010</u>	Jurisdiction.
<u>18.77.020</u>	Compliance.
<u>18.77.030</u>	Street and road dedications.
<u>18.77.040</u>	Required public access.
<u>18.77.050</u>	Inclusion of floodplains.
<u>18.77.060</u>	Survey monuments.
<u>18.77.070</u>	Variances.
<u>18.77.080</u>	Land suitability.
<u>18.77.090</u>	Groundwater management and drinking water supply.
<u>18.77.100</u>	Violations.
<u>18.77.110</u>	Penalties.
<u>18.77.120</u>	Appeals.

18.77.010 Jurisdiction. This chapter shall apply to any division of a lot, parcel, or tract of land, including divisions under land contract, for the purpose of transfer of ownership or building construction where the act of division creates a lot of less than 40 contiguous acres, excluding one quarter (1/4) of one quarter (1/4) section as defined by the original Public Land Survey System, and condominium developments, all located within the unincorporated areas of the county. However, these regulations shall not apply to:

- A. Transfers of interests in land by will or pursuant to court order;
- B. Leases for a term not to exceed 10 years, mortgages, or easements;

C. The sale or exchange of parcels of land between adjoining property owners if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by the zoning code or other applicable laws and ordinances. (Ord. 160-14, Sec. 3, 2016; Ord. 159-24, Sec. 1, 2015; Ord. 147-90, Sec.4, 2004; Ord. 143-84, Sec. 5, 1999; Ord. 129-74 Sec.16, 1986; Ord. 81-82/213 Sec.3, 1981; Ord. 80-81/286 Sec.2(part), 1981).

18.77.020 Compliance.

A. No owner shall divide any land located within the jurisdiction of these regulations which results in a subdivision, certified survey, condominium plat or replat as defined in this subtitle, and no such subdivision, certified survey, condominium, or replat shall be entitled to be recorded, and no street shall be laid out or improvement made without compliance with all the requirements of the code of general ordinances, state law and administrative rule and official municipal regulations or plans.

B. No permit or approval pursuant to this chapter shall be issued where the applicant is in violation of this or any code administered by the department nor for any parcel(s) of land which have an outstanding violation until the violation has been corrected. A request for waiver of these provisions may be made, to grant a permit or approval on the merits of the application, to the department director. (Ord. 149-09, Sec. 6, 2005; Ord 147-90 Sec.5, 2004; Ord. 80-81/286 Sec.2(part), 1981).

18.77.030 Street and road dedications. Street and road rights-of-way and the improvements required thereon by this subtitle and town road ordinances shall be dedicated to the town. Private roads may be allowed only in planned unit developments and must be approved by the committee and town board at the time of final plat approval. (Ord. 80-81/286 Sec.2(part), 1981).

18.77.040 Required public access. Any subdivision abutting a navigable river, lake or stream shall, according to Wis. Stat. ch. 236.16 (3), provide public access at least 60 feet wide from the low-water mark to a public road. Such access points shall be located at a minimum of 1/2 mile intervals. The committee, town and developer shall select the access suitable for public use. (Ord. 143-84, Sec. 6, 1999; Ord. 80-81/286 Sec.2(part), 1981).

18.77.050 Inclusion of floodplains. Whenever a tract of land to be subdivided embraces any part of floodplains such floodplain shall be made a part of the plat. Floodplain portions of the plat shall be included in lots or dedicated for public use as provided above. (Ord. 80-81/286 Sec.2(part), 1981).

18.77.060 Survey monuments. Prior to final plat approval, the subdivider shall cause the installation of all survey monuments in accordance with the requirements of Wis. Stat. ch. 236.15 The committee may waive this requirement for a reasonable period of time on the condition that the subdivider execute a surety bond to insure the placing of such monuments within the time required. (Ord. 80-81/286 Sec.2(part), 1981).

18.77.070 Variances.

A. Where, in the judgement of the committee, it would be inappropriate to apply literally the provisions of Chapters 18.82, 18.83 and 18.84 because exceptional or undue hardship would result, the committee may waive or modify any requirement to the extent deemed just and proper. When such relief is granted, it shall be without detriment to the public good, without impairment to the intent and purpose of this subtitle. The committee shall cause to be recorded in its minutes such action and the reasons therefor.

