Regular Plan Commission Meeting

Meeting Notice and Agenda

Village of Cross Plains
2417 Brewery Road, PO Box 97
Cross Plains, WI 53528
(608) 798-3241

Monday, April 4, 2016
6:00 pm

******Please note the special time.******

I. Call to Order, Pledge of Allegiance, and Roll Call

II. Public Comment – This is an opportunity for anyone to address the Plan Commission on any issue NOT on the current agenda. *Please observe the time limit of 3 minutes.* While the Plan Commission encourages input from residents, it may not discuss or act on any issue that is not duly noticed on the agenda.

III. General Business

1. Discussion and action regarding minutes of regular meeting held March 7, 2016.

2. Discussion and action to make a recommendation to the Village Board regarding the Final Plat for Glacier Ridge Subdivision.

3. Preliminary presentation from MSA Professional Services to begin Glaciers Edge Square Shopping Center Redevelopment Master Plan funded through the Dane County BUILD Grant Program.

4. Consideration of Ord. #05-2016 amending Section 85.05(b)(1)-(4) in order to update the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) panel numbers with a new effective date as of June 16, 2016.

a. Public Hearing.

b. Discussion and action to make a recommendation to the Village Board.

IV. Adjournment

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the Village Hall at (608) 798-3241 or matt@cross-plains.wi.us.

Regular Plan Commission Meeting

Regular Meeting Minutes

Village of Cross Plains
2417 Brewery Road, PO Box 97
Cross Plains, WI 53528
(608) 798-3241

Monday, March 7, 2016
7:00 pm

I. Call to Order, Pledge of Allegiance, and Roll Call

President Andreoni called the meeting was called to order at 7:00 pm.

Present: Commissioners Randy Case, Todd DuQuette, Ron Hilmanowski, Mitch Hogan, Judy Ketelboeter, Cliff Zander, and President Pat Andreoni.

Also Present: Janet Kernen, Gary Bewick, Lori Ames, and Tim Henneman.

II. Public Comment – None.

III. General Business

1. Discussion and action regarding minutes of regular meeting held February 1, 2016 – A motion was made by Commissioner Ketelboeter, seconded by Commissioner DuQuette, and unanimously carried by the Plan Commission to approve the regular meeting minutes held February 1, 2016.

2. Discussion and action to make a recommendation to the Village Board regarding the Preliminary Plat for Glacier Ridge Subdivision – Following discussion, a motion was made by Commissioner Case, seconded by Commissioner DuQuette, and unanimously carried by the Plan Commission to recommend conditional approval of the Preliminary Plat for Glacier Ridge Subdivision conditioned upon the following variances and waivers:

- Variance from the display of the required parkland dedication on the Preliminary Plat as stipulated in Section 83.34(k).
- Variance from the requirement in Section 83.38 to submit an Erosion and Stormwater Drainage Control Plan noting that 1) the civil engineering plans/specifications submitted as of February 15, 2016 (Exhibit D) are sufficient as part of the review of the Preliminary Plat; and 2) the review of the Erosion and Stormwater Drainage Control Plan will take place as part of the process for the Final Plat.

- Waiver of the Environmental Assessment Checklist listed in Section 83.39 stating that the requirements of this section were provided for in the Development Proposal approved by the Village Board on January 25, 2016.
- Waiver of the Impact Study listed in Sub-Section 83.41(b) stating that the requirements of this section were provided for in the Development Proposal approved by the Village Board on January 25, 2016.
- Variance from the minimum lot area size and building line width as listed in Sub-Section 83.83(c) stating that land use regulations will be controlled by Chapter 84 (Zoning Code) of the Village Code of Ordinances.

3. Consideration of Ord. #03-2016 setting the zoning for Glacier Ridge Subdivision located at 2504 Military Road (Buechner Farm) as part of its development as a residential subdivision.

a. Public Hearing – A motion was made by Commissioner Ketelboeter, seconded by Commissioner Hogan, and unanimously carried by the Plan Commission to open the Public Hearing at 7:11 pm.

1. James Garfoot of 9234 Garfoot Circle in the Town of Cross Plains commented asked if the Village had received a letter from the Township on this annexation.
2. Kevin Coughlin of 2404 Apple Wood Drive asked questions regarding the proposed future uses on Lot #1 of the Preliminary Plat to be acquired by the Village.

Following discussion, a motion was made by Commissioner DuQuette, seconded by Commissioner Hilmanowski, and unanimously carried by the Plan Commission to close the public hearing at 7:14 pm.

b. Discussion and action to make a recommendation to the Village Board – Following discussion, a motion was made by Commissioner Zander, seconded by Commissioner Case, and unanimously carried by the Plan Commission to recommend approval of Ordinance #03-2016 setting the zoning for Glacier Ridge Subdivision located at 2504 Military Road (Buechner Farm) as part of its development as a residential subdivision contingent upon adoption of the Final Plat for Glacier Ridge Subdivision.

4. Discussion and action to make a recommendation to the Village Board regarding a Temporary Limited Easement (TLE) between the Village and Middleton-Cross Plains School District to be used for grading the storm water basin – Following discussion, a motion was made by Commissioner DuQuette, seconded by Commissioner Zander, and unanimously carried by the Plan Commission to recommend approval to the Village Board regarding a Temporary Limited Easement (TLE) between the Village and Middleton-Cross Plains School District to be used for grading the storm water basin.

5. Discussion and action to make a recommendation to the Village Board regarding a quit claim deed from the Middleton-Cross Plains School District to the Village for street right-of-way purposes and Ordinance #04-2016 dedicating the acquired right-of-way to the public – Following discussion, a motion was made by Commissioner Case, seconded by Commissioner Hilmanowski, and unanimously carried by the Plan Commission to recommend approval to the Village Board regarding a quit claim deed from the Middleton-Cross Plains School District to the Village for street right-of-way purposes and Ordinance #04-2016 dedicating the right-of-way to the public.

6. Discussion and action to make a recommendation to the Village Board regarding a Development Proposal from Sundance Development, LLC in order to annex and develop the property of and adjoining to 4923 Brewery Road (Weber Farm) as a residential subdivision – Following discussion, a motion was made by Commissioner DuQuette, seconded by Commissioner Zander, for the Plan Commission to recommend approval to the Village Board regarding a Development Proposal from Sundance Development, LLC in order to annex and develop the property of and adjoining to 4923 Brewery Road (Weber Farm) as a residential subdivision. A roll call vote was requested. Yes – Andreoni and DuQuette. No – Case, Hilmanowski, Hogan, Ketelboeter, and Zander. Motion failed 2 – 5. Further action on this item will be considered by the Plan Commission at its meeting on April 4, 2016.

IV. Adjournment

A motion was made by Commissioner Zander, seconded by Commissioner Hogan, and unanimously carried by the Plan Commission to adjourn the meeting at 8:15 pm.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,

_____

Matthew G. Schuenke
Village Administrator/Clerk-Treasurer

Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Plan Commission
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: April 1, 2016
Re: **Review of Final Plat for the proposed Glacier Ridge Subdivision (Veridian Homes)**

Executive Summary

The Village adopted an ordinance at its February 22, 2016 meeting annexing approximately 40 acres into the Village located at 2504 Military Road including Parcel #0707-022-9500-3 and #0707-022-9650-2. The Development Proposal for the site was adopted by the Village in January with a portion of the property to be used for new single family homes and another portion of the property will be used to site future public improvements. The Preliminary Plat for this development was conditionally approved by the Village Board at its March 28, 2016 meeting and a Final Plat has now been submitted to the Village for consideration first by the Plan Commission. This is the final review by the Plan Commission for this development. The Village Board is scheduled to take up the recommendations at its meeting on April 25th. This memorandum will provide a review of the Preliminary Plat, review the requested zoning for the property, and summarize the next steps.

Final Plat (Exhibit A)

Review Process – Section 83.26

The review process for a Final Plat is contained within Section 83.26 (Exhibit B) of the Village Code. The Developer is responsible for submitting a Final Plat that encompasses all lands within the approved Preliminary Plat at least 30 days in advance of the Plan Commission review. This document was first submitted by the Developer for review on February 15th and has seen several iterations following Staff Review with the Public Facilities Director, Village Engineer, Parks/Recreation Director, Village Attorney, Village Planner, and Village President. A copy will also be forwarded to communication providers and other utilities. Additionally, the Preliminary Plat is required to be approved prior to consideration of the Final Plat and was adopted by the Village Board on March 28th. The Village Administrator/Clerk-Treasurer is responsible for making a determination that the document is complete, conforms to the requirements of the Land Division chapter, and is consistent with the Preliminary Plat. The Plan Commission shall recommend approval or conditional approval of the plat to the Village Board, or shall reject the plat as proposed. Plats recommended for approval or conditional approval shall be referred to the Village Board for their consideration. The Village Board is set to consider the plat at its April 25th meeting following appropriate action by the Plan Commission on April 4th.

Platting Requirements – Section 83.45-83.52

In order to complete the land division process, a Final Plat needs to be adopted according to the requirements listed in Section 83.45 through 83.52 of the Village Code (Exhibit C). The proposed Final Plat for the Glacier Ridge Subdivision is listed in Exhibit A and was prepared based on a land survey as is required. Please note the following sections of the platting requirements:

- Section 83.45 – General Requirements: The Final Plat was prepared by a registered land surveyor. The plat as proposed meets the General Requirements.

- Section 83.46 – Information to be Provided: Subsections (a)-(g) list all of the required information to be provided on the proposed plat. This includes exact street measurements, railroad ROW (not applicable), set-backs or building lines (not included and not recommended), lands for public acquisition, special restrictions, the inclusion of house numbers, and many other items contained within the detail. The only item missing is the inclusion of house numbers. This is recommended to be provided for via a separate Addressing Plan. The Village will assign the numbers and including it in a separate plan from the Plat gives the Village flexibility in the future should changes or adjustments be needed. A waiver is required from the requirement that the assigned house numbers are included on the Final Plat.

- Section 83.47 – Drainage Flows: The Drainage Flows will be shown within the master grading plan. The full Stormwater Management Report, Water Surface Study Summary, and Storm Sewer Sizing Report have been provided to the Village Engineer and Public Facilities Director for review; however, are not provided as an attachment to the Final Plat due to their size and highly technical nature. The information required has been provided and under review by Village Staff in order to meet this requirement for the Final Plat.

- Section 83.48 – Deed Restrictions: The Declaration of Protective Covenants, Conditions, and Restrictions (i.e. – Deed Restrictions) is included with the Final Plat as Exhibit D. This document provides additional layers of land use requirements specific to the submission in addition to the Village Code. These requirements will not apply to Lot 1 and the Outlots being acquired by the Village as part of this Development. Village Staff including the Village Attorney has reviewed this document and recommending their approval as part of the review process for the Final Plat.

- Section 83.49 – Survey Accuracy: The surveying methods used to develop the Final Plat are accurate and consistent with State Statute as is required.

- Section 83.50 – Surveying and Monumenting: The surveying used and Monumenting proposed are consistent with State Statute as is required.

- Section 83.51 – Certificates: The Certificates are provided for on the third page of Exhibit A in the Final Plat. They are all encompassing of the signatures needed follow plat approval as is required by State Statutes. The Surveyor's Certificate is also provided for and is sufficient to meet the requirements of this section.

- Section 83.52 – Application for Approval: This memorandum combined with the Final Plat and relevant exhibits serves as the Application for Approval to be considered by the Plan Commission on Monday night. Additionally, all plans, profiles, and specifications shall be submitted in order to comply with Section 83.35, 83.36, and 83.102 of the Village Code. Please note the following:
    - Section 83.35 – Street and Utility Plans and Profiles (Exhibit E): Contained within Exhibit F are the civil engineering plans for the subdivision. These plans were also considered as part of the Preliminary Plat and are updated to reflect the plan for construction. This shows the engineering behind the construction of the subdivision from erosion control through final paving with utilities in between. The plans as submitted meet the requirements of this section.
    - Section 83.36 – Testing (Exhibit E): Soil boring logs have been submitted to the Village Engineer for review. This is done to review the subsurface soil, rock/water conditions, depth of bedrock, depth to ground water table, and other measurables within the ground. This was also considered as part of the approval process for the Preliminary Plat. The results have been found to be acceptable to meet the requirements of this section.
    - Section 83.102 – Construction Plans and Specifications: The Plans and Specifications for construction are included within Exhibit F. The Developer is required to provide them as part of the Final Plat approval process but also has included them as part of the Preliminary Plat approval as is required. These same documents have also been provided to the Village Engineer and Public Facilities Director for review and approval. The submittal thus far is sufficient to satisfy this requirement for plat approval.

Land Division Design Standards (Exhibit H)

Section 83.76 through 83.85 contain the design standards for the preparation of the Final Plat. The project as presented thus far complies with these requirements but for the need for one variance as follows:

- Section 83.83 – Lots: Subsection (c) requires that residential lots maintain a minimum area of 9,600 square feet and a minimum width of 80 feet at the building line. Several of the proposed lots are of the SR-5 variety that allow for lower minimum standards acceptable within the Zoning Code. The Land Division code was adopted in 2013 as part of a recodification followed by the Zoning Code in 2014 where they have been found to be inconsistent with these requirements. A variance is needed from this requirement for the Final Plat noting that the minimum lot requirements will defer to the zoning code, which are in compliance as presented. This same variance was granted as part of the approval for the Preliminary Plat.
- Dedication Language – Staff is recommending to additions to the Dedication language for Outlots 2 and 4. The additions will ensure the Village has the ability to use the properties in question for trail and recreation use in the future as desired and common in existing properties. This additional language is included in Exhibit A and will be incorporated into the Draft reviewed by the Village Board if acceptable to the Plan Commission.

Next Steps

The Plan Commission is scheduled on April 4th to consider the Final Plat in order to make a recommendation to the Village Board. The Plan Commission will have to consider a variance and a waiver as part of their decision outlined in the Staff Report. The procedure for granting Variances and Waivers within the Land Division Chapter is outline in Section 83.120 (Exhibit I). A three-fourths affirmative vote (6 of 7 members) of the entire Plan Commission is required to recommend approvals of Variances and Waivers. The Village Board will consider the recommendation(s) of the Plan Commission and take action on these items following its review. Assuming the Final Plat is ultimately adopted by both groups, the final item for Village Board consideration is the Development Agreement which will be considered concurrently with the Final Plat on April 25th. The Development Agreement will satisfy all necessary requirements outlined in Section 83.11 regarding Agreement and Security for Improvements (Exhibit J). All remaining steps including the proposed timeline are included as Exhibit K.

Recommendation

Village Staff recommends the Plan Commission consider the following action in making their recommendation to the Village Board following the conclusion of their review:

1. Approval of the Final Plat as presented with the following variances and waivers:
    a. Waiver of the requirement to display the house number assigned to each lot on the face of the plat listed in Section 83.46(g) stating that the house numbers will be assigned through a separate Addressing Plan to be approved by the Village.
    b. Variance from the minimum lot area size and building line width as listed in Sub-Section 83.83(c) stating that land use regulations will be controlled by Chapter 84 (Zoning Code) of the Village Code of Ordinances.
    c. Includes the additional dedication language for Outlots 2 and 4 for consideration by the Village Board.

Exhibits

Exhibit A – Glacier Ridge Final Plat (March 18, 2016)

Exhibit B – Section 83.26 (Final Plat Review)

Exhibit C – Section 83.45-83.52 (Final Plat Requirements)

Exhibit D – Declaration of Protective Covenants, Conditions, and Restrictions (April 1, 2016)

Exhibit E – Section 83.35-36 (Street and Utility Plans and Profiles; Testing)

Exhibit F – Glacial Ridge Civil Engineering Plan Set (March 10, 2016)

Exhibit G – Section 83.102 (Construction Plans and Specifications)

Exhibit H – Section 83.76-83.85 (Design Standards)

Exhibit I – Section 83.120 (Variances and Waivers)

Exhibit J – Section 83.11 (Agreement and Security for Improvements)

Exhibit K – Proposed Timeline for Development Project Review

EXhibit A

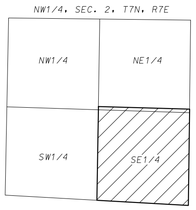
There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

GLACIER RIDGE

LOCATED IN THE NE1/4 AND THE SE1/4 OF THE NW1/4 OF SECTION 2, T7N, R7E, VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN



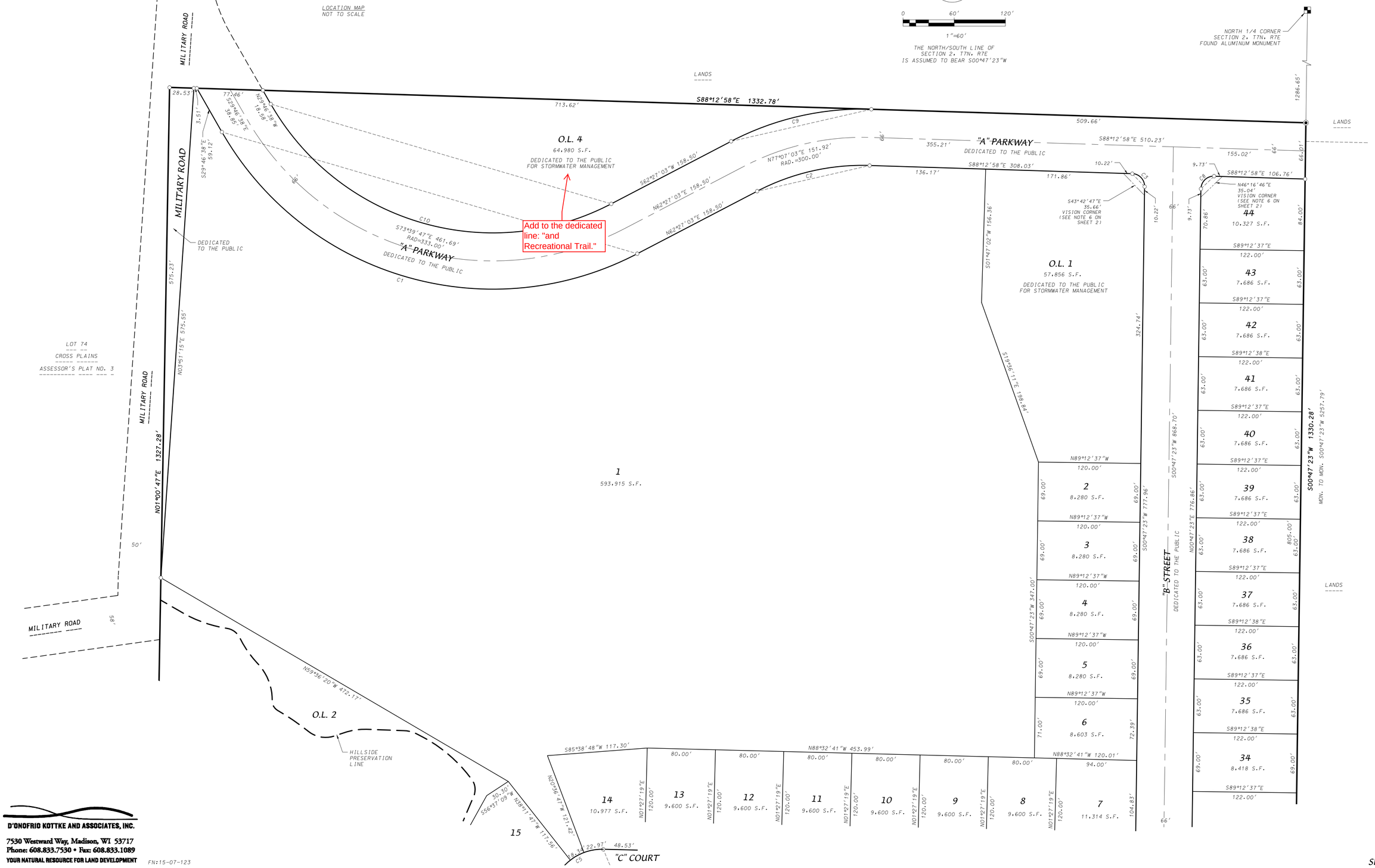
LOCATION MAP
NOT TO SCALE

LEGEND

- Found 1" Iron Pipe
- Found 3/4" Iron Rebar
- Placed 1-1/4" x 18" solid round iron rebar stake, weighing 4.30 lbs/ft. All other lot and outlot corners are marked with 3/4"x 18" solid round iron rebar stakes, weighing 1.50 lbs/ft.
- Public utility easement (6' wide unless otherwise dimensioned). Utility easements as herein set forth are for the use of PUBLIC BODIES and PRIVATE PUBLIC UTILITIES having the right to serve the area.

0 60' 120'
1"=60'

THE NORTH/SOUTH LINE OF SECTION 2, T7N, R7E IS ASSUMED TO BEAR S00°47'23"W



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

FN:15-07-123

GLACIER RIDGE

LOCATED IN THE NE1/4 AND THE SE1/4 OF THE NW1/4 OF SECTION 2, T7N, R7E,
VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

LEGEND

Found 3/4" Iron Rebar

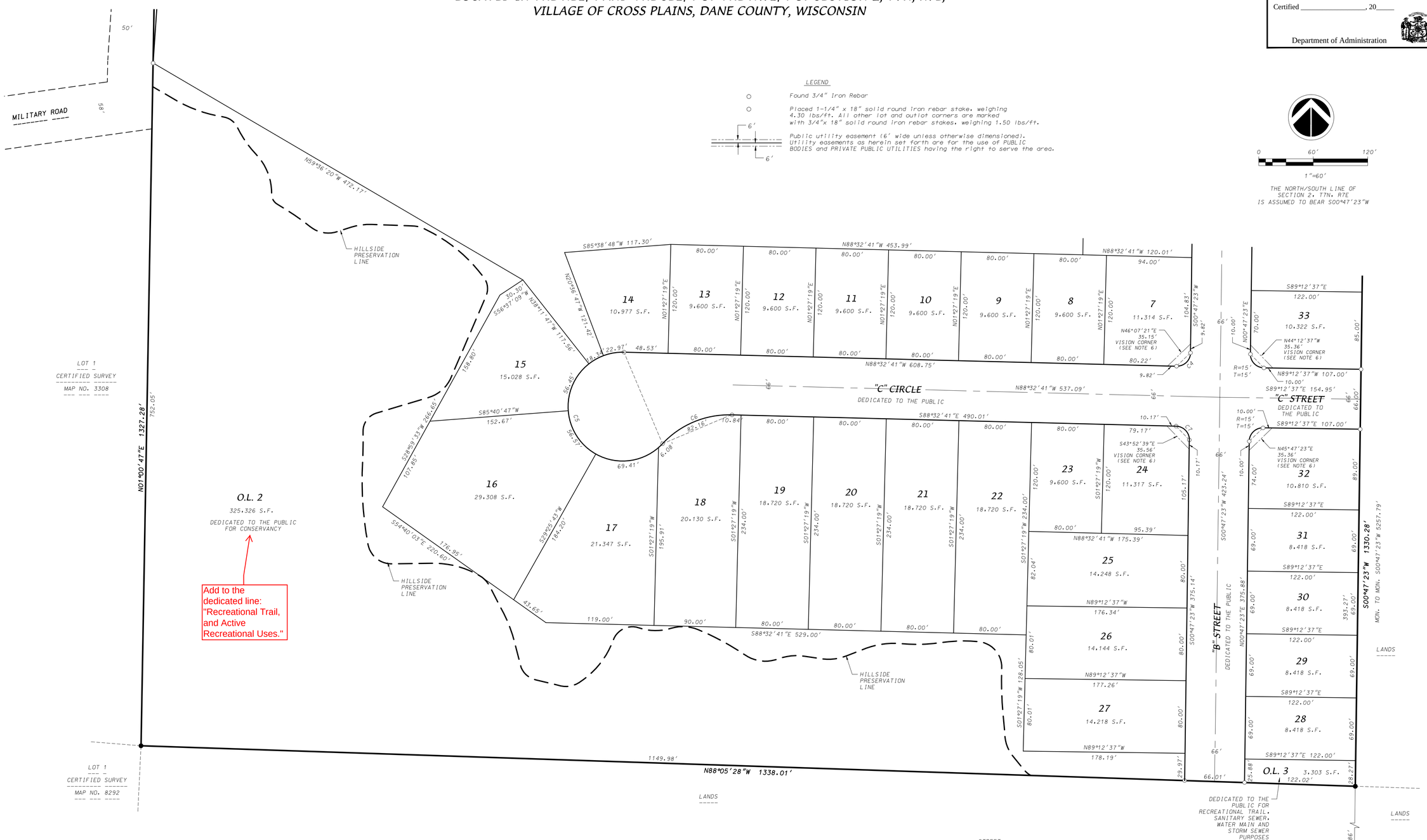
Placed 1-1/4" x 18" solid round iron rebar stake, weighing 4.30 lbs/ft. All other lot and outlot corners are marked with 3/4"x 18" solid round iron rebar stakes, weighing 1.50 lbs/ft.