B. Where, in the judgement of the Planning and Development Department, that it would be inappropriate to apply literally the provisions of Chapters 18.82, 18.83 and 18.84 to 18.77.010 Land Suitability for transfer of interest in land by will or court order, and sale or exchange of parcels of land between adjoining property owners and to 18.81.035 Reconfigurations because exceptional or undue hardship would result, the Department may waive or modify any requirement to the extent deemed just and proper. When such relief is granted, it shall be without detriment to the public good, without impairment to the intent and purpose of this subtitle. The Department shall cause to be recorded in its files such action and the reasons therefor and no fee shall be charged for the variance. (Ord. 159-24, Sec. 4, 2016; Ord. 80-81.286; Sec.2(part), 1981).

18.77.080 Land suitability.

A. All lots one acre and greater in size shall have a minimum contiguous buildable area of at least one-half (1/2) of an acre; lots smaller than one acre shall have contiguous buildable area equal to the minimum lot size required by the zoning code. Floodplain elevations shall be determined by studies and maps prepared by the U.S. Department of Homeland Security or the Federal Insurance Administration. If no such data is available, the committee may require the subdivider to conduct those hydrologic studies necessary to determine floodplain elevations.

B. Lands filled with organic materials within the last 10 years are not to be served by soil absorption waste disposal systems.

C. Land requiring the use of private sewage disposal system shall meet the requirements of Comm 83, Wis. Admin. Code and Chapter 8.12.

D. Land drained by farm drainage tiles or farm ditch systems shall not be divided into building sites.

E. Land which has inadequate drainage or may cause severe erosion or other detriment shall not be divided into building sites.

F. The committee may require restrictive covenants to be filed with the final plat or certified survey which will have the effect of protecting environmentally sensitive areas such as steep slopes, wetlands, and watercourses from erosions, siltation and other damage.

G. The committee in applying the provisions of this section, shall in writing recite the particular facts on which it bases its conclusion that the land is not suitable for the proposed use and afford the subdivider the opportunity to present evidence regarding such suitability if he so desires. Thereafter, the committee may affirm, modify, or withdraw its determination of unsuitability. (Ord. 159.24, Sec. 2, 2015; Ord. 154-2, Sec. 49, 2010; Ord. 153-31, Sec. 8, 2010; Ord. 144-53, Sec. 17, 2000; Ord. 128-74 Secs. 15-20, 1985; Ord. 81-82/213 Sec.4, 1981; Ord. 80-81/286 Sec.2(part), 1981).

18.77.090 Groundwater management and drinking water supply.

A. For the development of a subdivision, the developer shall provide the following information at the sketch plan meeting:

1. Direction of groundwater flow within the proposed subdivision as based on the most current water table elevation map as provided by Eau Claire County or any other approved data that may be provided at the discretion of the developer.

2. Describe general land uses and specific activities that may cause groundwater contamination within the proposed subdivision and less than 1200 feet from its boundaries. General land uses shall be obtained by review of Eau Claire County land ownership records and by contacting appropriate landowners. Sources of information for specific activities shall include but not be limited to state and federal agencies. Specific activities that may cause groundwater contamination shall be fully described and their location accurately mapped. These activities shall include but not be limited to the following: animal feedlots; manure storage, pesticide mixing or loading sites; solid waste disposal sites, salvage yards; underground storage tanks; reported hazardous substance discharges; septage, sludge, or industrial waste disposal sites; hazardous waste generators ; and superfund sites.

B. The health department shall review the information provided under 18.77.090 A. to assess compliance with the state private on-site waste treatment system code Comm 83, and the private well code NR 812.

C. If any groundwater within the proposed development is found by the health department to be substantially at risk of being contaminated in excess of NR 140 health standards from an identified contamination source or any proposed septic system, the committee may require one or more of the following:

1. A common or shared well system for the affected area.
2. A buffer zone or green area to provide additional protection.
3. Relocation of proposed sanitary systems and wells.
4. Denial or modification of the proposed subdivision.
5. Remedy by state approved treatment.

D. Water treatment systems may be subject to approval by the DNR and the Wisconsin Department of Commerce. Treatment for removal of nitrates from individual wells is at the option of the property owner/developer. (Ord. 143-84, Sec. 8, 1999).

18.77.100 Violations. It is unlawful to divide, convey, record, or monument any land in violation of this subtitle or the Wisconsin Statutes; and no person, firm or corporation shall be issued a county land use permit or sanitary permit authorizing building on or improvement of any lot or part of the subdivision, certified survey, or replat, within the jurisdiction of this subtitle until the provisions and requirements of this subtitle have been fully met. The county may institute appropriate action or proceedings to enjoin violation of this subtitle. (Ord. 80-81/286 Sec.2(part), 1981).

18.77.110 Penalties. Any person who fails to comply with the provisions of this subtitle shall, upon conviction thereof, forfeit not less than \$500 or not more than \$2,500 and the cost of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense. (Ord. 80-81/286 Sec.2(part), 1981).

18.77.120 Appeals. Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Wis. Stat. § 236.13(5), within 30 days of notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds that the action of the approving or objecting agency has been arbitrary, unreasonable, or discriminatory. (Ord. 81-81/286 Sec. 2(part), 1981).

Chapter 18.78

PROCEDURE

Sections:

<u>18.78.010</u>	Generally.
<u>18.78.020</u>	Sketch plan.
<u>18.78.030</u>	Preliminary plat submittal.
<u>18.78.040</u>	Preliminary plat review.
<u>18.78.050</u>	Preliminary plat approval.
<u>18.78.060</u>	Final plat submittal.
<u>18.78.070</u>	Final plat review and approval.
<u>18.78.080</u>	Recording the final plat.
<u>18.78.090</u>	Replat.
<u>18.78.100</u>	Certified survey map review.

18.78.010 Generally. Any division of land within the unincorporated areas of Eau Claire County which results in a subdivision as herein defined shall follow the procedures as outlined in this chapter. (Ord. 80-81/286 Sec.2(part), 1981).

18.78.020 Sketch plan.

A. Subdividers are encouraged to prepare, for review with the department, a sketch plan of the proposed subdivision. The sketch plan shall contain, at a minimum, the following information:

1. Site location showing adjacent roads and adjoining development types;
2. Subdivision boundaries;
3. Approximate topographic and physical features;
4. Proposed general street design;
5. Proposed lot layout;
6. Location of any existing easement;
7. Proposed surface water drainage.

B. The sketch plan will be considered as a basis for discussion between the subdivider and the staff. The department will advise the subdivider of the extent to which the proposed subdivision conforms to this and other applicable provisions of the code of general ordinances, and will discuss possible modifications to the subdivision proposal. No fee shall be required for the submission of sketch plans. (Ord. 80-81/286 Sec.2(part), 1981).

18.78.030 Preliminary plat submittal.

A. At least 25 days prior to the committee meeting at which the plat is to be reviewed, 4 copies of the preliminary plat plus sufficient copies to be transmitted to approving and objecting agencies, shall be submitted to the department. The preliminary plat shall be prepared by a registered land surveyor and meet the requirements for preliminary plats outlined in Wis. Stat. ch. 236.

B. A review fee required by 4.35.110 shall be paid by the subdivider to the county treasurer upon submission of the preliminary plat. In addition, the subdivider shall submit a check sufficient to cover review fees by objecting agencies as indicated in Wis. Stat. Ch. 236 or shall certify that they have submitted the fees directly to the objecting agencies.

C. Within two days of receipt of the preliminary plat, the department shall transmit 2 copies to the Wisconsin Department of Administration. Additional copies shall be sent for retransmission as follows: 2 copies to the Wisconsin Department of Transportation, Division of Highways and Transportation Facilities if the subdivision abuts a state trunk highway or connecting street; 2 copies to the applicable town clerk; and 2 copies to the clerk of any city or village if the plat lies within the extraterritorial plat approval jurisdiction. (Ord. 146-59, Sec. 2, 2002; Ord. 146-05, Sec. 1, 2002; Ord. 146-02, Sec. 15, 2002; Ord. 145-83, Sec. 3, 2002; Ord. 144-68, Sec. 6, 2000; Ord. 138-88, Sec. 1, 1995; Ord. 80-81/286 Sec.2(part), 1981).

18.78.040 Preliminary plat review.

A. The subdivider shall file the preliminary plat with the department and other approving and objecting agencies, which shall review the plat and notify the subdivider and all other approving and objecting agencies under the procedures and timetables established in Wis. Stat. ch. 236.