6' 6' Public utility easement (6' wide unless otherwise dimensioned). Utility easements as herein set forth are for the use of PUBLIC BODIES and PRIVATE PUBLIC UTILITIES having the right to serve the area.

0 60' 120'

1"=60'

THE NORTH/SOUTH LINE OF SECTION 2, T7N, R7E IS ASSUMED TO BEAR S00°47'23"W

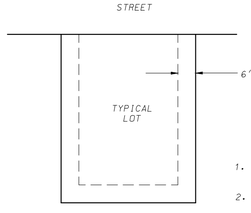


CURVE TABLE

CURVE NUMBER	LOT	RADIUS (FEET)	CHORD (FEET)	ARC (FEET)	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
1		366.00	507.44	560.68	S73°39'47.5"E	087°46'19"	
2		267.00	135.20	136.69	N77°07'02.5"E	029°19'59"	
3		15.00	21.03	23.30	S43°42'47.5"E	089°00'21"	
4		15.00	21.34	23.74	S46°07'21"W	090°39'56"	
5		60.00	109.41	239.29	S22°47'57"E	228°30'32"	OUT-N42°56'45"E
	14	60.00	22.97	23.11	S80°25'17"W	022°04'04"	
	1	60.00	18.34	18.41	S60°35'43"W	017°35'04"	
	15	60.00	56.45	58.77	S23°44'30"W	056°07'22"	
	16	60.00	56.57	58.91	S32°26'45"E	056°15'08"	
	17	60.00	69.41	74.01	N84°05'21"E	070°40'40"	
	18	60.00	6.08	6.08	N45°50'53"E	005°48'16"	
6		100.00	82.16	84.66	N67°12'02"E	048°30'32"	
7		15.00	21.09	23.39	S43°52'39"E	089°20'04"	
8		15.00	21.40	23.82	N46°17'12.5"E	090°59'39"	
9		333.00	168.63	170.48	S77°07'02.5"W	029°19'59"	
10		300.00	415.94	459.57	N73°39'47.5"W	087°46'19"	

NOTES

1. Outlots 1 and 4 are dedicated to the public for stormwater management purposes.
2. Outlot 2 is dedicated to the public for conservancy purposes.
3. Outlots 3 is dedicated to the public for recreational trail, Sanitary Sewer, Water Main and Storm Sewer Easement purposes.
4. Lots 2 through 44 within this plat are subject to public easements for drainage purposes which shall be 6 feet in width measured from the property line to the interior of each lot except that the easements shall be 12 feet in width on the perimeter of the plat.
5. Lots 2 through 44 are subject to a Master Storm Grading Plan on file with the Village of Cross Plains. There shall be no changes in drainage or elevations within the public easements for drainage purposes without the written approval of the Village of Cross Plains.
6. Area designated as Vision Corner shall have no obstructions permitted beween 2-1/2 feet and 10 feet above the plane through the mean curb grade.
7. Parkland dedication of 62,565 square feet has been provided within the area of Lot 1.
8. Distances shown along curves are chord lengths.



1. Easement is 12 feet on perimeter of the plat.
2. Easements are not required on lines that are shared with streets or greenways.

NON-EXCLUSIVE DRAINAGE EASEMENT DETAIL

Not to Scale - See note 4

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
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YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

FN:15-07-123

GLACIER RIDGE

LOCATED IN THE NE1/4 AND THE SE1/4 OF THE NW1/4 OF SECTION 2, T7N, R7E,
VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

SURVEYOR'S CERTIFICATE

I, Brett T. Stoffregan, Professional Land Surveyor S-2742 do hereby certify that in full compliance with the provisions of Chapter 236 of the Wisconsin State Statutes and the Subdivision Regulations of the Village of Cross Plains, and under the direction of the owners listed below, I have surveyed, divided and mapped "Glacier Ridge" and that such plat correctly represents all the exterior boundaries and the subdivision of the land surveyed as is described as follows:

A parcel of land located in the NE1/4 and the SE1/4 of the NW1/4 of Section 2, T7N, R7E, Village of Cross Plains, Dane County, Wisconsin to-wit: Commencing at the North 1/4 corner of said Section 2: thence S00°47'23"W, 1286.65 feet along the North/South line of said Section 2 to the point of beginning; thence continuing S00°47'23"W, 1330.28 feet along said North/South line; thence N88°05'28"W, 1338.01 feet to the Southeast corner of Lot 1, Certified Survey Map No. 3308; thence N01°00'47"E, 1327.28 feet along the East line of said Lot 1 and the Northerly extension thereof; thence S88°12'58"E, 1332.78 feet to the point of beginning. Containing 1,774,199 square feet (40.730 acres).

Dated this_____day of_____, 2016.

_____
Brett T. Stoffregan, Professional Land Surveyor, S-2742

OWNER'S CERTIFICATE

VH Cross Plains, LLC a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

VH Cross Plains, LLC does further certify that this plat is required by S236.10 or S236.12 Wisconsin Statutes to be submitted to the following agencies for approval or objection:

Department of Administration
Village Board, Village of Cross Plains
Dane County Zoning and Land Regulation Committee

In witness whereof, VH Cross Plains, LLC has caused these presents to be signed by its official officer(s) of said limited liability company at Madison, Wisconsin this_____day of_____, 2016.

VH Cross Plains, LLC

_____
Jeff Rosenberg, Authorized Officer and Signatory

STATE OF WISCONSIN)
COUNTY OF DANE) S.S

Personally came before me this_____day of_____, 2016, the above named officer(s) of the above named VH Cross Plains, LLC to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

My Commission expires_____
Notary Public, Dane County, Wisconsin

MORTGAGEE CERTIFICATE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of lands contained in this plat, does hereby consent to the above Owner's Certificate and to the surveying, dividing, mapping and dedication of the lands described on this plat.

In witness wherof, said_____has caused these presents to be signed by its corporate officer(s) listed below on this_____day of_____, 2016.

_____

STATE OF WISCONSIN)
COUNTY OF DANE) S.S

Personally came before me this_____day of_____, 2016, the above named officer(s) of the above _____, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

My Commission_____
Notary Public, Dane County, Wisconsin

VILLAGE BOARD RESOLUTION

Resolved that the plat of "Glacier Ridge" located in the Village of Cross Plains, was hereby approved by Resolution Number _____, adopted this_____day of_____, 2016, and that said Enactment further provided for the acceptance of those lands dedicated and rights conveyed by said plat to the Village of Cross Plains for public use.

Dated this_____day of_____, 2016.

_____
Matthew G. Schuenke, Village Clerk, Village of Cross Plains, Dane County, Wisconsin

VILLAGE OF CROSS PLAINS TREASURER'S CERTIFICATE

I, Matthew G. Schuenke, being the duly appointed, qualified, and acting Treasurer of the City of Madison, Dane County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this_____day of_____, 2016 on any of the lands included in the plat of "Glacier Ridge".

_____
Matthew G. Schuenke, Village Treasurer, Village of Cross Plains, Dane County, Wisconsin

COUNTY TREASURER'S CERTIFICATE

I, Adam Gallagher, being the duly elected, qualified, and acting treasurer of the County of Dane, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or special assessments as of this_____day of _____, 2016 affecting the land included in "Glacier Ridge".

_____
Adam Gallagher, Treasurer, Dane County, Wisconsin

REGISTER OF DEEDS CERTIFICATE

Received for recording this_____day of_____, 2016 at_____o'clock___.M.

and recorded in Volume_____of Plats on Pages_____as Document Number_____.

_____
Kristi Chlebowski, Dane County Register of Deeds

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FN:15-07-123

Exhibit B

days prior to the time of such hearing to the owners of all properties adjacent to the proposed replat or resubdivision.

SECTION 83.26 Final Plat Review.

Preliminary Plat approved on March 28th.

(a) The subdivider shall prepare and file eight copies of the final plat together with a written application for approval with the Village Administrator/Clerk-Treasurer within 36 months of the approval of the last required preliminary plat and at least 30 days prior to the meeting of the Village Plan Commission at which action is desired. At the same time, the subdivider shall file electronic copies of the documents with the Administrator/Clerk-Treasurer, the Village Engineer, and the Director of Public Facilities. When the subdivider expects the Village to act as the transmitting authority in accordance with Section 236.12, Wis. Stats., the application shall state that transmittal responsibility lies with the Village, shall contain a list of the other authorities to which the plat must be submitted, and shall be accompanied by such additional fees and copies of the plat as are necessary to be transmitted to such authorities.

Draft Submittal:

February 15th

(b) Before accepting any final plat for filing and submittal to the Plan Commission, the Administrator/Clerk-Treasurer shall determine whether the final plat and other filings required under this chapter are complete and comply with the requirements of this chapter as to form and whether all review fees and deposit moneys have been paid pursuant to this chapter. No final plat shall be deemed to be filed until the Administrator/Clerk-Treasurer determines that the application is complete. After the Administrator/Clerk-Treasurer determines that the application has been properly filed, the Village Administrator/Clerk-Treasurer shall forward two copies of the plat to the Plan Commission. The Plan Commission shall examine it for conformity with the preliminary plat and any conditions of approval, with the requirements of this chapter, and with the requirements of any other ordinances, statutes, administrative rules and regulations, or local plans which may be applicable to it. Where appropriate, the Administrator/Clerk-Treasurer shall also forward a copy of the plat and related documents to the Village Engineer and/or Village Attorney for technical review.

The Final Plat as submitted is determined to be complete. It has been submitted as required to all appropriate parties. All review services are paid in full. Platting fees will be deducted from escrow fund balance.

(c) The Plan Commission shall recommend approval of the final plat to the Village Board or shall reject the plat. If approval is recommended, the final plat shall be referred to the Village Board for consideration. The Village Board shall then approve, conditionally approve, or reject the final plat. As part of the approval process, a professional engineer, a planner, or another person charged with the responsibility to review plats shall provide the Village Board with his or her conclusions as to whether the final plat conforms substantially to the preliminary plat and with his or her recommendation on approval of the final plat. The conclusions and recommendation shall be made a part of the record of the proceeding at which the final plat is being considered and are not required to be submitted in writing.

~~(d)~~ ~~The final plat may, if permitted by the Plan Commission, include only that portion of the approved preliminary plat which the subdivider proposes to record at that time.~~ Includes the entire area of the Preliminary Plat.

~~(e)~~ If the final plat conforms substantially to the preliminary plat as approved, including any conditions of that approval, and to local plans and ordinances adopted as authorized by law, it is entitled to approval. ~~If the final plat is not submitted within thirty-six (36) months after the last required approval of the preliminary plat, the Plan Commission or Village Board may refuse to approve the final plat or may extend the time for submission of the final plat.~~

(f) The Village Plan Commission shall, when it determines to recommend approval of a plat, give at least 10 days' prior written notice of its intention to the clerk of any municipality within 1,000 feet of the plat; provided, however, that failure to give such notice shall not invalidate any plat.

(g) After the final plat has been approved by the Village Board and the contract and security for the installation of improvements have been filed in accordance with Section 83.11 hereof, the subdivider shall submit the final plat to the Village Administrator/Clerk-Treasurer. The Administrator/Clerk-Treasurer shall cause the certificate inscribed upon the plat attesting to such approval to be duly executed and the plat returned to the subdivider for recording.

(h) The subdivider shall file a certified copy of the final plat with the Village Administrator/Clerk-Treasurer within 10 days after it has been recorded.

SECTION 83.27 Replats.

(a) When it is proposed to replat a recorded subdivision, or part thereof, so as to change its boundaries, or a part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded plat as provided in Sections 236.40 through 236.44, Wis. Stats. The subdivider, or person wishing to replat, shall then proceed as required by this Chapter.

(b) Whenever a preliminary plat of a replat is filed, the Plan Commission shall schedule and hold a public hearing before it acts on the plat. Notices of the proposed replat and public hearing shall be mailed, at the subdivider's expense, to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties adjacent to the proposed replat.

SECTION 83.28 Land Divisions by Certified Survey.

(a) A certified survey which has been approved by the Plan Commission and the Village Board and meets all of the requirements of Section 236.34, Wis. Stats., and of this chapter may be utilized to create not more than four parcels, 15 acres each or less in size. The Plan Commission may require a preliminary plat to be filed by a subdivider who is seeking approval of a certified survey map. When required, the preliminary plat must include all lands under the control of the

Exhibit C

(3) The Plan Commission and Village departments shall cooperate with the subdivider by providing information in the Village's possession regarding the Village's public facilities. The Plan Commission may have its own consultants, including but not limited to Village staff and the Village's Engineer, review the impact study and prepare their own evaluation of the adequacy of public facilities to serve the proposed development. If the Plan Commission concludes that the subdivider's impact study is inadequate or inaccurate, the Plan Commission may reject the subdivider's impact study. Any rejection of a subdivider's impact study shall be accompanied by a description of the reason or reasons for the rejection.

SECTIONS 83.42 – 83.44 Reserved

FINAL PLAT

SECTION 83.45 General Requirements.

A final plat prepared by a land surveyor registered in this state shall be required for all subdivisions. It shall comply in all respects with the requirements of Section 236.20, Wis. Stats., and with this chapter.

SECTION 83.46 Information to be Provided.

The plat shall show correctly on its face, in addition to the information required by Section 236.20, Wis. Stats., and Sections 83.33 through 83.35 hereof, the following:

(a) Exact length and bearing of the center line of all streets.
(b) Exact street width along the line of any obliquely intersecting street.
(c) Railroad rights-of-way within and abutting the plat.
(d) Setbacks or building lines required by the Village Plan Commission.
(e) All lands reserved for future public acquisition or reserved for the common use of property owners within the plat.
(f) Special restrictions required by the Village Plan Commission relating to access control along public ways or to the provision of planting strips.
(g) The house number or rural fire number assigned to each lot.

SECTION 83.47 Drainage Flows.

The subdivider shall cause to be ~~set upon the face of the plat, or~~ included within the master grading plan, arrows along each street as will result from the grading of the site, the construction of the required public improvements, or which are existing drainage flows and will remain. The arrows indicating the directions off flows shall be

A waiver from the requirement to display house numbers assigned to each lot on the Final Plat. The Village is responsible for assigning house numbers and including them within the Plat locks them in essentially without change forever. Assigning these numbers via a separate Addressing Plan is recommended to give the Village flexibility in the future should changes be needed.

appropriately weighted so as to differentiate between the minor and major (100 year event) drainage components.

SECTION 83.48 Deed Restrictions.

(a) Deed restrictions required by the Plan Commission or Village Board shall be filed with the final plat.

(b) A note shall be added to the plat, and included in a deed restriction, that prohibits alterations of the finished grade from those shown on the master grading plan within five (5) feet of any property line. The subdivider shall provide three copies of "As Built Grading Plans" with elevations at each lot corner, and at each major change in grade. The plans shall be provided by hard copy and electronic means to the Administrator/Clerk-Treasurer, the Village Engineer and the Director of Public Facilities. The plans shall also show direction of drainage along the lot lines by means of arrows. The arrows shall be accompanied on the master grading plan with the following note: "Arrows indicate the direction of drainage flows in various components resulting from site grading and the construction of required public improvements. The drainage flow components located in easements shall be maintained and preserved by the property owner."

(c) Deed restrictions shall be provided requiring all mailboxes within a cul-de-sac to be located on one standard to house all mailboxes within the cul-de-sac at a location to be determined by the Director of Public Facilities.

(d) Where the ground water table is equal to or less than nine (9) feet from the proposed street centerline elevation, the subdivider shall place the following note on the plat: "Subsoil information indicates the presence of high ground water conditions on lots. On these lots, either basement elevations must be elevated above the groundwater level or the basement exteriors must be fully water-proofed."

(e) Deed restrictions shall be provided prohibiting the alteration of the approved as-built grades within 6 feet of a lot line for all types of development under all circumstances.

(f) Deed restrictions shall be provided prohibiting owners from planting trees or shrubs, building fences, sheds, landscaping or placing play equipment within any drainage easement. Further, the approved grade within a drainage easement shall not be altered under any circumstances.

SECTION 83.49 Survey Accuracy.

The accuracy of the final plat must be certified in accordance with Ch. 236, Wis. Stats.

SECTION 83.50 Surveying and Monumenting.

All final plats shall meet all the surveying and monumenting requirements of Section 236.15, Wis. Stats.

SECTION 83.51 Certificates.

A final plat shall include all the certificates required by Section 236.21, Wis. Stats., and, in addition, the surveyor shall certify that she/he has fully complied with all the provisions of this chapter.

SECTION 83.52 Application for Approval.

The plat shall be accompanied by a written application for approval on forms furnished by the Village Administrator/Clerk-Treasurer. The plat, if it has not been previously submitted, shall also be accompanied by plans, profiles, and specifications required by Sections 83.35 and 83.102 of this chapter and by the results of the soil and percolation tests required by Section 83.36.

SECTIONS 83.53 – 83.54 Reserved

CERTIFIED SURVEY MAP

SECTION 83.55 General Requirements.

A certified survey map prepared by a land surveyor registered in this state shall be required for all land divisions. It shall comply in all respects with the requirements of Section 236.34, Wis. Stats.

SECTION 83.56 Information to be Provided.

The map shall show correctly on its face, in addition to the information required by Section 236.34, Wis. Stats., the following:

(a) All existing buildings, watercourses, drainage ditches and other features pertinent to proper division.
(b) Setbacks or building lines required by the Village Plan Commission.
(c) All lands reserved for future acquisition.
(d) Date of the map.
(e) Graphic scale.
(f) Name and address of the owner, subdivider and surveyor.

SECTION 83.57 Certificates.

Exhibit D

Document No.

GLACIER RIDGE
DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

VILLAGE OF CROSS PLAINS, DANE COUNTY, WI.

Drafted by and return to:
Jeff Rosenberg
Veridian Homes
6801 South Towne Drive
Madison, WI 53713

See Exhibit "B"
(Parcel Identification Numbers)

PREAMBLE

This Declaration of Protective Covenants, Conditions and Restrictions (the "**Declaration**") made this _____ day of _____, 20___, by VH Cross Plains LLC, a Wisconsin Limited Liability Company (collectively, hereinafter referred to as the **"Declarant"**) and/or their successors and assigns.

WHEREAS, Declarant is the owner of real property legally described as the plat of Glacier Ridge (the **"Plat"**) located in the Village of Cross Plains, Dane County, Wisconsin, more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by reference, and desires to build thereon a residential development with housing units (the "**Development**"); and

WHEREAS, Declarant desires to provide for the maintenance and enhancement of property values and amenities in said Development, and for the preservation of the properties and improvements thereon, as well as, for the preservation of said Development's distinctive style, and to prevent the erection, or maintenance of poorly designed or constructed improvements; and

WHEREAS, to the above end, Declarant desires to subject said real property, to the covenants, restrictions, easements, charges and liens hereinafter set forth, each and all of which is and are for the benefit of said property and each owner thereof; and

WHEREAS, Declarant has thought it desirable for the efficient maintenance and preservation of the values of said Development to create an Association to which should be delegated and assigned the powers of

owning, maintaining and administering the Common Property and facilities, as set forth below, and administering and enforcing the covenants and restrictions, and collecting and disbursing the Assessments and charges as hereinafter or in the future created or established, and promoting the health, welfare and recreation of the Development's residents. Declarant will incorporate The Glacier Ridge Homeowners Association, Inc. a non-profit, non-stock corporation, under the laws of the State of Wisconsin (the **"Association")** for such purposes;

NOW, THEREFORE, the Declarant declares that the following real property, Lots 2-44, legally described and depicted in Exhibit "A", attached hereto and incorporated herein by reference, will and shall be sold, transferred and conveyed subject to the easements, covenants, restrictions, assessments, charges and liens hereinafter set forth.

PART A
ASSOCIATION MATTERS

A-1) Definitions.

A) "Association" shall mean and refer to as Glacier Ridge Homeowners Association, Inc., and its successors and assigns.

B) "Common Property" shall mean those areas located in the Development which are not contained within a Lot and which the Declarant or the Association, as the case may be, shall be required to maintain in accordance with agreements between Declarant and the Village of Cross Plains, or pursuant to applicable Village of Cross Plains rules, regulations and ordinances, until such time as maintenance of such areas is turned over to the Village of Cross Plains and the Village of Cross Plains accepts such maintenance. Areas within the Development which will initially constitute Common Property include, but are not limited to, storm water management and park areas.

C) "Declarant" shall mean and refer to VH Cross Plains LLC, a Wisconsin Limited Liability Company and/or their successors and assigns.

D) "Lot" shall mean and refer to the lands described as Glacier Ridge as described and depicted in Exhibit "A", now owned by Declarant, but which Declarant in the future intends to convey to purchasers who shall thereupon become members of the Association. The term "Property" or "Properties" shall be synonymous with the term Lot.

E) "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any of the Properties described in Exhibit "A". A purchaser of any of said Properties by land contract shall be referred to as "Owner" instead of the land contract vendor.

F) "Occupant" shall mean and refer to the occupant of any of the Properties who shall either be an Owner or a lessee who holds a written lease having an initial term of twelve months or more.

G) "Subdivision" shall refer to the lands described in Exhibit "A". The term "Subdivision" is synonymous with the term "Development".

H) "Village" shall refer to the Village of Cross Plains, a Wisconsin Municipal Corporation.

A-2) <u>Membership and Voting Rights</u>.

A) <u>Members</u>. Declarant will incorporate the Association. Each Owner of a Lot shall automatically become a member of the Association. By acceptance of the Deed or other instrument of conveyance, the Owner(s) of each Lot consent to such Owner's membership in the Association whether or not specified on the deed to the Owner. Membership in the Association is appurtenant to each Lot. Each Owner of a Lot shall automatically be entitled to the benefits and subject to the burdens relating to such membership in the Association. The Association shall have authority to manage the Common Property. Persons or entities, including a land contract vendor, who hold an interest merely as security for the performance of an obligation, shall not be members of the Association. Tenants of Properties who are not Owners shall not be members of the Association. To the extent that Declarant owns any Lot, Declarant shall be a member of the Association until such ownership terminates.

B) <u>Voting Rights</u>.

1) Each member shall be entitled to one vote for each Lot owned except as set forth in A-2(B) (2) below.

2) When there is more than one Owner of a Lot, said Owners shall only be entitled to one collective vote for each Lot. There shall be no fractional votes or voting. When there is more than one Owner of any Lot, the vote attributable to such ownership must be cast unanimously by all the Owners of that Lot, or it shall not be considered for any purpose.

C) <u>Proxies</u>. Any Member may vote by proxy. All proxies shall be in writing and signed by the Owner or in cases where there is more than one Owner, by all Owners of the Lot.

D) <u>Articles of Incorporation and By-Laws</u>. The purposes and powers of the Association and the rights and obligations with respect to the members thereof, shall be governed by the Articles of Incorporation and By-Laws of the Association; provided, however, that such Articles of Incorporation and By-Laws shall be subject to, and shall not contravene, the terms, conditions, benefits and burdens set forth in this Declaration.

E) <u>First Year's Operating Expenses</u>. Commencing on the date established for the payment of assessments under Section A-4(B)(1), Declarant shall pay to the Association an amount equal to the estimated operating expenses of the Association for a period of one (1) year, less assessments on Lots owned by Declarant actually paid to the Association for the one (1) year period of time. Said payment may be made in a lump sum or in twelve (12) monthly installments, at Declarant's option. Prior to said date, Declarant shall be solely responsible for payment of all maintenance expenses.

A-3) <u>Description</u>.

A) <u>Responsibility for Assessments</u>. Declarant shall turn over to the Association, at the time control is turned over to the Members, any surplus received by the Association of income over expenses. Assessments shall be based on the number of assessment units (an "A**ssessment Unit"**), which are assigned to Lots in the Development based upon their intended use at the present time. The number of Assessment Units for a particular Lot will be divided by the total number of Assessment Units in the

Development to arrive at a particular Lot's percentage share (**"Percentage Interest"**) of assessments for common area maintenance and other expenses, which the Association is permitted to assess to members under the Declaration. The Declarant shall be responsible for payment of assessments on Lots owned by Declarant, only at such time as a Declarant owned Lot has been improved with street, utilities and such other improvements as are necessary to permit commencement of construction on such Lot. For the purposes of the following table, a single family residence shall be deemed a Dwelling Unit.

	Use	**Number of Assessment Units**
1)	Single Family:	One (1) per Dwelling Unit.

B) **Percentage Interest for Condemnation or Insurance Proceeds.** For the purposes of establishing an Owner's percentage of insurance proceeds or condemnation awards in the event any portion of the Common Property is completely destroyed or taken by eminent domain and is not reconstructed, each Owner shall have a percentage interest in the insurance or condemnation proceeds equal to the Percentage Interest of such Owner in the Common Property.

C) **Conveyance, Lease or Encumbrance of Percentage Interest.** Any deed, mortgage, lease or other instrument purporting to convey, encumber or lease for a period of time in excess of one (1) year (a **"Lease"**) any Lot shall be deemed to include the Owner's Percentage Interest in the Common Property and in the insurance proceeds or condemnation awards even though such interest is not expressly described or referred to therein. The conveyance, encumbrance or Lease of an Owner's Percentage Interest in the Common Property independent of the appurtenant Lot and the conveyance, encumbrance or Lease of an appurtenant Lot independent of the Owner's Percentage Interest in the Common Property shall be prohibited.

A-4) Maintenance of Common Property

A) Maintenance Requirements.

1) Responsible Party. The Common Property shall be maintained in good and safe condition, in accordance with the agreements between Declarant and the Village, as well as applicable Village ordinances, rules and regulations.

2) General Responsibilities. Maintenance shall include, but not be limited to, responsibility for landscaping and lawn care, trash, snow removal including shoveling with particular attention being paid to cross walk ramps and islands, improvements to common areas, upkeep of storm water management facilities which may include detention basins and drainage swales, common property lighting and/or other common property utility charges and any special street design features or traffic calming features.

3) Specific Responsibilities. Certain streets within the Property may include special traffic islands and traffic calming measures within the public right-of-way. The Association shall be responsible, at the Association's sole cost and expense, for the maintenance and upkeep of such physical traffic measures. Such maintenance and upkeep shall be performed at the discretion of the Association except to the extent required by the Village of Cross Plains, and shall include landscaping, snow and ice removal. If the special street design features or landscaping are not maintained, the Village of Cross Plains

will give notice to the Association that it is not being maintained. If the Association does not respond to the notice within sixty (60) days, the Village may modify the physical traffic measures to minimize maintenance needs; including replacing landscaped surfaces with asphalt. The Association and persons involved with the maintenance and upkeep of the special traffic measures shall indemnify and hold harmless the Village of Cross Plains and its boards and commissions, and their officers, agents and employees from and against all claims, demands, loss or liability of any kind, type or description, related to the maintenance and upkeep of the special traffic measures.

4) In order to carry out its maintenance obligations, the Association may enter into a contract with a reputable property management company (**"Management Company"),** pursuant to which contract the Management Company shall assume the maintenance obligations of the Association as provided herein.

5) Any and all expenses incurred by the Management Company, on behalf of and pursuant to its contract with the Association, in connection with the management and maintenance of the Common Property and administration of the Association shall be deemed to be common expenses (**"Common Expenses"),** including, without limitation, expenses incurred for: landscaping and lawn care; snow shoveling and plowing; improvements to the Common Property; common grounds security lighting; municipal utility services for Common Property enforcement of this Declaration (including attorneys' fees); and maintenance and management salaries and wages.

B) <u>Assessments</u>.

1) The Association, or the Management Company, on its behalf, shall levy annual general assessments (**"General Assessments"**) against each Lot beginning January 1, 2017 or the purpose of maintaining a fund from which Common Expenses may be paid. The General Assessments against each Lot shall be assessed according to their Percentage Interests in the Common Property. General Assessments shall be due in advance on the first day of each year, or in such other manner as the Association may set forth in the Bylaws. Any General Assessment not paid when due shall bear annual interest at a rate of ten percent (10%) until paid and, together with interest, collection costs, and reasonable attorneys' fees, shall constitute a lien on the Lot on which it is assessed.

2) The Association, or the Management Company, on behalf of and pursuant to its contract with the Association, may, whenever necessary or appropriate, levy special assessments (**"Special Assessments"**) against the Lots for deficiencies in the case of destruction or condemnation, for defraying the cost of improvements to the Common Property or for any other purpose for which the Association and/or the Management Company may determine a Special Assessment is necessary or appropriate for the improvement or benefit of the Subdivision. Special Assessments shall be paid at such time and in such manner as the Association or the Management Company may determine. Any Special Assessment or installment not paid when due shall bear annual interest at a rate of ten percent (10%) until paid and, together with the interest, collection costs and reasonable attorneys' fees, shall constitute a lien on the Lot on which it is assessed.

3) The Association, or the Management Company, on behalf of and pursuant to its contract with the Association, shall have the right to collect all General and Special Assessments and such sums shall constitute a lien on such Lot. The Owner of a Lot, or any portion thereof, shall be personally obligated to pay such charges which were assessed or accrued upon the land owned during the period of Ownership. The Association or the Management Company, on behalf of and pursuant to its contract with the Association, may commence an action against any Owner personally obligated to pay the

charges or to foreclose the lien for such charge against any Lots. Any such foreclosure action may be brought at the Association election, either in the same manner as an action to foreclose a real estate mortgage, or as a proceeding to enforce a statutory maintenance lien as provided in Section 779.70, Wis. Stats., to the extent said Section is applicable. Any lien in favor of the Association/Management Company securing unpaid charges arising by virtue of this Declaration shall be subject and subordinate to the lien of any mortgage whether the mortgage is executed or recorded prior to or after the creation of such lien.

C) Subordination of the Lien to Mortgages. The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage. Sale or transfer of any Property shall not release the assessment lien. However, the sale or transfer of any Property pursuant to mortgage foreclosure or any proceeding in lieu thereof shall extinguish the lien of such assessment(s) as to payments which become due prior to such sale or transfer. No sale or transfer pursuant to foreclosure or proceedings in lieu thereof shall relieve such Property from liability from any assessments thereafter becoming due or from the lien thereof.

D) Joint and Several Liabilities of Grantor and Grantee. Upon a voluntary conveyance, the grantee of a Property shall be jointly and severally liable with the grantor for all unpaid assessments against the grantor as provided in this Declaration up to the time of conveyance, without prejudice to the grantee's right to recover from the grantor the amount paid by the grantee therefore. However, any such grantee shall be entitled to a statement from the Association setting forth the amount of such unpaid assessment and any such grantee shall not be liable for, nor shall the Property conveyed be subject to a lien for, any unpaid assessments against the grantor pursuant to this Declaration in excess of the amount therein set forth.

PART B
CONDITIONS, COVENANTS AND RESTRICTIONS

B-1) Applicability. The following provisions in this Part B shall apply to all Lots and Outlots, as described in Exhibit "A" and such other Lots or Outlots as may, in the future, be subjected to this Declaration, as the same may be amended from time to time, by Declarant in the sole exercise of Declarant's discretion.

B-2) Land Use And Building Type. Only the following designated uses for all private Lots and Outlot 3 shall be permitted. The remaining Outlots are dedicated to the Village and uses are noted for informational purposes only.

A) Lots 2-44 shall be used for single family residential purposes. No building shall be erected, altered, placed or permitted to remain on any Lot other than one detached single family dwelling unit not to exceed two and one-half stories in height. Each dwelling unit shall have an attached or detached garage of a size to be approved by the Committee, as that term is defined below. The size of a dwelling unit to be constructed on specific Lots shall not be less than the minimum size to be established hereinafter.

Uses, other than the uses set forth in this section B-2, shall not be permitted on the Lots or Outlots, as applicable, without the prior written approval of the Declarant and Committee (defined in Section B-3 below), as appropriate. After Declarant control of the Association has terminated, approval from the Association and the Committee shall be required.

Except as otherwise provided herein, no buildings, signs or other structures incidental to the use of any Outlot, which have been approved in advance by the Committee, may be constructed on any Outlot.

All rights-of-way noted on the Plat shall be dedicated as permanent public streets and rights-of-way and shall be improved in accordance with agreements entered into between the Declarant and the municipality in which the Development is located.

B-3) Architectural Control. No building shall be erected, placed or altered on any Lot until the construction plans and specifications and a plan showing the location of the structure have been approved by a majority of the Architectural Control Committee (the **"Committee"**) as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. There shall be a variation in building elevations on adjacent Lots. Approval shall be as provided below.

B-4) Dwellings and Landscaping. The landscaping to be installed on all Lots must meet or exceed the minimum number of points for foundation planting and cumulative total landscaping points, including foundation planting points as set forth hereafter as described in Exhibit "C", attached hereto and incorporated herein by reference and further described in the Design Guidelines. The number of points attributable to various elements of the landscaping to be installed shall be determined by reference to Exhibit "D", attached hereto and incorporated herein by reference and further referenced in the Design Guidelines. The structure and the minimum landscaping requirements shall be completed within nine (9) months after issuance of a building permit. Landscape installed by the Declarant may or may not meet the minimum number of required points. All driveways shall be of concrete and shall be installed within nine (9) months after substantial completion of the structure. No outbuilding or accessory building of any nature shall be erected on any Lot with the exception of detached garages approved by the Committee in advance of construction. No above-ground swimming pools shall be permitted. All Lot areas not used as a building site, or under cultivation as a family garden, shall be planted with grass seed or shall be sodded, and shall be maintained on a regular seasonal basis, including mowing of a frequency of not less than once every fourteen (14) days during the lawn growing season. Maintenance of all improvements on a Lot shall be performed by the Owner. Maintenance shall include, but not be limited to, watering, pruning and routine fertilizing and mulching of all plantings and plant beds, replacement of dead, dying and/or diseased trees and shrubs, prompt removal of weeds, trash and debris from plant beds and areas adjacent to shrubs and trees so as to keep said landscaping in a healthy, attractive and neat condition.

If the Owner of any Lot, after reasonable notice, fails or refuses to install landscaping as described herein, or maintain it as required above, the Committee, through its duly authorized agents or employees, shall have the right to enter upon said Lot at reasonable hours to perform said landscaping and/or maintenance. The costs of the materials and labor to perform such landscaping and/or maintenance shall be assessed against said Lot in accordance with the terms of Section A-4 (B)(2) above, which assessment may be foreclosed or collected in accordance with the terms hereof or collected as provided herein.

B-5) Vehicle and/or Equipment Storage. No inoperable, dilapidated or junk vehicles of any nature may be kept upon any Lot except in a fully enclosed garage. The exterior storage of boats, trailers, travel trailers, campers, motorcycles, recreational vehicles, automobiles or trucks, portable moving and storage containers, mini storage or on-site storage containers (collectively, without limitation by reason of enumeration **"Equipment"**), of any nature is prohibited whether or not screened from public view. No Equipment shall be parked or stored on lawns. The temporary storage of vehicles in a drive area for the purpose of loading or unloading for a period not to exceed twelve (12) hours is permitted. No commercial

vehicles, including trucks, semi-trailers, trailers, may be stored or parked overnight on or in front of said Lots except in an enclosed garage.

B-6) <u>Easements</u>.

A) No structure, planting, or other materials shall be placed or permitted to remain within any easement of record (an **"Easement"**) if any, which may damage or interfere with the installation and maintenance of utilities, or which may change, obstruct or retard the flow of water or the direction of such flow through the Easement or through such other drainage channels or swales that may have been created by the Plat or otherwise. The Easements located on each Lot and all improvements therein shall be maintained continuously by the owner of the Lot, except for those improvements for which a public authority or utility company is responsible.

B) The Intra-block drainage Easement shall be graded with the construction of each principal structure in accordance with the approved Stormwater Drainage Plan on file with the Village Engineer and the Zoning Administration, as amended in accordance with the Village Ordinances.

C) Public utility easements six feet (6') wide (unless otherwise noted on the Plat). Utility easements as herein set forth on the Plat are for the use of public and private utilities having the right-of-way to serve the area.

D) All lots within this plat are subject to a non-exclusive easement for drainage purposes which shall be a minimum of six feet (6') in width measured from the property line to the interior of each lot except that the easement shall be twelve feet (12') in width on the perimeter of the Plat. Easements shall not be required on the property lines shared with greenways or public streets.

B-7) <u>Slope and Swale Areas</u>.

A) The graded slopes and swales as established by Declarant shall remain as permanent. Within these slopes and swales, no structure, planting or other material shall be placed or permitted to remain, or other activities undertaken which may damage or interfere with established slope and swale ratios, create erosion or sliding problems or which may change the direction of flow of drainage channels or obstruct or retard the flow of water through drainage channels. The slopes and swales of each Lot and all improvements in them shall be maintained continuously by the Owner of a Lot, at the Owner's sole expense, except for those improvements for which a public authority or utility company is responsible.

B) In order to control run off, all down spouts and down spout extenders are to drain into a permeable area such as grass or a planting bed.

C) Declarant and the Village of Cross Plains have agreed to a certain Storm Water Management Plan. In the event of conflict between any plans and such Storm Water Management Plan, the Storm Water Management Plan shall control. Declarant and the Association shall each have the right to enter upon any Lot at any time for the purpose of inspection, maintenance or correction of any drainage condition and the Lot Owner shall be responsible for the cost thereof.

D) Any disputes relating to drainage swales, drainage or other surface water issues, shall be resolved by the Board of Directors of the Association, which may seek the advice of the Village

Engineer of the Village of Cross Plains. The Association shall establish procedures by which such decisions can be heard by the Board of Directors and decided by said Board.

B-8) Nuisances. No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood or which may have a detrimental effect on the value of other Lots and/or improvements.

B-9) Temporary Structures. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any Lot at any time as a residence, either temporarily or permanently.

B-10) Signs. No sign of any kind shall be displayed to the public view on any Lot except, one professional sign of not more than one square foot, one sign of not more than six square feet advertising the property for sale or rent or signs without regard to size used by the Declarant, a builder or licensed real estate broker to advertise the property during the construction and sales period or to identify the subdivision and/or its Declarant.

B-11) Animals. No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose. No animal enclosure, house, pen or fences or similar device shall be placed on any Lot without the prior written approval of the Committee which may require special landscaping and screening; and the Village which may require a license.

B-12) Garbage and Refuse Disposal. No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. No incinerators shall be permitted. Other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No trash, building materials, debris, leaves, lawn clippings, rocks or earth shall be placed in any Outlot.

B-13) Sight Distance at Intersections. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2.5' and 10' above the plane through the mean curb grade shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points twenty five (25) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight-line limitations shall apply on any Lot within ten (10) feet from the intersection of a street property line with the edge of a driveway. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

B-14) Mailboxes and posts. Mailboxes and posts serving homes in the neighborhood, whether individual or multi-gang, will be provided by Declarant at Declarant's sole cost and expense. Damaged or missing mailboxes and post shall be replaced with a mailbox and post identical in all respects with that originally provided, at the sole cost and expense of the Owner(s). The location and placement of the mailboxes shall be at the sole discretion of the United States Postal Service.

B-15) Notices to Owners. The following information is being put of record in order to give record notice to all Owners, mortgagees and other persons and entities having an interest in the Property:

A) Plantings, flower beds, and entry signs (including utility installations connected therewith) constructed and installed by Declarant, if any, shall be deemed a part of the Common Property. The Association is obligated to maintain any entry feature; maintenance shall include electrical charges (if any), sign repair and maintenance of the landscaping including mowing of all lawns and grass areas. The cost of maintenance of said Common Property shall be an assessment against all of the Property in the subdivision in accordance with the Declaration, for so long as such maintenance is necessary or required adversely affects the natural flow of surface or underground waters with in the area permitted.

B-16) Improvements Within Easements. Any improvements (for example, fences, dog kennels, landscaping) located within any part of a Lot which is subject to a utility easement is subject to removal at the Owner's expense for utility maintenance and other reasons as determined by the party benefitted by the easement. Reinstallation of any improvement would be at the Owner's cost and would also be subject to the discretion of the party benefitted by the easement and is subject to terms and conditions as set forth on the final plat.

B-17) Entrance Sign. It is contemplated there will be an entrance monument sign and associated easement on Lot 44 of the said plat. The owners of Lot 44 will be responsible for the maintenance of said sign to include watering, mowing and basic landscape requirements. However, at such time, that the Declarant transfers the Association responsibilities to the neighborhood, it will be the neighborhoods responsibility to determine that said sign shall remain in place and assess all owners in the neighborhood of any future replacement cost.

PART C
ARCHITECTURAL CONTROL COMMITTEE

C-1) Membership. Declarant shall establish an Architectural Control Committee (the **"Committee"**) consisting of three (3) members. So long as Declarant has title to any Lot subject to this Declaration, the Committee shall be appointed by Declarant. After Declarant no longer has title to any Lot within the Development or at such earlier time as determined by the Declarant, the initial members of the Committee shall resign and the Association shall elect three (3) Owners to serve on the Committee. At any time, Declarant may elect to surrender the selection of the members of the Committee to the Association.

A majority of the Committee may designate a representative to act for it. In the event of the death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor.

The Committee appointed hereunder shall serve for the time period specified in paragraph C-10, below. Any Committee member may resign prior to said date. Such resignation shall be effective upon receipt. If a resignation shall occur, prior to turning over control of the Committee, then the remaining members of the Committee may appoint a replacement.

C-2) Architectural Control. No structure, whether residence, accessory building, tennis or sport court, swimming pool, decks, patios, antenna (whether located on a structure or on a Lot), flag pole, wall, fence, landscaping, recreational equipment or other improvements, including exterior colors and materials to be applied to said improvements, shall be constructed, maintained or performed upon any Lot and no alteration or repainting of the exterior of a structure shall be made unless complete Architectural Review Application (**"Application"**) Plans, specification and plot plans therefore shall have been

submitted to and approved in writing by a majority of the Committee. Approval shall also be required for location of improvements with respect to topography and finish grade elevation. Said Application, plans, specifications and plot plans shall show the exterior design, height, building materials and color scheme thereof, the location of the structure plotted horizontally and vertically, the location and size of driveways, the plans for required landscaping, and the grading plan. A copy of such Application, plan specifications and plot plans as finally approved shall be deposited with the Committee. The Application can be found on the Veridian Homes website www.veridianhomes.com. Select Homeowner Resources (located on the top toolbar), select Architectural Control Committee and select the appropriate application for your request.

C-3) Plan Review. The Committee shall review said Application, plans and specifications as to quality of workmanship and materials, harmony of external design with existing or proposed structures and as to location with respect to topography and finish grade elevation. The Committee shall use the guidelines set forth in this Declaration as an aid in exercising its architectural control responsibilities hereunder, but nothing contained herein or therein shall limit the Committee's discretion to grant variances from or make changes to, the guidelines, as they shall determine in the sole exercise of their discretion.

C-4) Procedure.

A) Neither the members of the Committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant for the initial approval of a residential structure. Thereafter, said Committee may charge a "request for action" or "approval" fee not to exceed Fifty and no/100 Dollars ($50.00) for each such request or approval. The Committee's approval or disapproval, as required in these Covenants, shall be in writing. In the event the Committee fails to provide, in writing, approval or disapproval within thirty (30) days after application, plans and specifications or any other matters requiring approval have been submitted to it, the request shall be deemed denied.

B) A submission will not be complete, and the thirty (30)-day approval time, as applicable, set forth above shall not commence until all documents required herein have been submitted. All such submissions shall be made to the Committee at the address set forth in this Declaration or to such other address that the Committee may designate.

C) The Committee shall have the sole right to reject any Application and plans which, in the judgment and sole opinion of a majority of its members are not in conformity with this Declaration; or are not desirable for aesthetic reasons; or are not in harmony with buildings located on the surrounding Lots; or are not in conformity with the general purposes of this Declaration.

D) The Committee shall exercise its sole approval authority and discretion in good faith and each Owner, by acceptance of a deed to, or any other interest in, a Lot, agrees to hold the Committee harmless from any perceived discrepancies in the Committee's good-faith performance of its duties. Refusal of approval of plans by the Committee may be based on any grounds, including purely aesthetic grounds, which in the sole discretion of the Committee shall be deemed sufficient.

E) The Committee may set its own operating procedures consistent with this Declaration and any limitations hereafter imposed by the Association. The costs of operating the Committee shall be assessed by the Association as Common Property expenses, except as permitted below. The Committee may engage consultants (e.g., architects, engineers or attorneys) either on a general or on a case-by-case

basis, and the costs thereof may be charged to an applicant. The members of the Committee shall not draw any compensation for serving thereon but may be reimbursed for expenses incurred in performing their duties. All funds relating to the Committee shall be handled by the Association.

C-5) Separate Village Approval. Matters which require approval of the Committee may also require approval of the Village of Cross Plains. Obtaining approval from the Committee and the Village of Cross Plains is solely the responsibility of the Owner desiring approval. Approval of Plans by the Committee shall not be deemed approval by the Village of Cross Plains and approval by the Village of Cross Plains shall not be deemed approval by the Committee.

C-6) Records. Until such time as a replacement Committee is designated, all plans, applications and requests shall be submitted to said Committee at the following address:

Glacier Ridge Homeowners Association, Inc.
Architectural Control Committee
6801 South Towne Drive
Madison, Wisconsin 53713

C-7) Committee Liability. Neither the Committee nor any member thereof shall be liable for damages to any person submitting request for approval or to any Owner of any Lot by reason of any action, failure to act, approval, disapproval or failure to approve or disapprove with regard to such requests. The Committee is not responsible for ensuring that the application and plans submitted by an Owner are in compliance with applicable laws, rules, regulations, ordinances or customary and typical building practices. The Committee does not review plans for structural design.