B. The committee shall, within 60 days of the submittal of the preliminary plat, approve, conditionally approve or reject the plat unless the time is extended by agreement with the subdivider. One copy of the plat shall thereupon be returned to the subdivider with the date and action endorsed thereon. If the plat is conditionally approved or rejected, it shall be so stated in the minutes of the meeting, and a letter stating the conditions or reasons for rejecting the plat shall accompany the plat. One copy of the plat and letter shall be placed in the department permanent file.

C. Approval or conditional approval of the preliminary plat shall not constitute automatic approval of the final plat, except that if the final plat is submitted within 6 months of preliminary plat approval and conforms substantially to the preliminary plat layout, the final plat shall be entitled to approval with respect to such layout. (Ord. 80-81/286 Sec.2(part), 1981).

18.78.050 Preliminary plat approval. Approval, conditional approval, or rejection of a preliminary plat by the commission shall be based on the compliance with the provisions of Wis. Stat. ch. 236, this subtitle, the code of general ordinances, applicable municipal ordinances and official maps, and unsatisfied objections by objecting agencies. (Ord. 80-81/286 Sec.2(part), 1981).

18.78.060 Final plat submittal.

A. The final plat or portion thereof shall be submitted to the committee within 36 months of the last required preliminary plat approval. The time limit may be extended for 6 months by agreement between the committee and the subdivider without additional costs or fees. If the time limit is not extended or the final plat is substantially different than the preliminary plat, the committee may require resubmission of the preliminary plat.

B. The subdivider shall submit the final plat to approving and objecting agencies, which shall review the plat and notify the subdivider and all other approving and objecting agencies under the procedures and timetables established in Wis. Stat. ch. 236.

C. The final plat shall be prepared by a registered land surveyor and meet the requirements for final plats outlined in Wis. Stat. ch. 236, and this subtitle. All supplemental data, construction plans, contracts, and surety bonds required by Chapter 18.84 or the committee shall be submitted with the final plat.

D. The final plat may constitute only a portion of the approved preliminary plat which the subdivider proposes to record at that time. Approval of a final plat for only a portion of the preliminary plat shall extend the approval of the remainder of the final plat for one year from the date of approval of the partial final plat. Subsequent final plat approvals which involve only a portion of the preliminary plat, shall extend the approval period for the remainder of the preliminary plat for one year from the last date of approval.

E. No fee shall be required for submittal of the final plat unless the final plat contains only a portion of the preliminary plat. In such case, a fee as required under 4.35.110 for each final plat in excess of one shall be payable to the county. (Ord. 155-19, Sec. 10, 2011; Ord. 146-59, Sec. 3, 2002; Ord. 80-81/286, Sec. 2 (part), 1981).

18.78.070 Final plat review and approval.

A. The committee and the approving and objecting agencies shall review the plat in accordance with the procedures and timetables established in Wis. Stat. ch. 236. The final plat shall not be approved by the committee if there are unsatisfied objections by objecting agencies.

B. Failure of the committee to act within 60 days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.

C. After approval of the final plat, and prior to recording, the subdivider shall enter into a contract for improvements as required by the county under Chapter 18.84. The contract and type of performance guarantee shall be in the form agreeable to the corporation counsel. In addition, prior to recording the final plat, the subdivider shall enter into any contracts or agreements required by the town government. (Ord. 80-81/286 Sec.2(part), 1981).

18.78.080 Recording the final plat.

A. To entitle the final plat to be recorded, the subdivider shall cause to be completed and signed the certificates as required by Wis. Stat. ch. 236.21 and 236.25. The certification by the committee shall be the last certification obtained.

B. The final plat shall be submitted to the register of deeds within 36 months of the date of the first certification required by 18.78.080 and within 12 months of the last certification required by that section. Failure to submit the plat within the time limit shall render the plat void, unless the limit is extended by the committee. (Ord. 155-19, Sec. 11, 2011; Ord. 153-31, Sec. 8, 2010; Ord. 80-81/286 Sec.2(part), 1981).

18.78.090 Replat.

A. The replatting of all or part of an existing plat which contains no dedication to the public may be accomplished by following the procedures established in 18.78.010 through 18.78.080 or 18.78.100.

B. If the replat alters areas dedicated to the public, the existing plat shall first be vacated in accordance with Wis. Stat. chs. 236.36 through 236.445. Replatting shall then be accomplished by following the procedures established in 18.78.010 through 18.78.080 or 18.78.100. (Ord. 80-81/286 Sec.2(part). 761 10/18/11