C-8) Indemnification. Each member or former member of the Committee, together with the personal representatives and heirs of each such person, shall be indemnified by the Association against all loss, costs, damages and expenses, including reasonable attorney's fees, asserted against, incurred by or imposed in connection with or resulting from any claim, action, suit or proceeding, including criminal proceedings, to which such person is made or threatened to be made a party by reason of service as a member thereof, except as to matters resulting in a final determination of gross negligence or willful misconduct on the part of such member. In the event of settlement of such proceeding, indemnification shall be provided only in connection with such matters covered by the settlement as to which the Association is advised by counsel that the person to be indemnified has not been guilty of gross negligence or willful misconduct in the performance of such person as a member in the matter involved. This right of indemnification shall be in addition to all other rights and defenses. All liabilities, losses, damages, costs and expenses incurred or suffered by the Association in connection with this indemnification shall be a Common Property expense. Nothing in this Section C-8 shall be deemed an indemnification of such person with respect to such person's status as an Owner, occupant or otherwise.

C-9) Variance. The Committee shall have the power and absolute discretion to authorize a variance from any of the requirements of this Declaration if it finds that the strict application thereof would, in its sole discretion and opinion, result in difficulties or undue hardship to the Lot owner or in the event the architecture of the proposed Lot improvement is such as to present, in its opinion, a particularly pleasing appearance compatible with other houses in the development.

C-10) Successor to Committee. Declarant may turn over control of the Committee to the Members of the Association at any time, and shall turn over control when Declarant no longer has any

ownership interest in the Property. At such time as Declarant turns over Committee control, the Association's Board of Directors shall designate not less than three (3) or more than five (5) Members of the Association to serve and act as the Committee for all purposes hereunder.

PART D
DESIGN GUIDELINES

D-1) Single Family Dwelling Units.

A) Architectural Character. Architecture within the Development will be developed with a variety of American vernacular architectural styles in mind. These architectural styles, while not a comprehensive list, will offer a unique mixture of styles for the development, and will be applied with proportions and character in mind. The overall character of the development will be created so that the architectural styles are compatible and the overall cohesion of styles will help foster a unique setting without stifling the architectural creativity on the individual building level, creating a varied but integrated community. Identical floor plans with the same elevation style shall not be located within 7 sites to assure this variety. The following are examples of styles permitted:

Cottage	Craftsman	Four Square	Farmhouse	Modern
Prairie	Classical	Traditional	Victorian	Southern Traditional

The requirements as itemized in the following section will be used as applicable to the context of the specific architectural style. Declarant reserves the right to grant variances in its sole discretion. Where Village zoning is more restrictive, such requirements will govern.

B) Front Porch. Usable front porches are encouraged as both visual and functional design elements.

1) A usable open front porch is defined as having a minimum depth of 6'-0", and a minimum width of 8'-0".

2) Porch post style should be consistent with the overall architectural style of the home. Minimum standard porch design details include the following; porch posts or alternate per plan, porch balustrades, when provided, of nominal 2" x 2" square wood at a maximum of six inches (6") on center; and newel posts that are compatible with the design of the column posts. Porch columns and railings shall be painted to match the trim color of the house.

C) Garage.

1) There shall be a minimum of a two (2) car, 20' x 20' garage per dwelling unit.

2) The maximum garage width exposed on the front elevation shall be no greater than fifty percent (50%) of the overall building width.

3) A front-entry garage face must be set back a minimum of 2'-0" from the front elevation unless applicable zoning classification requirements require a greater setback.

4) Tandem, split or side entry garages are encouraged for three (3) or four (4)

car garages. For three (3) car front entry garages, the third stall must have a minimum setback of the greater of 2' from the two-car garage line or as required by compatible roof design. Overall garage width must comply with zoning and design guideline standards.

5) The garage door shall be a raised panel design painted to match the siding on the home. The use of windows in the door, appropriate to the architectural style, is encouraged. The maximum single garage door size is 8' x 18".

6) Garage doors shall be painted to match the siding color to minimize impact on overall building composition.

D) **Ornamental Design Elements**.

1) Ornamental design elements, such as dormers, shutters, window wrap window grids, gable vents, pilasters, pediments, etc., shall be used in a manner consistent with the overall architectural style of the home and with emphasis on elevations exposed to public space.

2) Window wrap or shutters and window grids are required on front and other primary elevations facing a public space. Gable vents, 5" horizontal vinyl trim, and/or eyebrow roofs are required on front elevation gables greater than 10'-0" in width and are encouraged on other gables as deemed appropriate by the Architectural Control Committee.

3) The shutters shall be wood or polystyrene with colors as approved by the Architectural Control Committee or of other material or color as deemed acceptable by the Architectural Control Committee. Panel or louver design shutters shall be used as appropriate to home materials & style.

4) The window wrap shall be a minimum 3½" vinyl or composite material as approved by the Architectural Control Committee and used with box outs or when part of the standard plan.

5) Gable vents shall be the NuWood triangle or peaked series or equivalent for the front elevation, and side elevations facing a public street, or other design approval by the Architectural Control Committee. Other gable ornamentation as appropriate to architectural style may be allowed or required by the Architectural Control Committee.

E) **Roof/Facias/Soffits/Eaves.**

1. Roof Standards:

a) Roof design must be consistent with the overall architectural style of the home. Roof forms and pitches as established on individual styles may not be altered without approval by the Architectural Control Committee.

b) Roof material shall be Owens Corning Oakridge 30 architectural shingle or equal and in colors as approved by the Architectural Control Committee.

c) Use of an eyebrow roof or projecting gable is required at brick walls not extending into a gable and are encouraged, as appropriate, at double gable returns and porch column caps.

d) Hip roof design, porches or other elements deemed appropriate by the Architectural Control Committee may be used in lieu of specific gable requirements.

2. Fascia, Soffit and Eave Standards:

a) Facia shall be 6" minimum aluminum with colors as approved by the Architectural Control Committee, wood or composite material may be used when appropriate to the architectural style.

b) Aluminum soffit and eave color shall match facia.

c) A minimum 12" overhang is required at typical eaves and gable ends. However, 6" is allowable with projections less then 6'-0" in width, such as the fireplace chase and a small bay window, and beyond structure line at open porches. Larger overhangs may be required as appropriate to the architectural style.

F) **<u>Exterior Wall Surfaces.</u>**

1) Siding material shall be premium vinyl or composite material as approved by the Architectural Control Committee. Shingle or vertical board and batten siding is encouraged for accent areas appropriate to the style of the home. Colors shall be approved by the Architectural Control Committee.

2) Windows may be vinyl; vinyl clad, aluminum clad or wood with colors as approved by the Architectural Control Committee.

3) Variation of wall planes on primary elevations is encouraged as appropriate to architectural style.

4) Any elevations facing public streets or spaces shall have a minimum of three (3) windows with wrap trim or shutters and window grills as appropriate and one (1) gable vent. Doors with glass panels may substitute for windows to meet this requirement.

5) The use of brick or stone is encouraged as appropriate to architectural style. When brick is used, it shall be on full wall surfaces from foundation to eaves or on a two-story elevation at least to the second floor windowsill line. When brick is used, a soldier course window heads and rowlock sills are required. Additional details (i.e. projecting belt course and projecting corner accents) are encouraged as appropriate. Stone may be used as full wall surfaces or as a base course to first floor sill line. Brick or stone facing must return a minimum of 2'-4" when terminated at an outside corner.

6) Brick or stone material and color selections shall be as approved by the Committee and harmonious with overall neighborhood palette, as well as with the specific home design.

D-2) <u>Other Improvements</u>.

A) <u>Fences</u> All fencing must receive prior written approval of the Committee and shall comply with any requirements set out below. The Committee may also require the installation and maintenance of landscape materials for screening and aesthetic purposes. All fence material shall be constructed of wood, vinyl or other material as approved by the Committee. A zoning approval or building permit from the Village of Cross Plains may be required to construct fencing. Committee approval does not supercede the need for any municipal approvals or permits.

1) Fencing may consist of vinyl or wood and shall be stained or painted. The fence style can be found on the Veridian Homes website www.veridianhomes.com. Select Homeowner Resources located on the top toolbar, select Architectural Control Committee, scroll down to the Glacier Ridge neighborhood to view Acceptable Fence Style and Fence Paint and Stain Color.

a) All fencing shall be erected finish side out, i.e. pickets on the outside of the rail facing the street or neighboring lot.

b) Posts shall be spaced a minimum of 72" and a maximum of 96" on center. Rails shall be discontinuous and abut into the posts.

c) Gates are permitted and shall be consistent with the fencing style. All gates shall open into the lot.

d) Fencing stain or paint color by Hallman Lindsay of ES 530 Jersey Spot (or matching color by other manufacturer) is the only color allowed for wood material and the color by Ply Gem Fence/Railing of Sandstone (or matching color by other manufacturer) is the only color allowed for vinyl material.

2) Appropriate uses of fencing:

a) Fencing shall be limited to rear and side yards only.

b) Fencing shall meet up with the corners of the home or garage and may not project past the front face of home or garage.

c) Only one fence is permitted along adjoining properties. Corners of adjoining properties fencing shall intersect at common corners.

d) Fencing at side yards of corner lots shall be placed a minimum of 6 inches from the property line (approximately 1 foot from sidewalk) for all zoning classifications.

3) Inappropriate use of fencing:

a) Fencing in front yards shall not be permitted.

b) Fencing shall not occur in freestanding segments or be placed

arbitrarily.

c) Fencing shall not meet porch or deck corners.

d) Fencing shall not interfere with utility equipment. Your utility companies shall be consulted for current requirements and the most restrictive shall apply.

B) **Decks.** All decks must receive prior written approval of the Committee and shall comply with any requirements set out below. The Committee may also require the installation and maintenance of landscape materials for screening and aesthetic purposes. A zoning approval or building permit from the Village of Cross Plains may be required to construct a deck. Committee approval does not supercede the need for any municipal approvals or permits.

1) Appropriate deck design shall incorporate the following criteria:

a) Deck(s) shall be proportionate in size to the footprint of the dwelling

b) Deck(s) shall be proportionate in length and width

c) Deck(s) shall not project past the rear or side yard setbacks

d) Deck(s) at side yards of corner lots may not project past the corner of the home or garage for that side facing the street.

e) Deck(s) must be stained or painted

2) Inappropriate deck design:

a) Deck(s) in front yards shall not be permitted.

b) Deck(s) shall not occur in freestanding segments or be placed arbitrarily on the lot.

c) Deck(s) shall not interfere with utility equipment. Your utility companies shall be consulted for current requirements and the most restrictive shall apply.

C) **Kennels/Runs.** All dog kennels or dog runs must receive prior written approval of the Committee and shall comply with any requirements set out below. The Committee may also require the installation and maintenance of landscape materials for screening and aesthetic purposes.

A zoning approval or building permit from the Village of Cross Plains may be required to construct kennels/runs and fencing. Committee approval does not supercede the need for any municipal approvals or permits. The Village of Cross Plains requirements may be more restrictive than the covenants contained herein, and may prohibit or regulate the commercial boarding of animals in residential areas. In such event, the requirements of the Village shall control and supersede the following.

1) Fencing may consist of vinyl or wood and shall be stained or painted. The fence style can be found on the Veridian Homes website www.veridianhomes.com. Select Homeowner Resources located on the top toolbar, select Architectural Control Committee, scroll down to the Glacier Ridge neighborhood to view Acceptable Fence Style and Fence Paint and Stain Color.

a) All fencing shall be erected finish side out, i.e. pickets on the outside of the rail facing the street or neighboring lot.

b) Posts shall be spaced a minimum of 72" and a maximum of 96" on center. Rails shall be discontinuous and abut into the posts.

c) Gates are permitted and shall be consistent with the fencing style. All gates shall open out from the kennel or run.

d) Fencing stain or paint color by Hallman Lindsay of ES 530 Jersey Spot (or matching color by other manufacturer) is the only color allowed for wood material and the color by Ply Gem Fence/Railing of Sandstone (or matching color by other manufacturer) is the only color allowed for vinyl material.

2) Appropriate placement of kennels or runs:

a) Kennel or run shall be limited to rear yard only and shall be adjacent to the home.

b) Kennel or run shall meet up with the corners of the home or garage and may not project past the face of home or garage.

c) Only one kennel or run is permitted per Lot.

d) Kennels must be oriented with the long side parallel to home.

3) Inappropriate placement of kennels or runs:

a) Kennel or run in front or side yards shall not be permitted.

b) Kennel or run shall not occur in freestanding segments or be placed arbitrarily on the lot.

c) Kennel or run shall not meet porch or deck corners.

d) Fencing shall not interfere with utility equipment. Your utility companies shall be consulted for current requirements and the most restrictive shall apply.

D) **Outbuildings.** No outbuilding, shed or accessory building of any nature shall be erected on any Lot, with the exception of a detached garage that is the only garage on the lot and is approved by the Committee prior to construction. Secondary units (granny flats) above detached garages may be allowed with prior written approval from the ACC.

E) **Antennae/Wind Powered Electric Generators.** No wind powered electric generators, exterior television, radio receiving or transmission antennae, satellite signal receiving station or

dish shall be placed or maintained upon any portion of a Lot without prior written approval of the Committee.

1) Appropriate antennae or satellite dish placement:

a) Only one antennae or satellite dish shall be allowed per lot.

b) The location of the satellite dish can be any of the following and shall not be visible from the curb directly in front of the home:

i. On a pole in the backyard and located close to the home.

ii. Attached to the deck.

iii. On the rear roof line of the home.

1. A satellite dish shall not project past the uppermost roof ridgeline. This method is not recommended by the Committee as you may have water infiltration issues if the dish is not property installed and roof repairs may not be covered under the applicable roof warranty.

2) Inappropriate antennae or satellite dish placement:

a) Antennae or satellite dish in front or side yards shall not be permitted.

b) Antennae or satellite dish shall not interfere with utility equipment.

F) **Firewood Storage.** No firewood or woodpile shall be kept on any lot unless it is neatly stacked, placed in the rear yard and screened from street view by plantings or a fence first approved in writing by the Committee.

G) **Solar Collectors.** No active solar collector or apparatus may be installed on any Lot unless such installation is first approved in writing by the Committee, which shall consider the aesthetic and sun reflection effects on neighboring structures. Solar collectors or apparatus installed flat against or parallel to the plane of the roof shall be preferred.

H) **Lighting.** Exterior lighting installed on any Lot shall either by indirect or of such controlled focus and intensity that such lighting will not disturb the residents of adjacent Lots.

I) **Landscaping Requirements.** Pursuant to Section B-4 of the Declaration of Conditions, Covenants and Restrictions, Developer hereby imposes upon all Lots described in Exhibit "A", attached hereto and incorporated herein by reference, the requirement that the Owners thereof install landscaping on such Lots which meets or exceeds the minimum number of points for landscaping set forth in Exhibit "C". The number of points attributable to various elements of the landscaping to be installed shall be determined by reference to Exhibit "D", attached hereto and incorporated herein by reference. All terms, covenants and conditions of Section B-4 of the Declaration of Conditions, Covenants and Restrictions, as amended herein, shall be applicable to the landscaping to be installed pursuant to the terms of this paragraph. Landscape installed by the Declarant may or may not meet the minimum number required.

PART E
GENERAL PROVISIONS

E-1) Term. This Declaration shall run with the Property and Common Property, and shall be binding on Declarant and all Members and their successors and assigns, and all persons claiming under them for a period of twenty-five (25) years from the date recorded, after which time said Declaration shall be extended automatically for successive periods of five (5) years each unless an instrument signed by a majority of the Members agreeing to change said Covenants in whole or in part or to terminate the same.

E-2) Enforcement. The Declarant (or either one of them if more than one), Architectural Control Committee or any Owner shall have the right to enforce by any proceedings at law or in equity all restrictions, conditions and covenants created or imposed herein, against any person or persons violating or attempting to violate any covenant, by any action to either restrain violation or to recover damages, or both including reasonable attorney fees. Failure to enforce any covenant, condition or restriction herein shall in no event be deemed a waiver of the right to do so thereafter. In the event of a violation of this Declaration the Committee shall have the right to assess and collect from the violating party a fine for such violation equal to the greater of (i) the actual damages suffered on account of the violation, or (ii) the sum of $100.00 per day for each day the violation remains outstanding plus (iii) all costs of collection and enforcement, including actual attorney fees.

E-3) Severability. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

E-4) Model Homes. So long as Declarant shall own any Lot in the Development, Declarant shall be permitted to maintain model homes in the Development, including therein a sales office for the purpose of sales and marketing of its homes.

E-5) Parade of Homes. So long as Developer shall own any Lots in the Development, or condominium units in any condominium located within the Development (collectively a "Lot/Unit"). Developer reserves the right to submit some or all of said Lots/Units as a site for the Parade of Home and/or the Parade of Condominiums of the Madison Area Builders Association (the "Parade"). In the event that some or all of said Lots/Units are selected as a site for a Parade, this Declaration of Protective Covenants, Conditions and Restrictions shall, as to the Lots/Units enrolled in the Parade, for a limited period of time ending 48 hours after the conclusion of the Parade, be deemed temporarily altered and modified, to the extent necessary, to permit the Madison Area Builders Association to hold its Parade in this Development pursuant to the then current Parade Rules and Checklist of the Madison Area Builders Association. All purchasers of Lots/Units, and/or their successors and assigns, shall take title subject to this specific reservation by the Developer and shall waive all rights to object to violations of this Declaration of Protective Covenants, Conditions and Restrictions by the Developer, the Madison Area Builders Association, or any of the builders or participants in the Parade for the period of the Parade as set forth above, including the closing of any public or private streets in the Parade area. All Lot/Unit owners appoint the Developer their attorney-in-fact to execute all necessary petitions; applications and consents to facilitate said street closings for the Parade.

E-6) Governing Law. This Declaration shall be construed and enforced in accordance with the terms of the laws of the State of Wisconsin. The terms of this Declaration are not intended to replace or affect any applicable laws, ordinances, rules or regulations of the Village of Cross Plains.

E-7) **Wet Basins**. Wet Basins within the dedicated storm water management facilities may not permanently contain water due to weather conditions and will not be filled by the Village.

E-8) **Notices.**

A) Notices to Declarant shall be given to Declarant at the following address: 6801 South Towne Drive, Madison, WI 53713.

B) Notices to an Owner of any Lot within the Development shall be given in care of the street address of the Lot.

C) Notices to Village shall be given to Village Clerk at the following address: PO Box 97, Cross Plains, WI 53528.

D) Any party may change its address by written notice given to the other parties. Party, its successors and/or assigns, may change said addresses by notice properly given hereunder.

E) Association shall provide annually to the Village Clerk all names, addresses, and relevant contact information of the Association Officers and Architectural Control Committee members.

E-9) **Amendment and Release.** At any time until Declarant conveys all of the Lots which comprise the entire Property, or turns control of the Association over to its Members, whichever occurs first, Declarant may modify, amend, alter and grant variances to this Declaration without the consent of any Member, Owner or Occupant, their Mortgagees or any other party, including the Association and its Board of Directors. These restrictions or any part thereof may be cancelled, released or amended in writing as to the entire Plat or any part thereof by the Declarant at any time until Declarant conveys all of the Lots or until the Declarant turns over control to the Committee, whichever comes first. After the Declarant has sold all of the Lots or otherwise released or assigned his right to enforce the Declaration, then this Declaration or any part thereof may be released, cancelled, amended or waived hereof. Notwithstanding the foregoing or anything else set forth herein, amendments to the following sections of this Declaration shall also require the approval of the Village of Cross Plains as restrictions for public benefit pursuant to §236.293 Wis. Stats., in order to be effective: Sections B-7, B-8, B-14, B-17, C-5, D-2(C), E-1 and this Section E-9.

E-10) **No Waiver.** Whenever a waiver, consent or approval is required or permitted herein, it must be express and in writing; no waiver, consent or approval shall be implied. Failure to enforce any provision of this Declaration shall not operate as a waiver of any such provision or any other provision of this Declaration.

E-11) **Number and Gender**. Whenever used herein, unless the context shall otherwise provide, the singular shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders.

E-12) **Including**. Whenever used herein, the term “including” preceding a list of one or more items shall indicate that the list contains examples of a general principle and is not intended as an exhaustive listing.

E-13) **Captions.** The captions and article and section headings in this Declaration are intended for convenience and reference only and in no way define or limit the scope or intent of the various provisions hereof.

E-14) **Remedies.** All remedies herein are cumulative.

[Signature Page Follows]

IN WITNESS WHEREOF, the said VH Cross Plains LLC, a Wisconsin Limited Liability Companies has caused these presents to be signed and sealed this ____ day of _____, 20___.

VH Cross Plains LLC

By: _____
Jeff Rosenberg, Vice President

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

Personally came before me this _____ day of _____, 20__, Jeff Rosenberg the Authorized Officer and Signatory of VH Cross Plains LLC a Wisconsin Limited Liability Company, to me know to be such persons and officers who executed the foregoing instrument and acknowledged that they executed the same as such officers, by its authority for the purposes therein contained.

_____
Notary Public
Dane County, Wisconsin
My Commission Expires: _____, 20__

CONSENT TO DECLARATION OF
COVENANTS AND RESTRICTIONS

The undersigned, State Bank of Cross Plains, hereby consents to the forgoing Declaration of Conditions, Covenants and Restrictions for the plat Glacier Ridge. This consent does not limit, restrict or affect in any way Mortgagee's rights, interest and remedies regarding Mortgagee's interest in the Property.

Dated at Madison, Wisconsin this _____ day of _____, 20__.

State Bank of Cross Plains

By: _____

Print Name:_____

Print Title: _____

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Personally came before me this _____ day of _____, 20__, the above named _____ _____, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

_____
Notary Public
County of Dane, State of Wisconsin
My Commission Expires: _____

Exhibit "A"

Description of Glacier Ridge Lots

Lots 2-44, Glacier Ridge, Village of Cross Plains, Dane County, Wisconsin

Exhibit “B”

PIN:

113/0707-022-9501-1

EXHIBIT "C"

Total Minimum Points for Landscaping

Lot(s)	Minimum Points for Foundation Plantings	Total Minimum Points for Landscaping
2-44	350	500

EXHIBIT "D"

Landscaping Elements

Elements	Point Schedule
A) *Small Shade Trees (balled and burlaped)* (1.5"-2" caliper at 6" from the roots)	*50*
B) *Medium Shade Trees (balled and burlaped)* (2"-3" caliper at 6" from the roots)	*100*
C) *Large Shade Trees (balled and burlaped)* (3"-4" caliper at 6" from the roots)	*150*
D) *Extra-Large Shade Trees (balled and burlaped)* (4" + caliper at 6" from the roots)	*200*
E) *Ornamental Trees (balled and burlaped)* (1.5"-2" caliper at 6" from the roots)	*50*
F) *Small Evergreen Trees* (3' to 4.5' when planted)	*25*
G) *Medium Evergree Trees* (5' to 6.5' when planted)	*50*
H) *Large Evergreen Trees* (7' + when planted)	*100*
I) *Evergreen Shrubs* (18" minimum diameter)	*20*
J) *Small Deciduous Shrubs* (18" to 35" in diameter)	*10*
K) *Medium Deciduous Shrubs* (35" to 60" in diameter)	*15*
L) *Large Deciduous Shrubs (balled and burlaped)* (60" or greater in diameter)	*25*
M) *Decorative Retaining Walls* (Points are per face foot. Boulders, timbers, and stones only – no concrete walls included.)	*10*
N) *Paver Stone Walks, Paths or Patios* (Points per square foot – no driveways included.)	*1*
O) *Planting Beds* (Points per square foot – must be decorative stone or mulch.)	*1*

The final point totals must consist of a balanced variety of the listed elements acceptable to the Architectural Control Committee. Existing vegetation, trees and shrubs may be included in the point totals if they are properly protected and maintained during the construction process and located as such on the landscape plans submitted to the Architectural Control Committee for approval.

each segment. The tangent bearing shall be shown for each end of the main chord for all circular lines. When a circular curve of thirty-foot radius or less is used to round off the intersection between two straight lines, it shall be tangent to both straight lines, and in such event, it is sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.

(m) Existing zoning on and adjacent to the proposed subdivision when the plat is located within the extraterritorial plat approval jurisdiction of the Village.

(n) Corporate limits lines.

(o) Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.

(p) Approximate dimensions and setback lines shall be shown for all lots and outlots together with proposed lot, outlot and block numbers.

(q) Any other information requested by the Plan Commission or Village Board.

SECTION 83.35 Street and Utility Plans and Profiles.

The subdivider shall provide street and utility plans and profiles showing existing ground surface, established and proposed grades and locations for streets and public sanitary sewers, storm sewers and water mains, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall be based upon USGS data, and plans and profiles shall meet the approval of the Village Engineer.

SECTION 83.36 Testing.

(a) The Village Engineer may require, and where sanitary sewers are unavailable shall require, that borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to groundwater table.

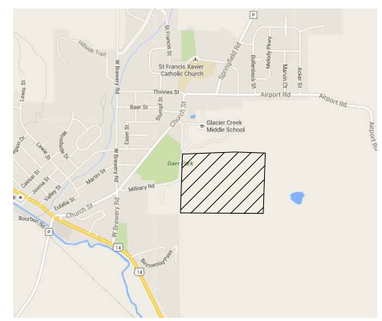
(b) Where sanitary sewers are unavailable, the soil and percolation tests required by Ch. SPS 385, Wis. Adm. Code, shall be performed and the results shall be submitted with the preliminary plat. After approval of the preliminary plat but prior to submitting an application for approval of the final plat, each individual lot shall be tested for percolation as specified in Ch. SPS 383, Wis. Adm. Code, and the results of such tests shall be submitted to the Plan Commission.

SECTION 83.37 Covenants.

Exhibit F

GLACIER RIDGE

VILLAGE OF CROSS PLAINS
DANE COUNTY, WISCONSIN



PROJECT LOCATION

Sheet List Table	
Sheet Number	Sheet Title
1 OF X	COVER
2 OF X	OVERALL GRADING & EROSION CONTROL
3 OF X	GRADING & EROSION CONTROL
4 OF X	GRADING & EROSION CONTROL
5 OF X	GRADING & EROSION CONTROL
6 OF X	GRADING & EROSION CONTROL
7 OF X	DETAILS
8 OF X	DETAILS
9 OF X	DETAILS
10 OF X	DETAILS
11 OF X	DETAILS
12 OF X	STREET A
13 OF X	STREET A
14 OF X	STREET A
15 OF X	STREET A
16 OF X	STREET B
17 OF X	STREET B
18 OF X	STREET B
19 OF X	STREET C
20 OF X	STREET C
21 OF X	STORM SEWER
22 OF X	INTERSECTION DETAILS
23 OF X	INTERSECTION DETAILS

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7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

FN: 15-05-168

ISSUE DATE: 3/10/16

SHEET 1 OF X

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COVER

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

DATE: 3/10/16

DRAWN BY: KWB

FN: 15-05-168

Sheet Number:
1 OF X

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YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

OVERALL GRADING & EROSION CONTROL

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1"= 60'
(PAGE SIZE: 11x17)
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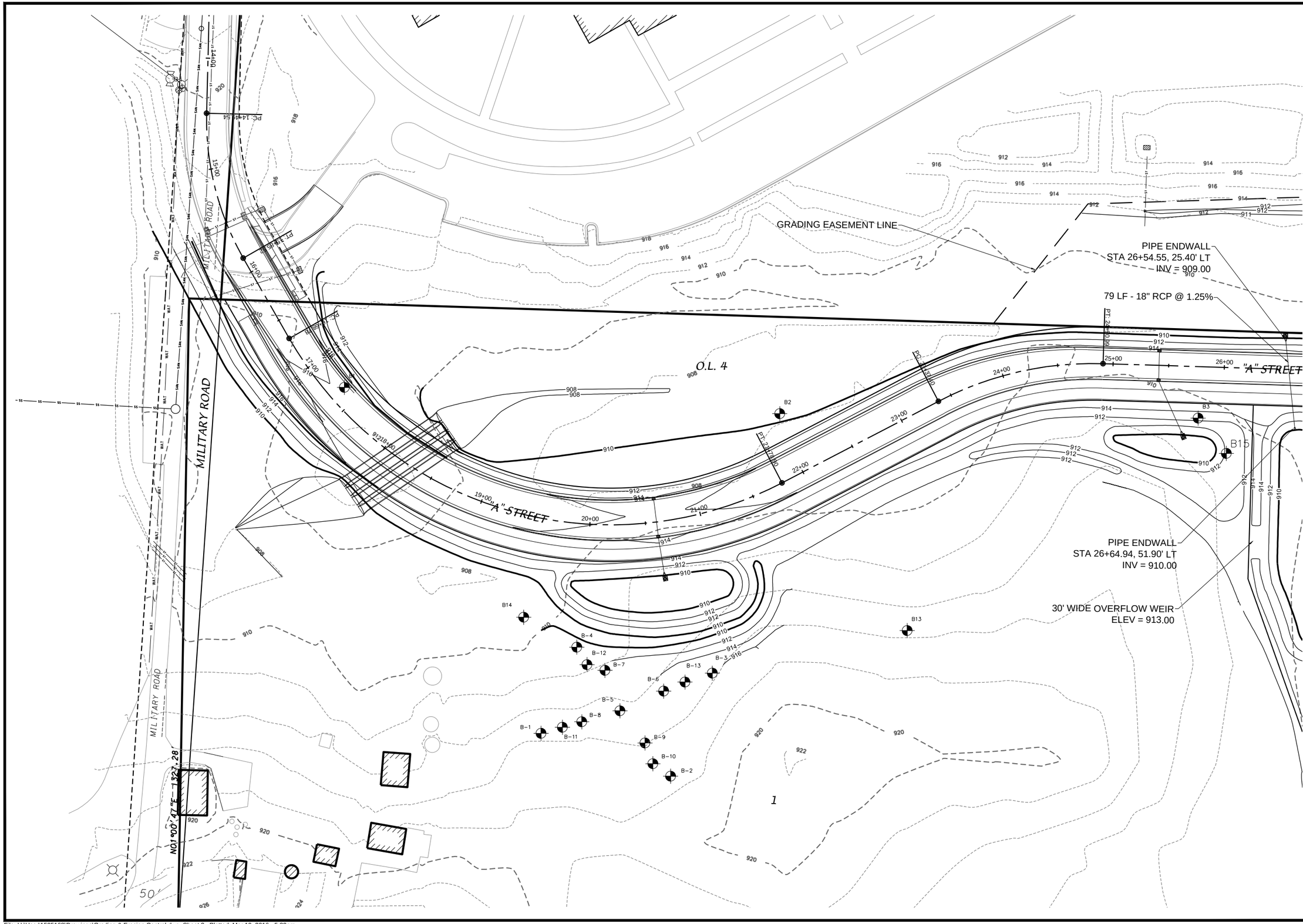
DATE: 3/10/16

DRAWN BY: KWB

FN: 15-05-168

Sheet Number:
2 OF X



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GRADING & EROSION CONTROL

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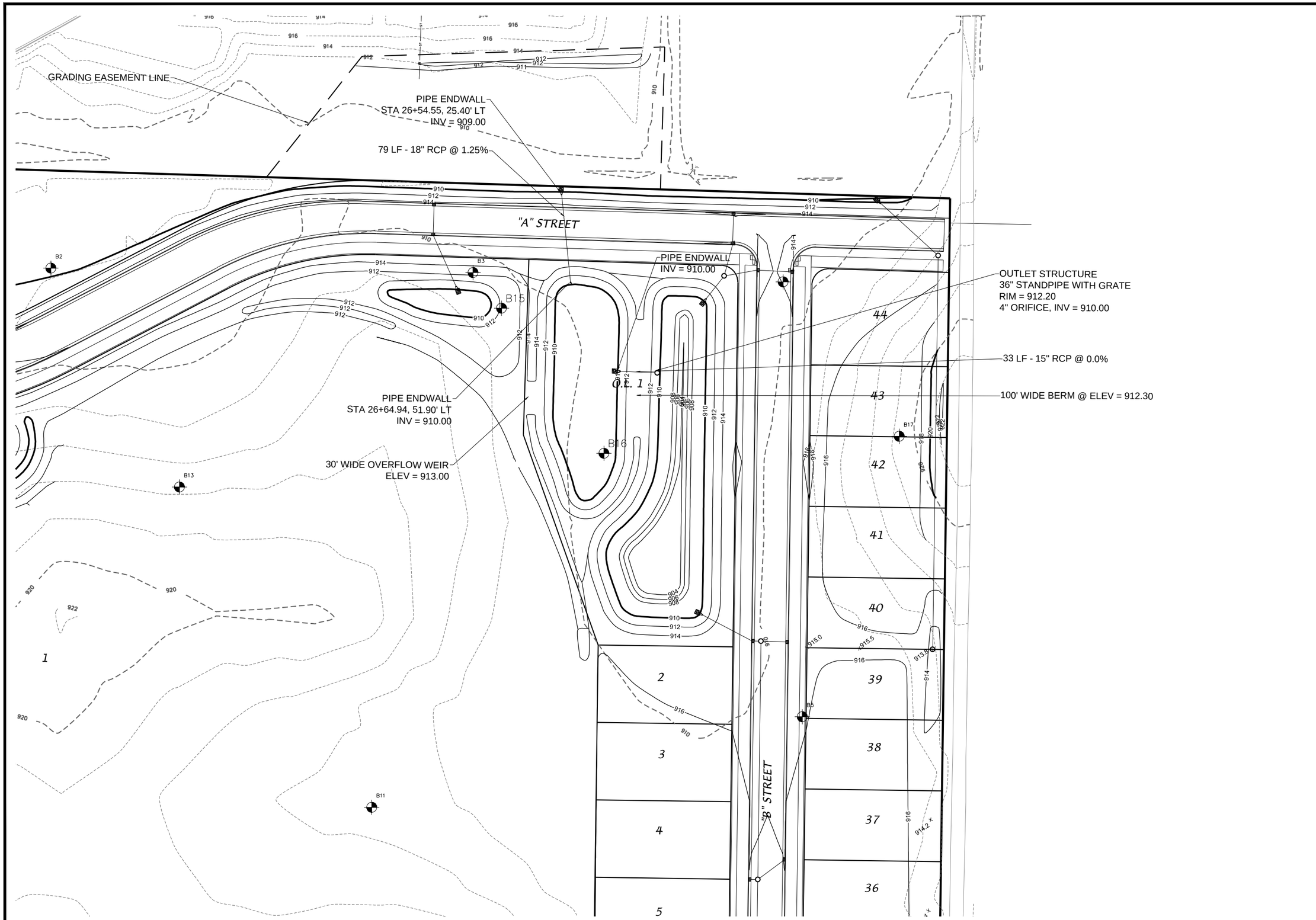
3 OF X



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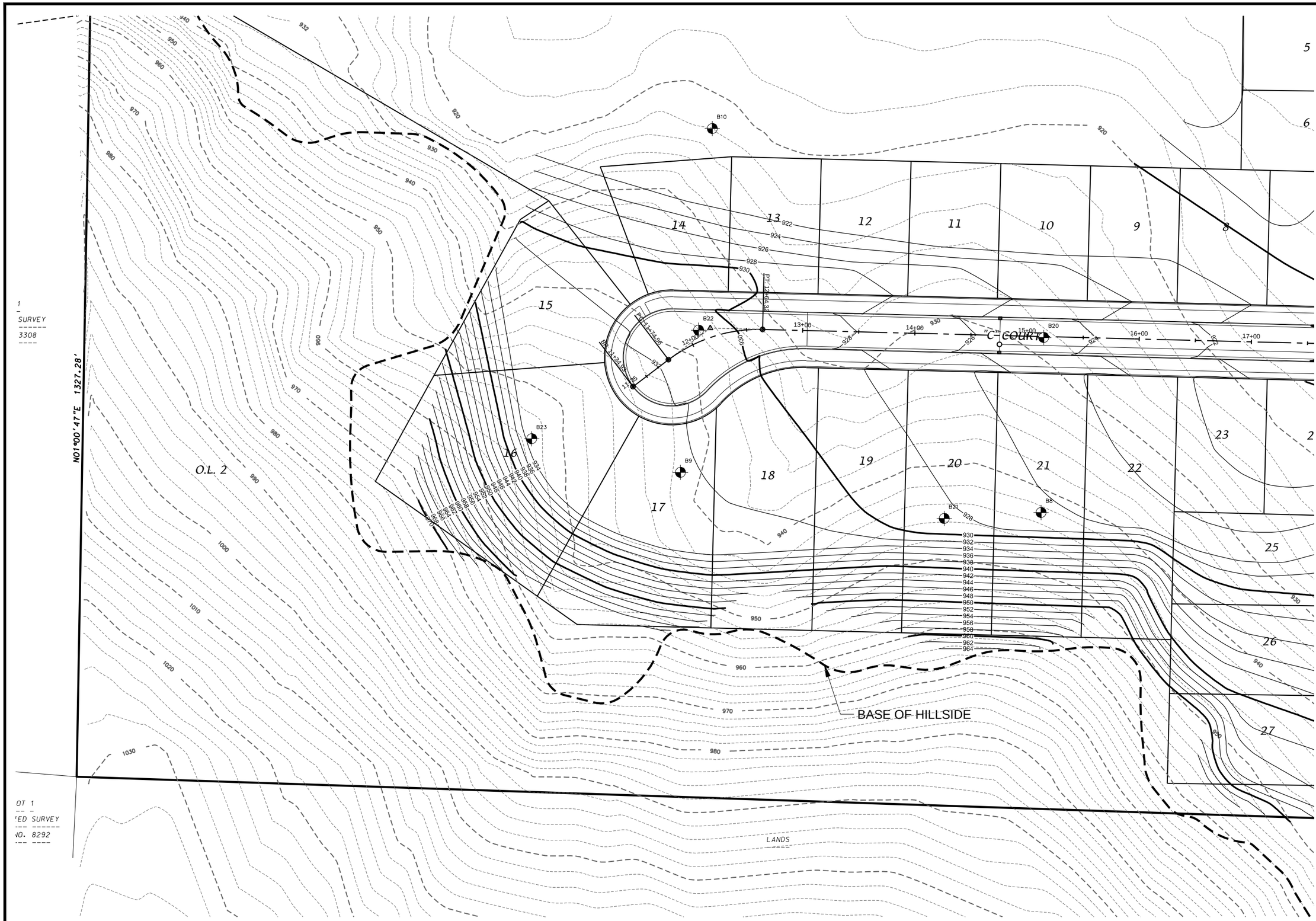

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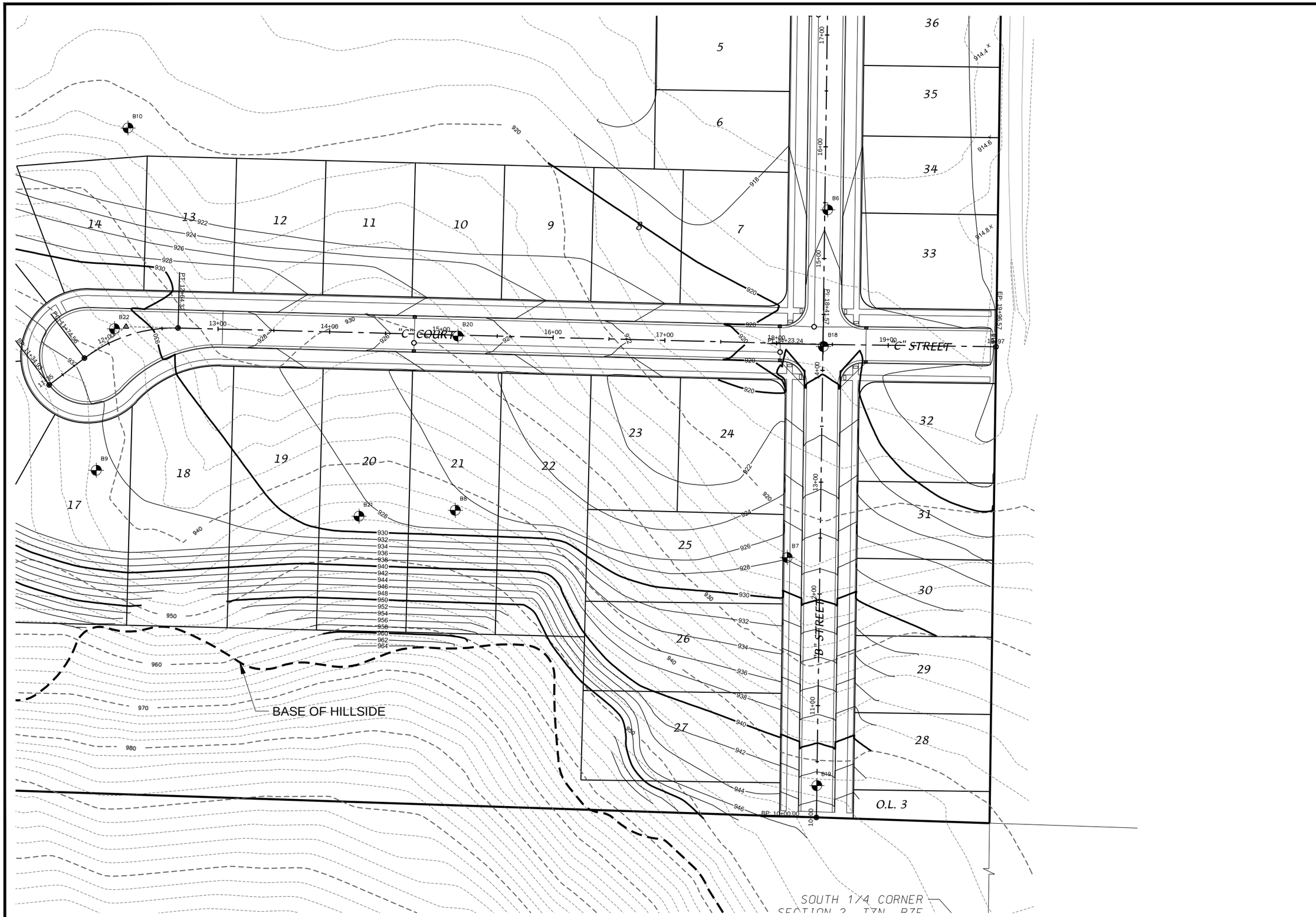

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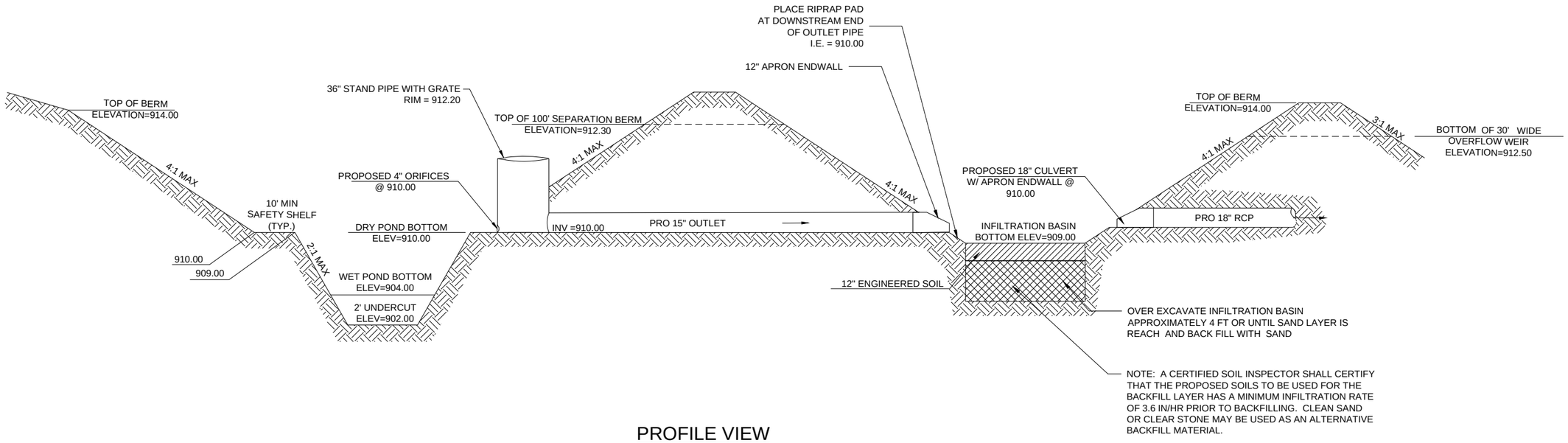
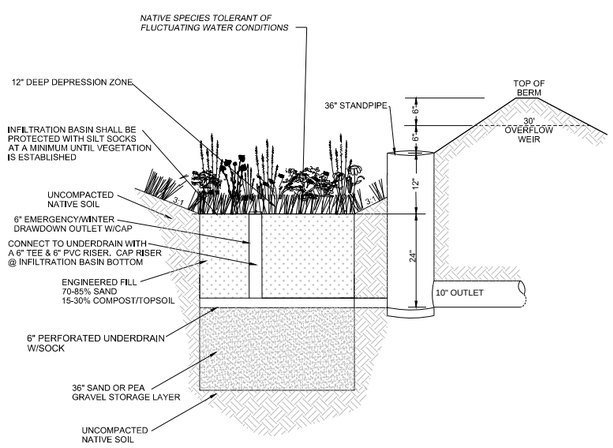
6 OF X



PROFILE VIEW

PROPOSED EAST WET DETENTION/INFILTRATION BASIN DETAIL

NOT TO SCALE



PROFILE VIEW

WEST STREET BIORETENTION BASIN

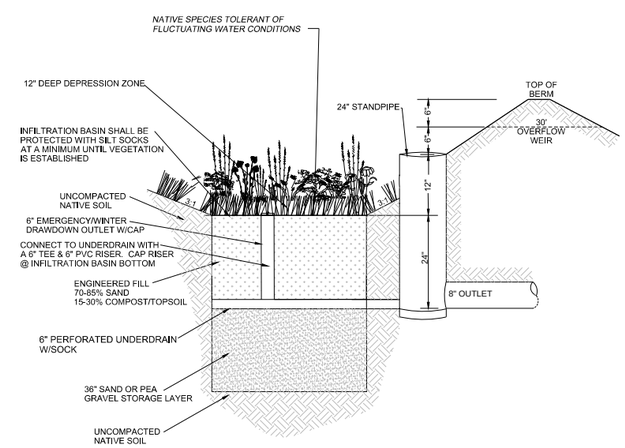
NOT TO SCALE

NOTE:

DO NOT COMPACT INFILTRATION AREA DURING CONSTRUCTION

THE CONTRACTOR IS REQUIRED TO PROVIDE QUALIFIED STAFF FOR INSPECTION AND OBSERVATION OF THE CONSTRUCTION ACTIVITIES RELATING TO ALL JOB SITE REGULATION COMPLIANCE INCLUDING THE PROTECTION, RECORDS AND CONSTRUCTION OF ALL STORMWATER MANAGEMENT FEATURES

INFILTRATION DEVICE AREA SHALL BE FENCED PRIOR TO SITE CONSTRUCTION AND REMAIN UNDISTURBED AND PROTECTED FROM CONSTRUCTION AND SEDIMENT DURING THE CONSTRUCTION OF PROPOSED SITE IMPROVEMENTS. THE PROPOSED INFILTRATION BASIN SHALL NOT BE CONSTRUCTED UNTIL THE DEVICES CONTRIBUTING WATERSHED AREA MEETS ESTABLISHED SITE AND VEGETATION REQUIREMENTS.



PROFILE VIEW

EAST STREET BIORETENTION BASIN

NOT TO SCALE

NOTE:

DO NOT COMPACT INFILTRATION AREA DURING CONSTRUCTION

THE CONTRACTOR IS REQUIRED TO PROVIDE QUALIFIED STAFF FOR INSPECTION AND OBSERVATION OF THE CONSTRUCTION ACTIVITIES RELATING TO ALL JOB SITE REGULATION COMPLIANCE INCLUDING THE PROTECTION, RECORDS AND CONSTRUCTION OF ALL STORMWATER MANAGEMENT FEATURES

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DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1"= 1'

0 1

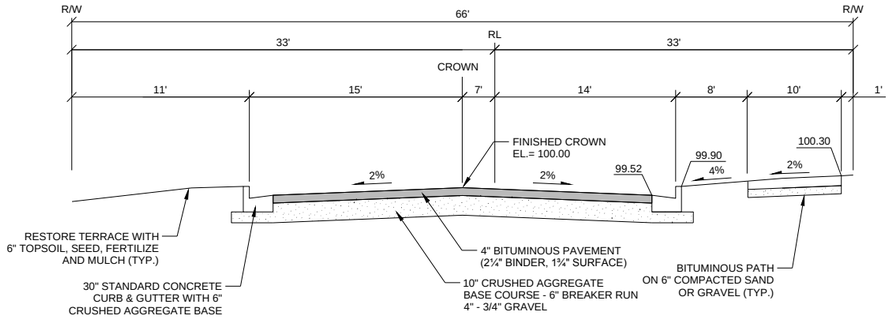
DATE: 3/10/16

DRAWN BY: KWB

FN: 15-05-168

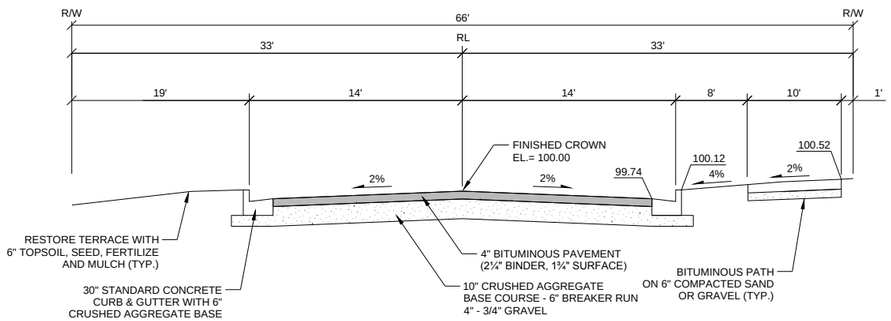
Sheet Number:

7 OF X



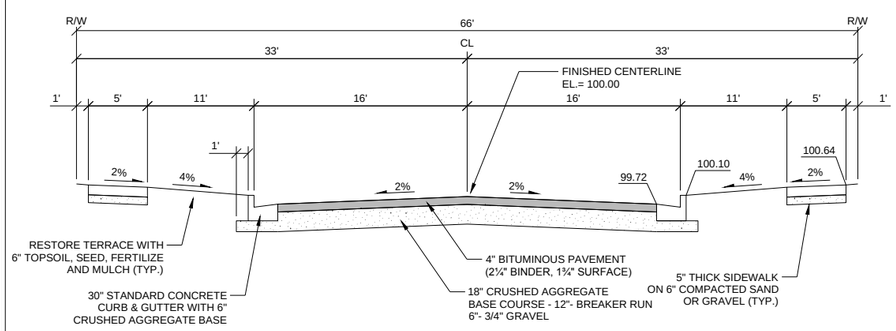
TYPICAL FINISHED SECTION - 66' R.O.W.

MILITARY ROAD ALONG PARK FRONTAGE



TYPICAL FINISHED SECTION - 66' R.O.W.

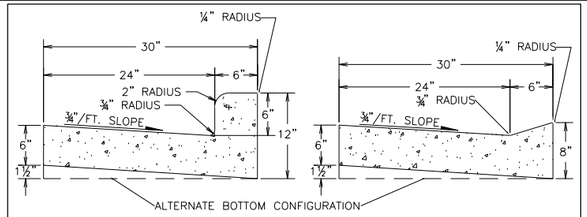
MILITARY ROAD ALONG STORMWATER FRONTAGE



* FINAL FINISHED SECTION
TO BE DETERMINED

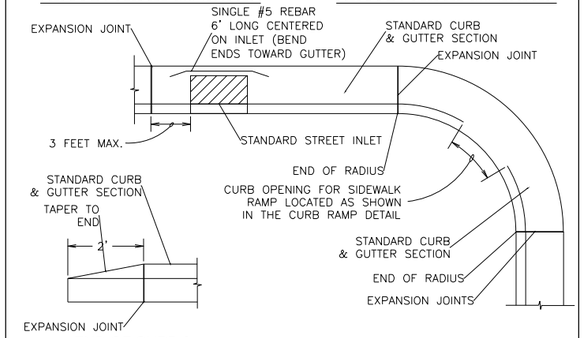
TYPICAL FINISHED SECTION

STREET B AND STREET C



STANDARD CURB & GUTTER
CROSS SECTION DIMENSIONS

DRIVE-OVER CURB & GUTTER
CROSS SECTION DIMENSIONS



END OF CURB &
GUTTER DETAIL

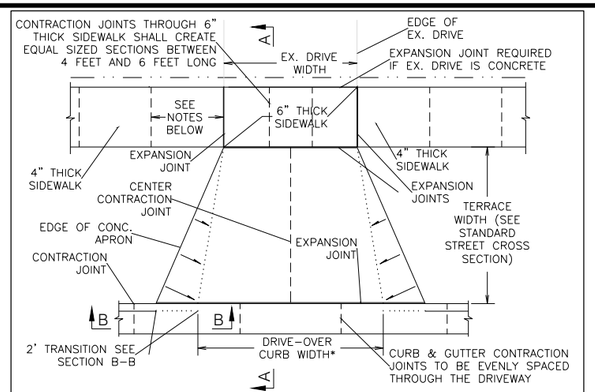
RADIUS & STREET INLET PLAN VIEW

NOTES:
1.) CONTRACTION JOINTS SHALL BE PLACED EVERY 6 TO 12 FEET AND AT LOCATIONS SHOWN IN THE CURB RAMP AND DRIVEWAY DETAILS.
2.) EXPANSION JOINTS SHALL BE PLACED AT EVERY END OF RADIUS, 3 FEET ON ONE SIDE OF EACH STREET INLET AND AT INTERVALS NOT TO EXCEED 300 FEET.

CONCRETE CURB & GUTTER DETAILS

DETAIL 02522–A

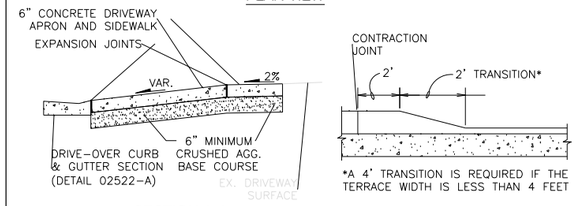
DWG FILE	DESCRIPTION	LAST REVISED
02522–A	C&G DETAILS – 30"	2/4/99 TLS



NOTES: – 6" THICK WALK WIDTH SHALL BE EQUAL TO THE EX. DRIVE WIDTH OR A MINIMUM OF 12' CENTERED ON THE EX. DRIVE. THE DRIVE–OVER CURB WIDTH SHALL BE EQUAL TO THE 6" THICK WALK WIDTH PLUS 2', CENTERED ON THE EX. DRIVE.

– CONTRACTION JOINTS IN 4" THICK SIDEWALKS SHALL BE PLACED EVERY 5'. EXPANSION JOINTS SHALL BE PLACED AT INTERVALS NOT TO EXCEED 96 FEET.

PLAN VIEW



SECTION A-A

*A 4' TRANSITION IS REQUIRED IF THE TERRACE WIDTH IS LESS THAN 4 FEET

SECTION B-B

DRIVEWAY DETAILS

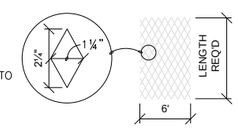
DETAIL 02521–A

DWG FILE	DESCRIPTION	LAST REVISED
02521–A.DWG	DRIVE– C&G &WALK	01/10/06 JLJ

NOTES:
– CURB RAMP SLOPE SHALL BE 1:12 OR FLATTER.

– TEXTURED SURFACE SHALL EXTEND FROM THE CURB & GUTTER SECTION TO THE TRANSVERSE CONTRACTION JOINT AND SHALL BE ¼" TO ⅜" DEEP.

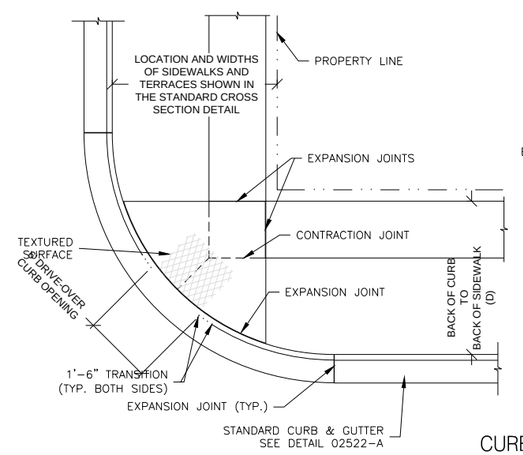
– CONTRACTION JOINTS IN THE CONCRETE CURB & GUTTER SHALL BE EVENLY SPACED EVERY 6–12 FEET.



TEXTURE PATTERN

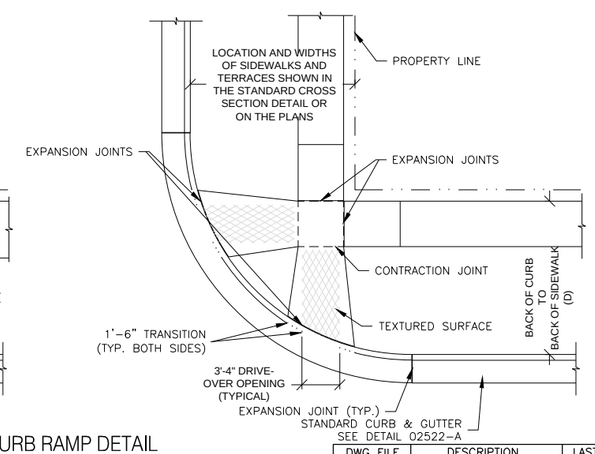
TYPE 1 CURB RAMP

– FOR USE WHEN THE DISTANCE FROM THE BACK OF THE CURB TO THE BACK OF THE SIDEWALK (D) IS LESS THAN 12 FEET.



TYPE 2 CURB RAMP

– FOR USE WHEN THE DISTANCE FROM THE BACK OF THE CURB TO THE BACK OF THE SIDEWALK (D) IS GREATER THAN OR EQUAL TO 12 FEET.



CURB RAMP DETAIL

DETAIL 02521–B

DWG FILE	DESCRIPTION	LAST REVISED
02521–B.DWG	CURB RAMP	01/10/06 JLJ

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DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1" = 1'

0 1

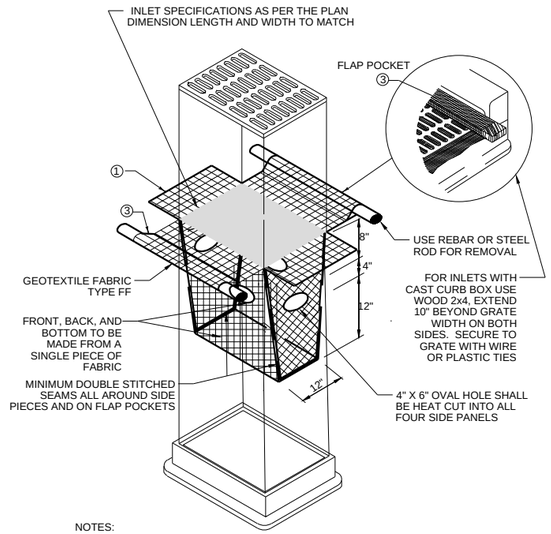
DATE: 3/10/16

DRAWN BY: KWB

FN: 15-05-168

Sheet Number:

8 OF X

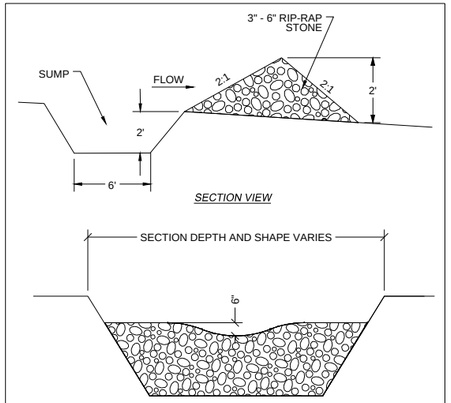


NOTES:

1. FINISHED SIZE, INCLUDING FLAP POCKETS WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 10" AROUND THE PERIMETER TO FACILITATE MAINTENANCE OR REMOVAL.
2. FOR INLET PROTECTION, TYPE C (WITH CURB BOX), AN ADDITIONAL 18" OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES. THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX OPENING.
3. FLAP POCKETS SHALL BE LARGE ENOUGH TO ACCEPT WOOD 2X4.

TYPE D INLET PROTECTION

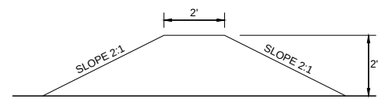
NOT TO SCALE



NOTES:
1) SUMP SHALL BE CLEANED OUT AND ALL PLUGGED ROCK REMOVED AND REPLACED AS NEEDED WHEN SUMP IS 50% FULL OF SEDIMENT.

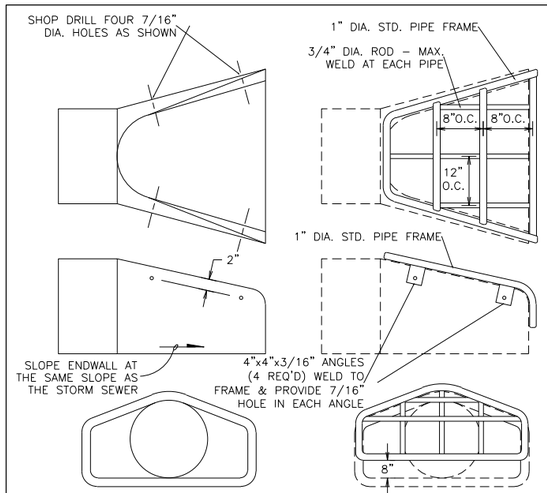
STONE WEEPER

NOT TO SCALE



EARTHEN BERM

NOT TO SCALE



ENDWALL DETAILS

PIPE GATE DETAILS

NOTES:
– THE CONTRACTOR SHALL BOLT THE PIPE GATE TO THE CONCRETE ENDWALL WITH FOUR 3/8"x6" MACHINE BOLTS WITH NUTS ON INSIDE WALL.

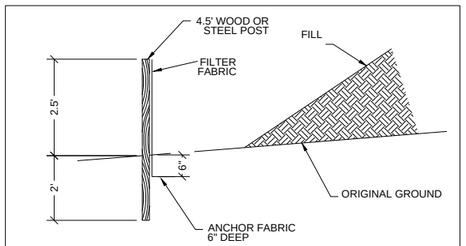
PAINTING SPECIFICATIONS:
– THE PIPE GATE SHALL RECEIVER THE FOLLOWING PREPARATION & PAINTING. THE FIRST COAT SHALL BE RUS–OLEUM X–60 RED BARE METAL PRIMER OR APPROVED EQUAL. THE SECOND COAT SHALL BE RUST–OLEUM 960 ZINC CHROMATE PRIMER OR APPROVED EQUAL. THE THIRD COAT SHALL BE RUS–OLEUM 1282 HIGH GLOSS METAL FINISH OR APPROVED EQUAL.

PREPARATION STEPS:
1. BARE METAL SURFACES – TREAT WITH THE THREE–COAT PAINTING SYSTEM LISTED AFTER A THOROUGH SCRAPING, WIRE BRUSHING & CLEANING.
2. EACH COAT OF PAINT SHALL BE APPLIED OVER THE ENTIRE GATE SURFACE.
3. ALLOW 24–48 HOURS DRYING TIME AT 60° OR ABOVE BETWEEN COATS.

STANDARD ENDWALL DETAILS

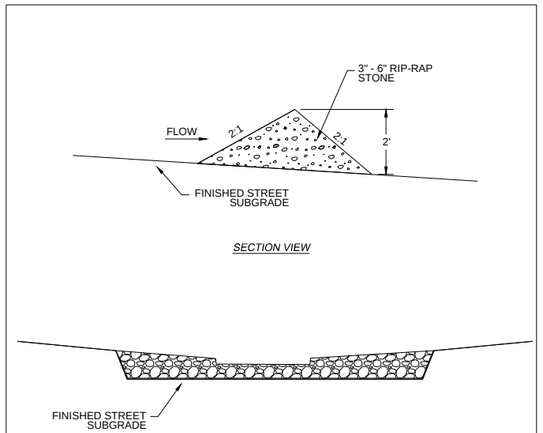
DETAIL 02721–C

DWG FILE	DESCRIPTION	LAST REVISED
02721–C.DWG	ENDWALL DETAILS	2/22/99 TLS



SILT FENCE DETAIL

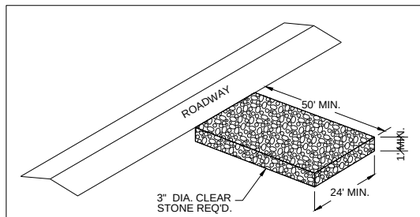
NOT TO SCALE



NOTE:
1) VELOCITY CHECK SHALL BE CLEANED OUT AND ALL PLUGGED ROCK REMOVED AND REPLACED AS NEEDED WHEN CHECK IS 50% FULL OF SEDIMENT.

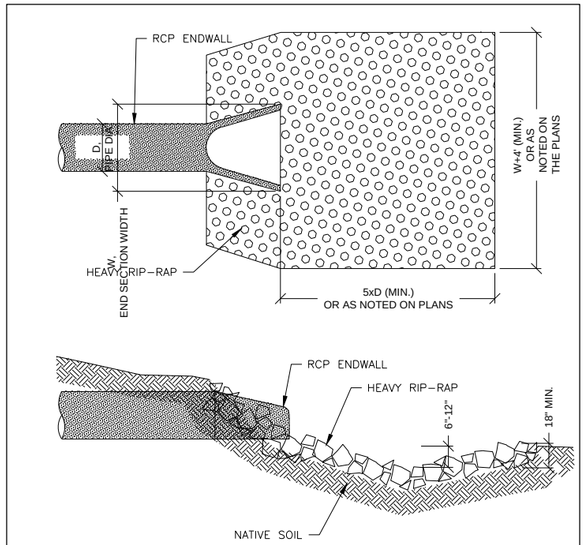
VELOCITY CHECK

NOT TO SCALE



STONE TRACKING PAD DETAIL

NOT TO SCALE



NOTE:

RIP–RAP SHALL BE A MINIMUM OF 2 C.Y. PER ENDWALL.

ENDWALL RIP-RAP DETAIL

DETAIL 02721–J

DWG FILE	DESCRIPTION	LAST REVISED
02721–J2.DWG	RIP–RAP ENDWALL DETAIL	01/05/06 JLJ

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DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1"= 1'

DATE: 3/10/16

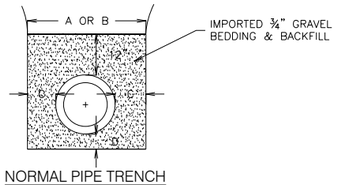
DRAWN BY: KWB

FN: 15-05-168

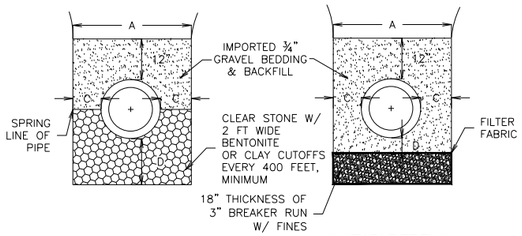
Sheet Number:

9 OF X

DIMENSIONS:
- A: OUTSIDE DIAMETER OF PIPE PLUS 24" MAXIMUM, EXCEPT NEED NOT BE LESS THAN 36". TRENCH SHIELDS NARROWER THAN 4 FEET INSIDE WIDTH WILL NOT BE REQUIRED UNLESS SPECIFICALLY REQUIRED IN THE PROJECT SPECIFICATIONS.
- B: FOR ROCK, OUTSIDE DIAMETER OF PIPE PLUS 18" MAXIMUM, EXCEPT NEED NOT BE LESS THAN 36".
- C: MINIMUM – 6"
- D: MINIMUM 4" BELOW BARREL AND 3" BELOW BELL



NORMAL PIPE TRENCH



WET TRENCH WITH SUMP DEWATERING

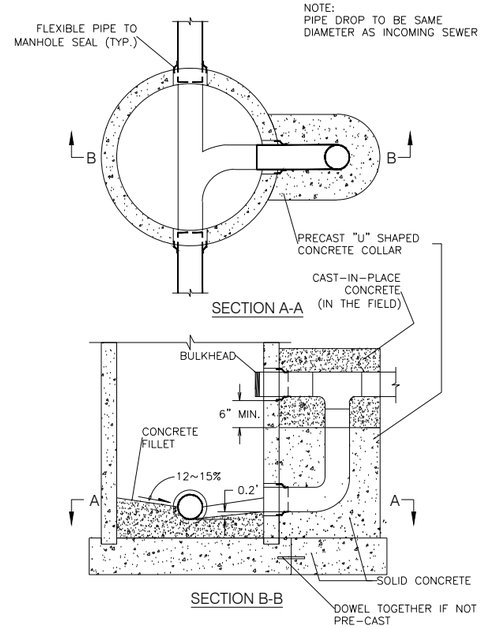
UNSTABLE TRENCH

TRENCH WIDTH AND BEDDING DETAILS

DETAIL 02221–A

DWG FILE	DESCRIPTION	LAST REVISED
02221–A2	TRENCHES	11/04/09 JLJ

NOTE:
PIPE DROP TO BE SAME DIAMETER AS INCOMING SEWER



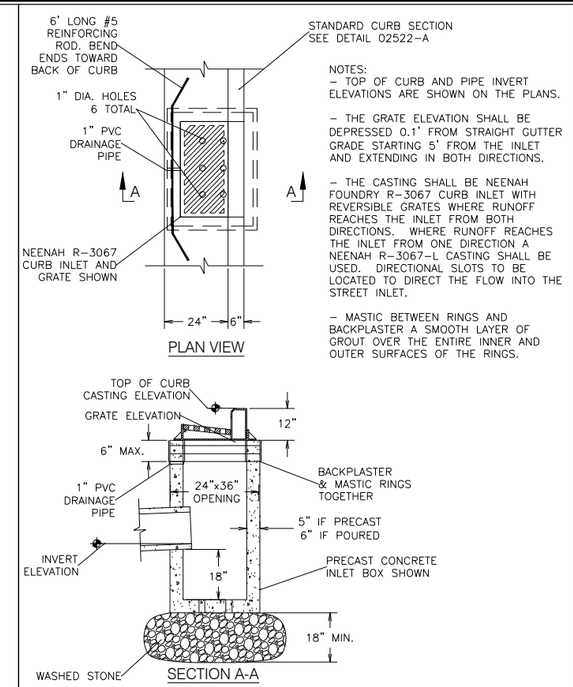
SECTION A-A

SECTION B-B

DROP MANHOLE ENTRANCE

DETAIL 02601–B

DWG FILE	DESCRIPTION	LAST REVISED
02601–B.DWG	DROP MH DETAIL	09/17/02 JLJ



NOTES:
- TOP OF CURB AND PIPE INVERT ELEVATIONS ARE SHOWN ON THE PLANS.
- THE GRATE ELEVATION SHALL BE DEPRESSED 0.1' FROM STRAIGHT GUTTER GRADE STARTING 5' FROM THE INLET AND EXTENDING IN BOTH DIRECTIONS.
- THE CASTING SHALL BE NEENAH FOUNDRY R-3067 CURB INLET WITH REVERSIBLE GRATES WHERE RUNOFF REACHES THE INLET FROM BOTH DIRECTIONS. WHERE RUNOFF REACHES THE INLET FROM ONE DIRECTION A NEENAH R-3067-L CASTING SHALL BE USED. DIRECTIONAL SLOTS TO BE LOCATED TO DIRECT THE FLOW INTO THE STREET INLET.
- MASTIC BETWEEN RINGS AND BACKPLASTER A SMOOTH LAYER OF GROUT OVER THE ENTIRE INNER AND OUTER SURFACES OF THE RINGS.

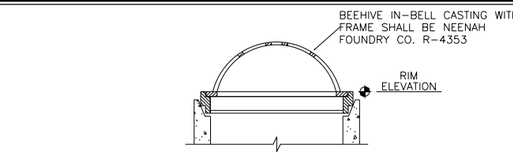
PLAN VIEW

SECTION A-A

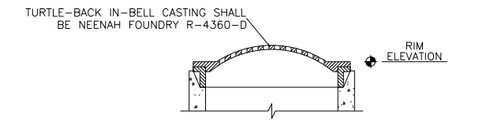
RECTANGULAR CURB CATCH BASIN DETAIL

DETAIL 02721–P

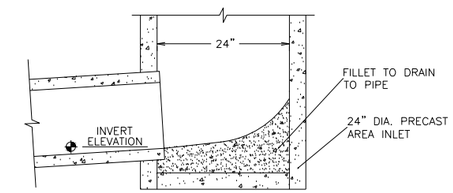
DWG FILE	DESCRIPTION	LAST REVISED
02721–P.DWG	STD. CATCH BASIN	12/28/04 JLJ



AREA INLET WITH BEEHIVE CASTING



AREA INLET WITH TURTLE-BACK CASTING

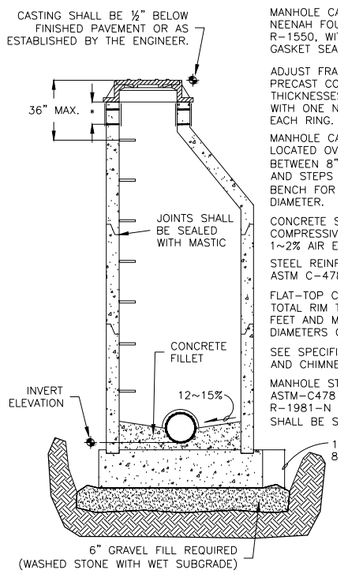


AREA INLET BOTTOM SECTION

AREA INLET DETAIL

DETAIL 02721–B

DWG FILE	DESCRIPTION	LAST REVISED
02721–B.DWG	AREA INLET DETAIL	3/3/99 TLS



MANHOLE CASTING SHALL BE HEAVY DUTY, NEENAH FOUNDRY CO. CATALOG LISTING NO. R-1550, WITH TYPE "B" NON-ROCKING LID, GASKET SEAL AND CONCEALED PICKHOLES.

ADJUST FRAME TO GRADE WITH AT LEAST TWO PRECAST CONCRETE RINGS OF DIFFERENT THICKNESSES. RINGS SHALL BE REINFORCED WITH ONE NO. 3 STEEL BAR CENTERED WITHIN EACH RING.

MANHOLE CASTINGS AND STEPS SHALL BE LOCATED OVER THE EFFLUENT PIPE FOR PIPES BETWEEN 8" AND 18" IN DIAMETER. CASTINGS AND STEPS SHALL BE LOCATED OVER THE BENCH FOR PIPES GREATER THAN 18" IN DIAMETER.

CONCRETE SHALL BE 4000 PSI, 28 DAY COMPRESSIVE STRENGTH, 6.5 BAG MIX WITH 1~2% AIR ENTRAINMENT.

STEEL REINFORCEMENT SHALL CONFORM TO ASTM C-478 STANDARDS.

FLAT-TOP COVERS SHALL BE USED WHERE THE TOTAL RIM TO INVERT DEPTH IS LESS THAN 6 FEET AND MAY BE USED FOR MANHOLE DIAMETERS GREATER THAN 5 FEET.

SEE SPECIFICATION NARRATIVE FOR PIPE SEAL AND CHIMNEY SEAL REQUIREMENTS.

MANHOLE STEPS SHALL CONFORM TO ASTM-C478 & SHALL BE NEENAH FOUNDRY CO. R-1981-N OR APPROVED EQUAL. STEPS SHALL BE SPACED 16" ON CENTER.

MANHOLE INLET CASTING SHALL BE NEENAH FOUNDRY R-2050 WITH TYPE "C" NON-ROCKING GRATE.

MANHOLE-TYPE CURB INLET CASTING SHALL BE NEENAH FOUNDRY R-3067 WITH REVERSIBLE GRATES WHERE RUNOFF REACHES THE INLET FROM BOTH DIRECTIONS. WHERE RUNOFF REACHES THE INLET FROM ONE DIRECTION A NEENAH R-3067-L CASTING SHALL BE USED. DIRECTIONAL SLOTS TO BE LOCATED TO DIRECT THE FLOW INTO THE CURB INLET.

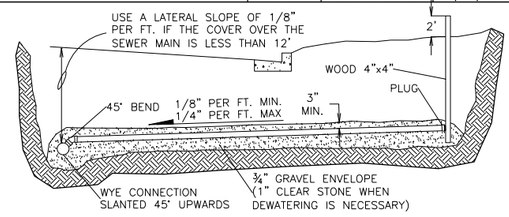
A 2x3 LID OPENING IS REQUIRED FOR MANHOLE-TYPE CURB INLETS. ADJUSTING RINGS SHOULD THEN BE LIMITED TO 6" MAX.

* A MINIMUM OF 3" TO A MAXIMUM OF 9" OF ADJUSTING RINGS SHALL BE USED TO ADJUST THE MANHOLE CASTING TO THE FINISHED GRADE. ALL RINGS SHALL BE SEALED TOGETHER USING MASTIC AND ALL JOINTS SHALL BE BACK PLASTERED INSIDE AND OUT WITH CEMENT MORTAR.

STANDARD MANHOLE DETAIL

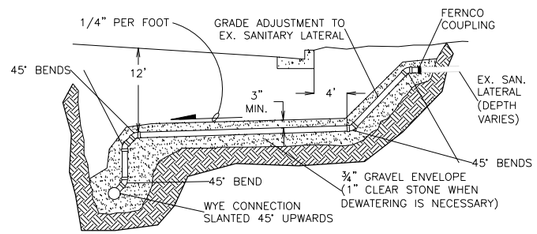
DETAIL 02601–A

DWG FILE	DESCRIPTION	LAST REVISED
02601–A.DWG	STANDARD MANHOLE	2/10/99 TLS



STANDARD INSTALLATION WITHOUT A RISER

NOTES:
1. CONSTRUCT LATERALS IN CONFORMANCE WITH CHAPTER COMM 82 OF THE WISCONSIN ADMINISTRATIVE CODE.
2. LATERAL SLOPE SHALL BE ¼" PER FOOT WHERE SUFFICIENT COVER EXISTS
3. WHERE LATERALS ARE NOT IMMEDIATELY CONNECTED TO BUILDING SEWERS THE ENDS OF THE LATERALS SHALL BE MARKED BY POSITIONING 4"x4" BOARDS VERTICALLY FROM THE ENDS OF THE LATERALS TO AT LEAST 2' ABOVE THE GROUND SURFACE.
4. CONTRACTOR SHALL VERIFY SIZE, DEPTH, AND LOCATION OF EXISTING LATERALS.

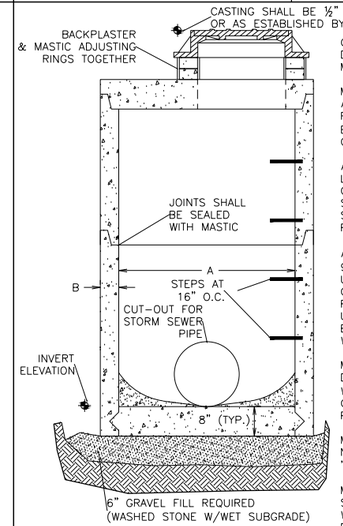


INSTALLATION WITH VERTICAL RISER

SANITARY SEWER LATERAL DETAIL

DETAIL 02722–B

DWG FILE	DESCRIPTION	LAST REVISED
02722–B.DWG	SANITARY LATERALS	12/30/02 JLJ



CONCRETE SHALL BE 4000 PSI, 28 DAY COMPRESSIVE STRENGTH, 6.5 BAG MIX WITH 1~2% AIR ENTRAINMENT.

MANHOLE STEPS SHALL CONFORM TO ASTM-C478 & SHALL BE NEENAH FOUNDRY R-1981-N OR APPROVED EQUAL. STEPS SHALL BE SPACED 16" ON CENTER.

ADJUST FRAME TO GRADE WITH AT LEAST TWO PRECAST CONCRETE RINGS OF DIFFERENT THICKNESSES. RINGS SHALL BE REINFORCED WITH ONE NO.3 STEEL BAR CENTERED WITHIN EACH RING.

A MINIMUM OF 3" TO A MAXIMUM OF 9" OF ADJUSTING RINGS SHALL BE USED TO ADJUST THE MANHOLE CASTING TO THE FINISHED GRADE. ALL RINGS SHALL BE SEALED TOGETHER USING MASTIC AND ALL JOINTS SHALL BE BACK PLASTERED INSIDE AND OUT WITH CEMENT MORTAR.

MANHOLE CASTING SHALL BE HEAVY DUTY, NEENAH FOUNDRY R-1550-A, WITH TYPE "B" NON-ROCKING LID, GASKET SEAL AND CONCEALED PICKHOLES.

MANHOLE INLET CASTING SHALL BE NEENAH FOUNDRY R-2050 WITH TYPE "C" NON-ROCKING GRATE.

MANHOLE-TYPE CURB INLET CASTING SHALL BE NEENAH FOUNDRY R-3067 WITH REVERSIBLE GRATES WHERE RUNOFF REACHES THE INLET FROM BOTH DIRECTIONS. WHERE RUNOFF REACHES THE INLET FROM ONE DIRECTION A NEENAH R-3067-L CASTING SHALL BE USED. DIRECTIONAL SLOTS TO BE LOCATED TO DIRECT THE FLOW INTO THE CURB INLET.

A 2x3 LID OPENING IS REQUIRED FOR MANHOLE-TYPE CURB INLETS. ADJUSTING RINGS SHOULD THEN BE LIMITED TO 6" MAX.

STORM MANHOLE DIMENSIONS

MANHOLE SIZE	DIMENSION	
	A	B (MIN.)
48"	48"	5"
60"	60"	6"
72"	72"	7"
84"	84"	7"
96"	96"	9"

STORM SEWER MANHOLE/MANHOLE INLET/ MANHOLE-TYPE CURB INLET DETAIL

DETAIL 02721–F

DWG FILE	DESCRIPTION	LAST REVISED
02721–F.DWG	STD. STORM MANHOLE	12/29/04 JLJ

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DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

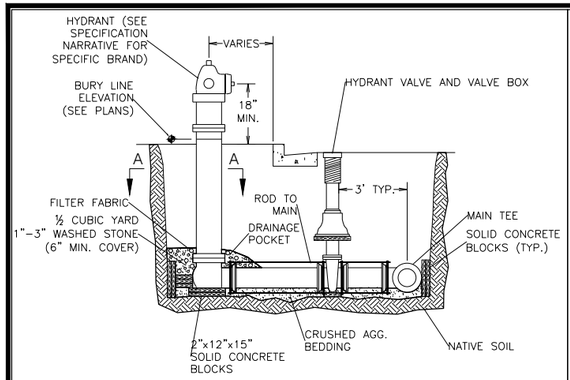
SCALE: 1"= 1'

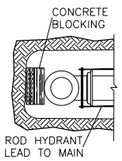
DATE: 3/10/16

DRAWN BY: KWB

FN: 15-05-168

Sheet Number:
10 OF X





SECTION A-A

NOTES:

– THE HYDRANT AND HYDRANT VALVE SHALL BE CONNECTED TO THE MAIN TEE BY RODDING IN ACCORDANCE WITH DETAIL 02701–C, OR BY MEGA LUGS.

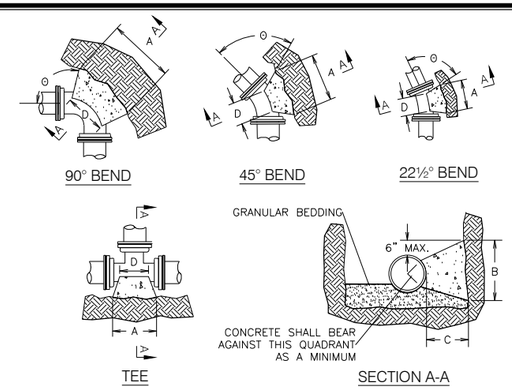
– THE DISTANCE BETWEEN THE HYDRANT AND THE MAIN WILL VARY. OFFSET DISTANCES ARE MARKED ON THE PLANS.

–WHERE THE HYDRANT IS INSTALLED AT THE HIGH POINT OF THE WATER MAIN ON MAINS 10 INCHES IN DIAMETER AND LARGER THE CONTRACTOR SHALL TIP THE MAIN TEE UPWARDS 45 DEGREES AND USE A 45 DEGREE FITTING TO ALLOW AIR TO ESCAPE FROM THE MAIN.

STANDARD HYDRANT SETTING

DETAIL NO. 02701–A

DWG FILE	DESCRIPTION	LAST REVISED
02701–A.DWG	STD. HYDRANT SETTING	01/05/06 JLJ



DIMENSION "D" SHALL BE AS LARGE AS POSSIBLE, BUT THE CONCRETE SHALL NOT INTERFERE WITH THE MECHANICAL JOINTS.

DIMENSION "C" SHALL BE AT LEAST 6 INCHES, AND LARGE ENOUGH TO MAKE THE "Θ" ANGLE EQUAL TO OR GREATER THAN 45 DEGREES WITH THE DIMENSION "A" AS SHOWN ON THE TABLE, OR GREATER, AND WITH DIMENSION "D" AS LARGE AS POSSIBLE.

CONCRETE SHALL BE CLASS "CC", SEE SECTION 03301

BUTTRESS DIMENSIONS								
PIPE SIZE *	TEES		22.5° BEND		45° BEND		90° BEND	
	A	B	A	B	A	B	A	B
6	1'–3"	1'–0"	1'–0"	1'–0"	1'–0"	1'–0"	1'–4"	1'–2"
8	1'–6"	1'–4"	1'–0"	1'–0"	1'–4"	1'–2"	1'–10"	1'–6"
10/12	2'–3"	2'–0"	1'–4"	1'–4"	1'–10"	1'–10"	2'–8"	2'–3"
14/16	3'–2"	2'–6"	1'–10"	1'–8"	2'–6"	2'–4"	3'–10"	2'–10"
18/20	4'–0"	3'–0"	2'–4"	2'–0"	3'–3"	2'–10"	5'–0"	3'–4"
22/24	5'–3"	3'–4"	2'–10"	2'–4"	4'–0"	3'–3"	6'–4"	3'–10"
30	6'–3"	4'–3"	3'–6"	3'–0"	5'–4"	3'–10"	8'–0"	4'–8"

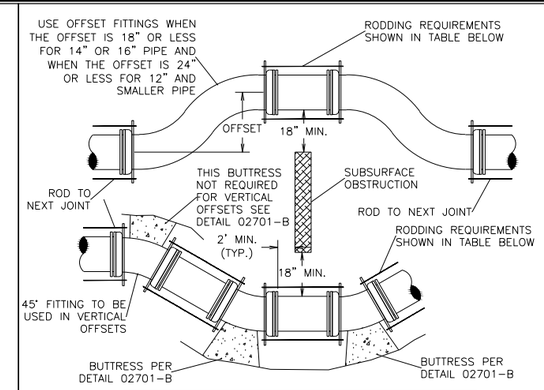
* = FOR TEE THIS WILL BE THE BRANCH PIPE

DIMENSIONS IN THE TABLE ARE BASED ON A WATER PRESSURE OF 150 PSI AND SOIL RESISTANCE OF 2000 LBS./SQ.FT.

BUTTRESS DETAILS

DETAIL NO. 02701–B

DWG FILE	DESCRIPTION	LAST REVISED
02701–B.DWG	BUTTRESS DETAIL	01/05/06 JLJ



NOMINAL PIPE SIZE	RODS NO.	RODS DIA.	STRAP SIZE	BOLT DIA.	WASHER SIZE
6	3	¾	½ x 2	¾	½ x 3 x 5
8	4	¾	½ x 2	¾	½ x 3 x 5
10	4	¾	½ x 2½	1	½ x 3 x 5
12	4	¾	½ x 2½	1	½ x 3 x 5
14	4	¾	½ x 2½	1	½ x 3 x 5

ALL DIMENSIONS IN THIS TABLE ARE IN INCHES

NOTES:
– RODS AND WASHERS TO BE ASTM A–575 MERCHANT QUALITY 0.17–0.24 CARBON. NUTS TO BE AMERICAN STANDARD HEAVY, NOT PRESSED.

– TIE RODS, BOLTS, NUTS, BANDS AND WASHERS TO BE FURNISHED AND ASSEMBLED BY THE CONTRACTOR.

– ALL STEEL MATERIAL TO BE GALVANIZED OR THOROUGHLY COATED WITH ENGINEER APPROVED COATING.

– OFFSET FITTINGS REQUIRE CONTINUOUS RODDING IN ALL POSITIONS.

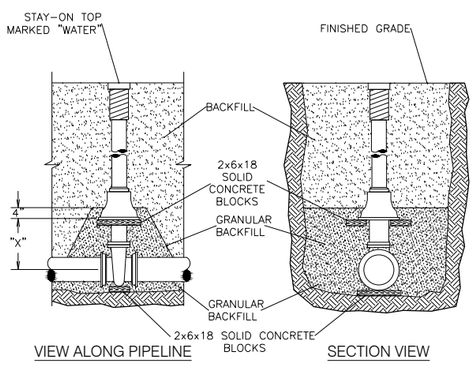
– VERTICAL OFFSETS SHALL NOT CREATE A HIGH POINT IN THE WATER MAIN. VERTICAL OFFSETS REQUIRE THE SAME RODDING AND BUTTRESSING AS SHOWN ABOVE.

– MEGALUG RESTRAINTS MAY BE USED IN LIEU OF RODDING.

OFFSET AND RODDING DETAILS

DETAIL 02701–C

DWG FILE	DESCRIPTION	LAST REVISED
02701–C.DWG	OFFSET & RODDING	01/13/03 JLJ



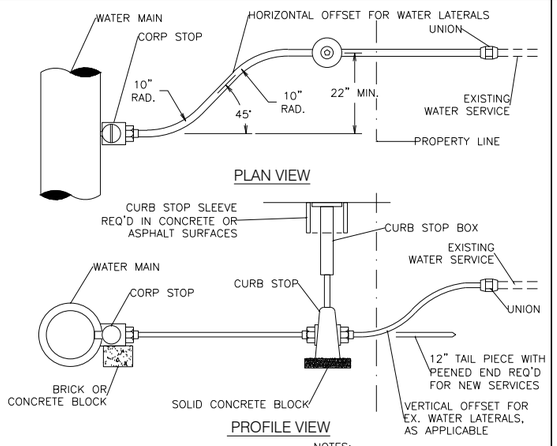
PIPE DIA., INCHES	6	8	10	12	14	16
"X" DIMENSION, INCHES	12	13	17	21	25	30

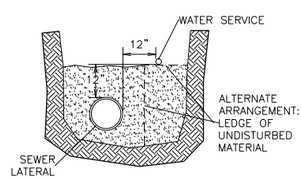
NOTES:
– VALVES SHALL BE SECURED WITH RODDING OR MEGALUGS TO THE NEAREST "TEE" FITTING OR TO THE FIRST JOINT CONNECTING A FULL SECTION OF WATER MAIN PIPE. SEE RODDING DETAIL 02701–C

STANDARD VALVE BOX SETTING

DETAIL 02701–D

DWG FILE	DESCRIPTION	LAST REVISED
02701–D–CP	STD. VALVE BOX	01/05/06 JLJ





JOINT TRENCH INSTALLATION

NOTES:
– HORIZONTAL AND VERTICAL OFFSETS SHALL BE MADE WITH AN APPROVED PIPE BENDING TOOL. SHARP BENDS OR KINKS IN THE WATER SERVICE ARE NOT ALLOWED.

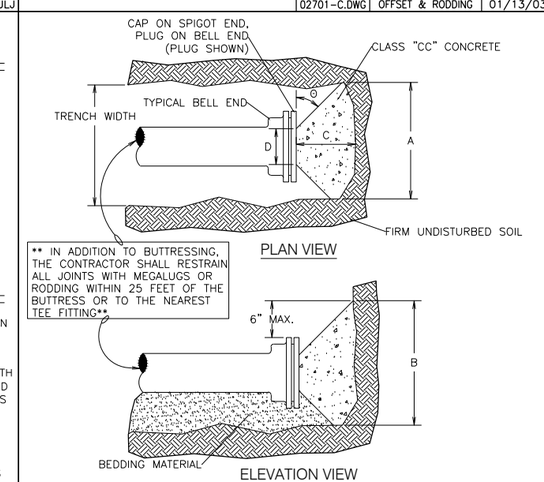
– VERTICAL OFFSETS SHALL BE MADE ON THE PROPERTY LINE SIDE OF THE CURB STOP.

– PLASTIC OR CAST IRON CURB BOX SLEEVES SHALL BE INSTALLED WHERE CURB BOXES ARE INSTALLED IN CONCRETE OR ASPHALT SURFACES.

WATER SERVICE INSTALLATION DETAIL

DETAIL 02701–F

DWG FILE	DESCRIPTION	LAST REVISED
02701–F.DWG	WATER SERV. DETAILS	01/05/06 JLJ



BUTTRESS DIMENSIONS				
DIA.	A	B	C	D
6"	1'–3"	1'–0"	SEE NOTES ABOVE	SEE NOTES ABOVE
8"	1'–8"	1'–6"		
10"	2'–0"	1'–8"		
12"	2'–5"	1'–10"		
16"	3'–4"	2'–4"		
20"	4'–3"	2'–10"		
24"	5'–2"	3'–4"		
30"	6'–9"	4'–0"		

NOTES:
– DIMENSION "C" SHALL BE LARGE ENOUGH TO MAKE ANGLE Θ EQUAL TO OR GREATER THAN 45°.

– DIMENSION "D" EQUALS APPROX. I.D. OF PIPE, LESS 2 INCHES. CONTRACTOR SHALL PROTECT THE MECH. JOINT BOLTS FROM THE CONCRETE BUTTRESS.

– BUTTRESS DIMENSIONS ARE BASED UPON A SOIL RESISTANCE OF 2 TONS PER SQ. FT. AND A WATER PRESSURE OF 150 P.S.I.

BUTTRESS DETAIL FOR DEAD ENDS

DETAIL 02701–H

DWG FILE	DESCRIPTION	LAST REVISED
02701–H.DWG	DEAD END BUTTRESS	2/21/99 TLS

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7530 Westward Way, Madison, WI 53717
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DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1"= 1'

0 1

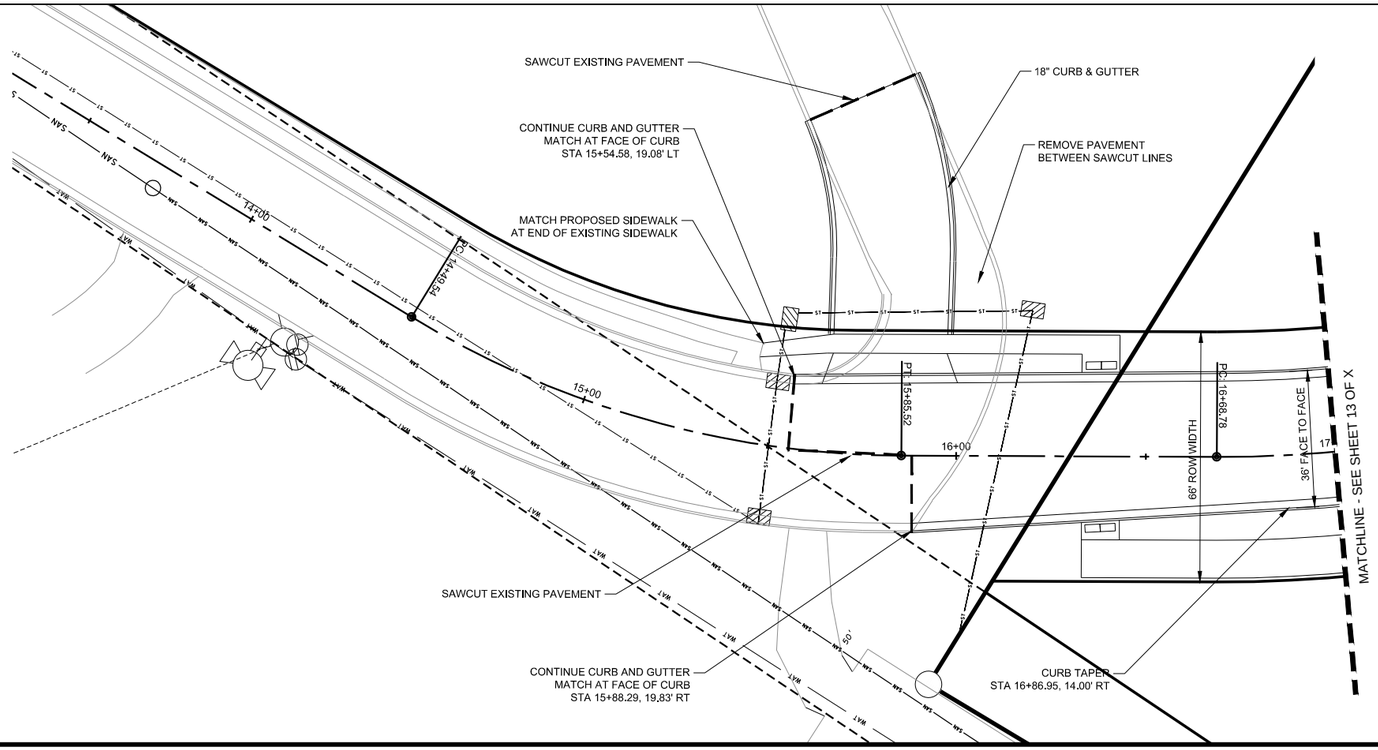
DATE: 3/10/16

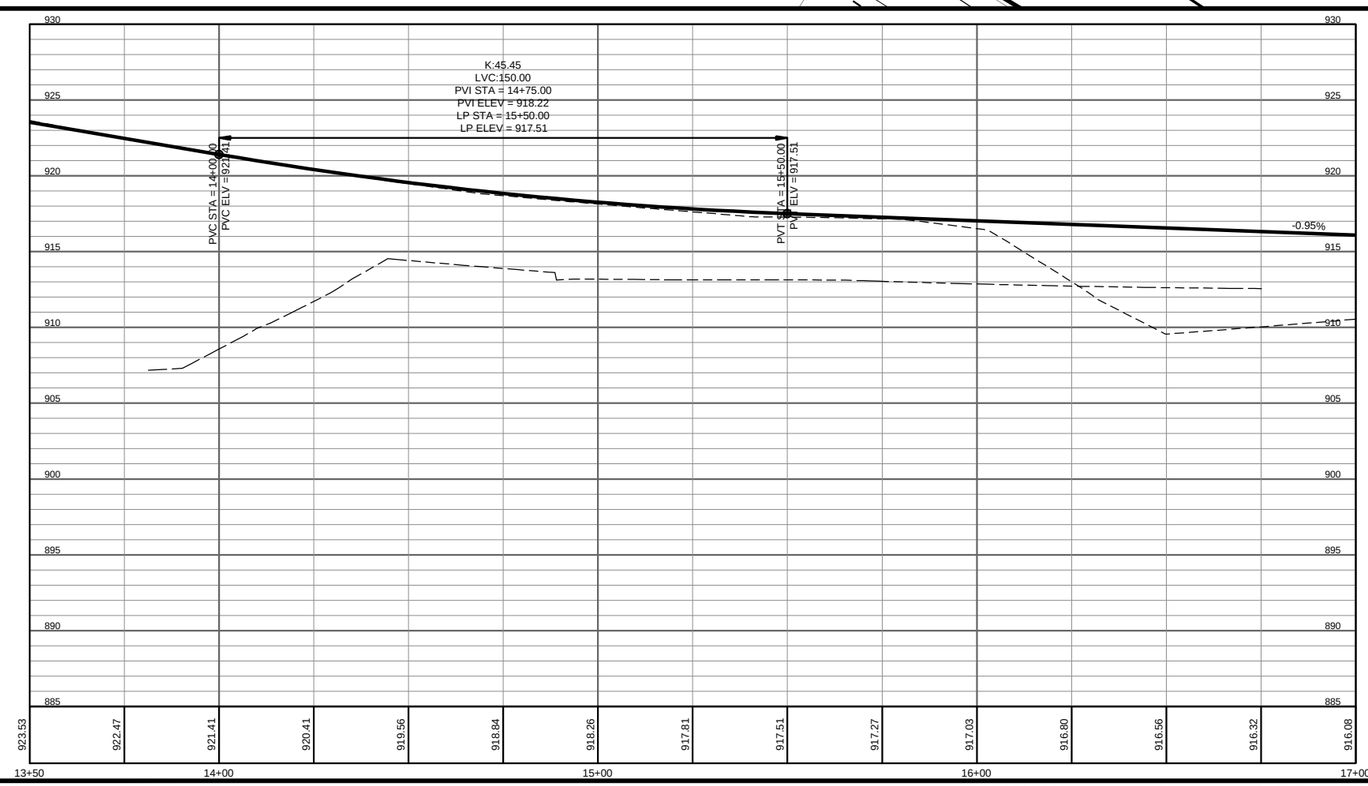
DRAWN BY: KWB

FN: 15-05-168

Sheet Number:

11 OF X





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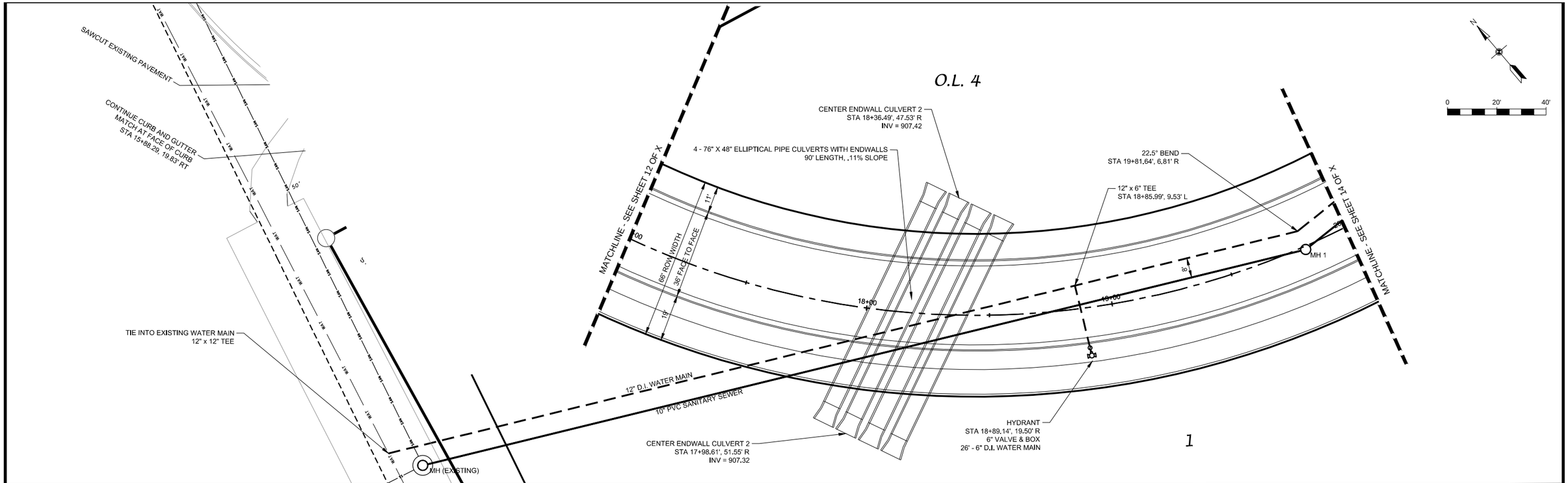
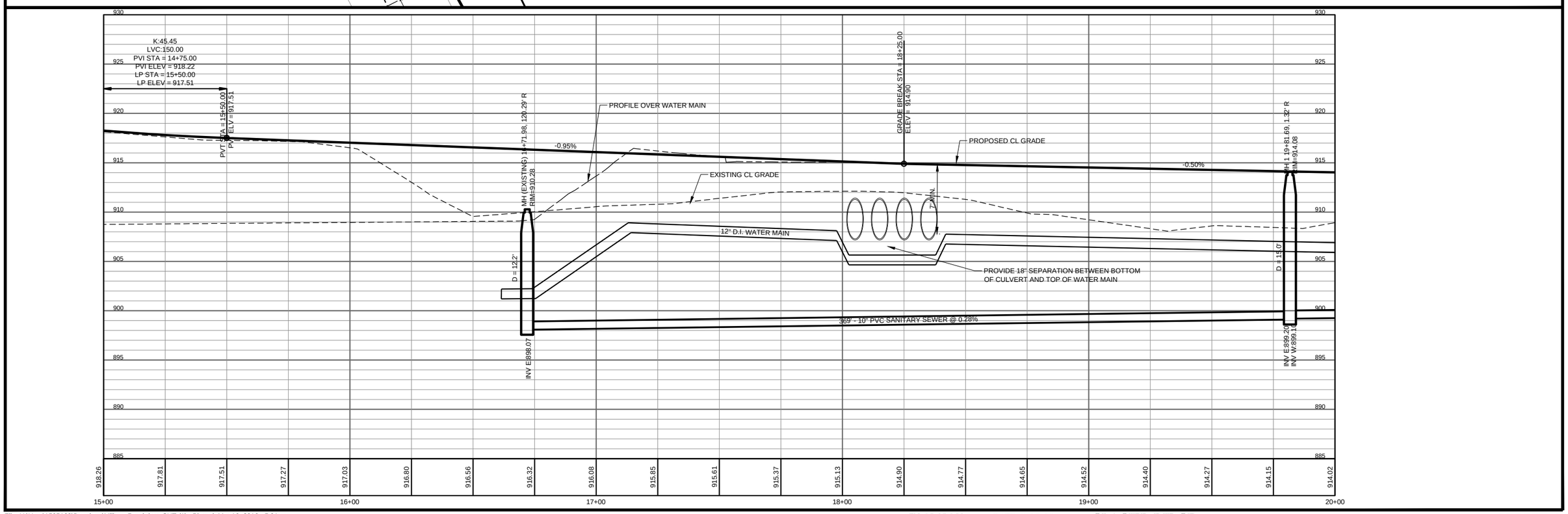
FN: 15-05-168 *DATE: 3/10/16* *REV:*

GLACIER RIDGE

STREET A

SHEET: 12 OF X





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DATE: 3/10/16
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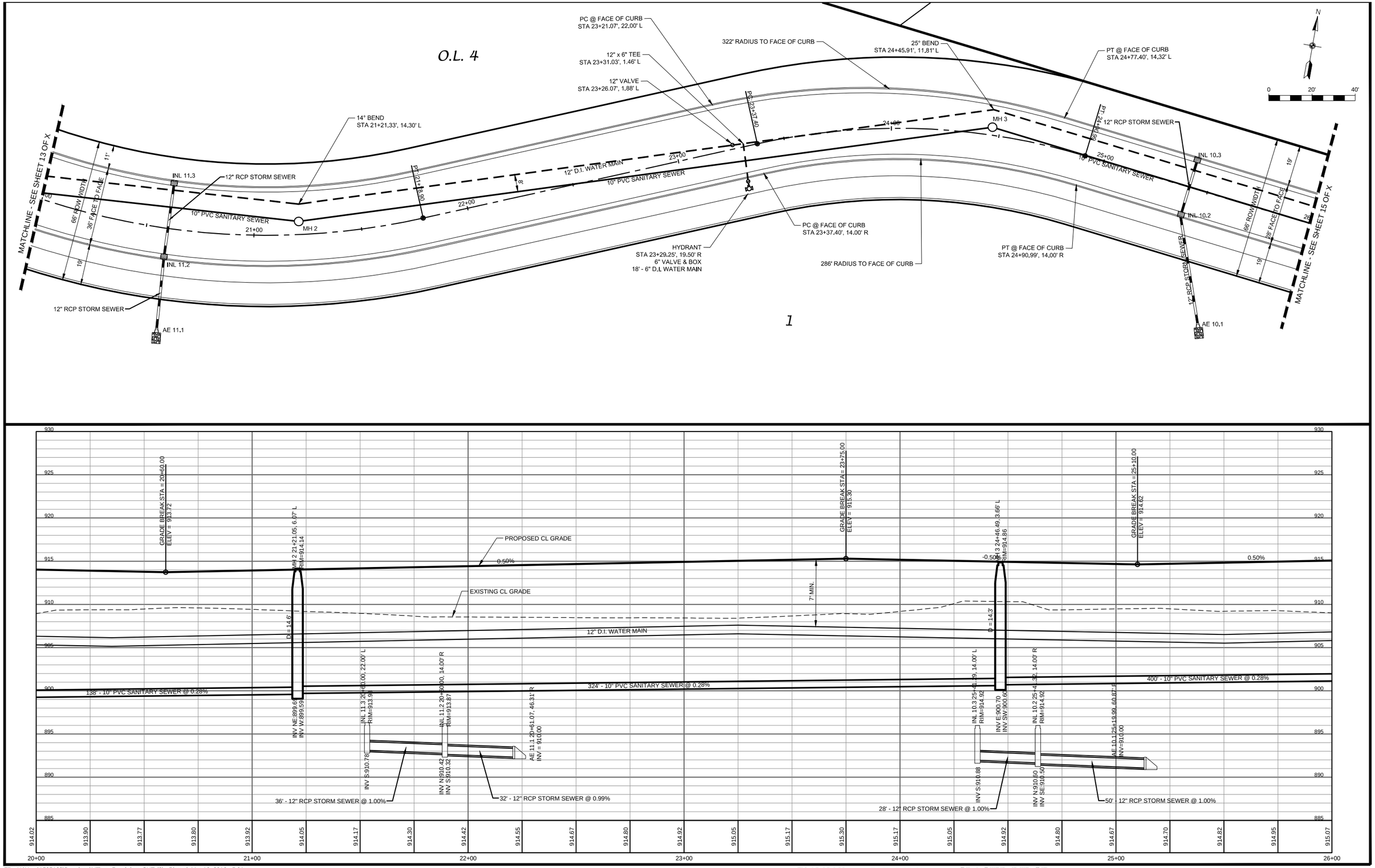
GLACIER RIDGE

STREET A
SHEET: 13 OF X



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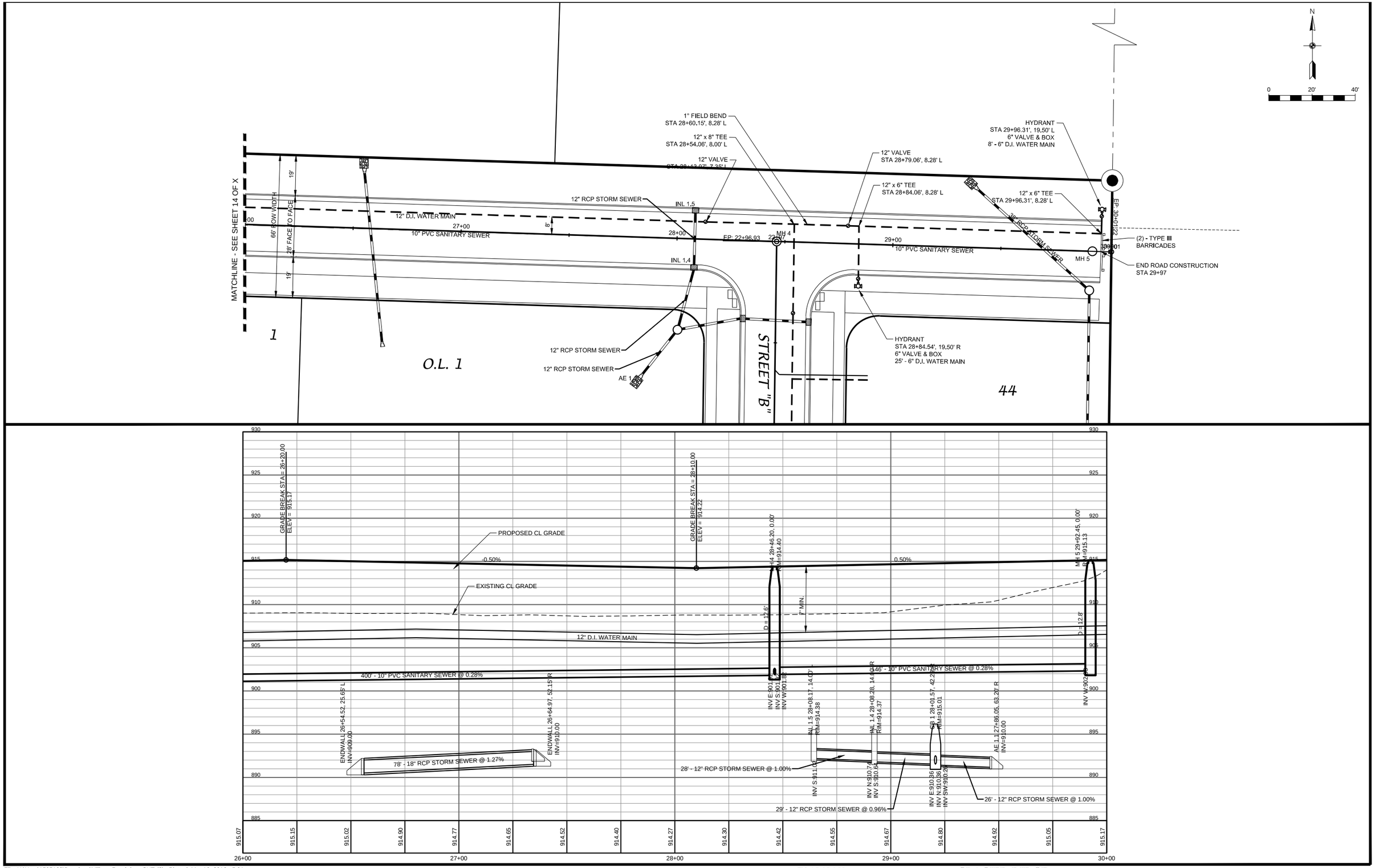
DATE: 3/10/16
REV:

GLACIER RIDGE

STREET A
SHEET: 14 OF X



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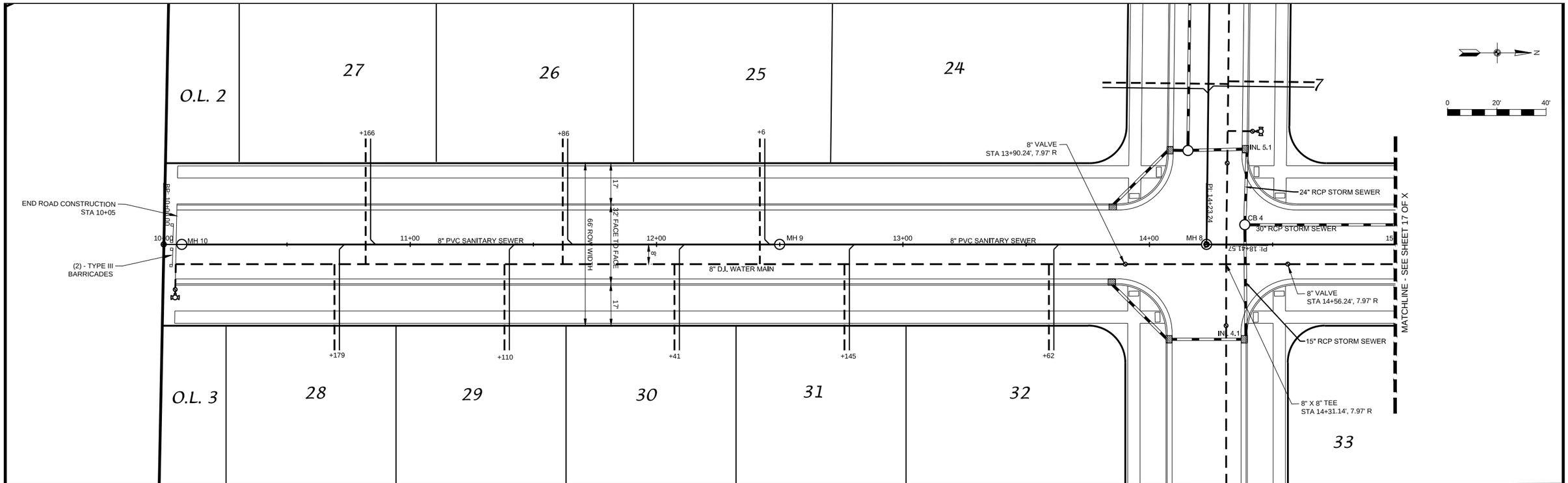
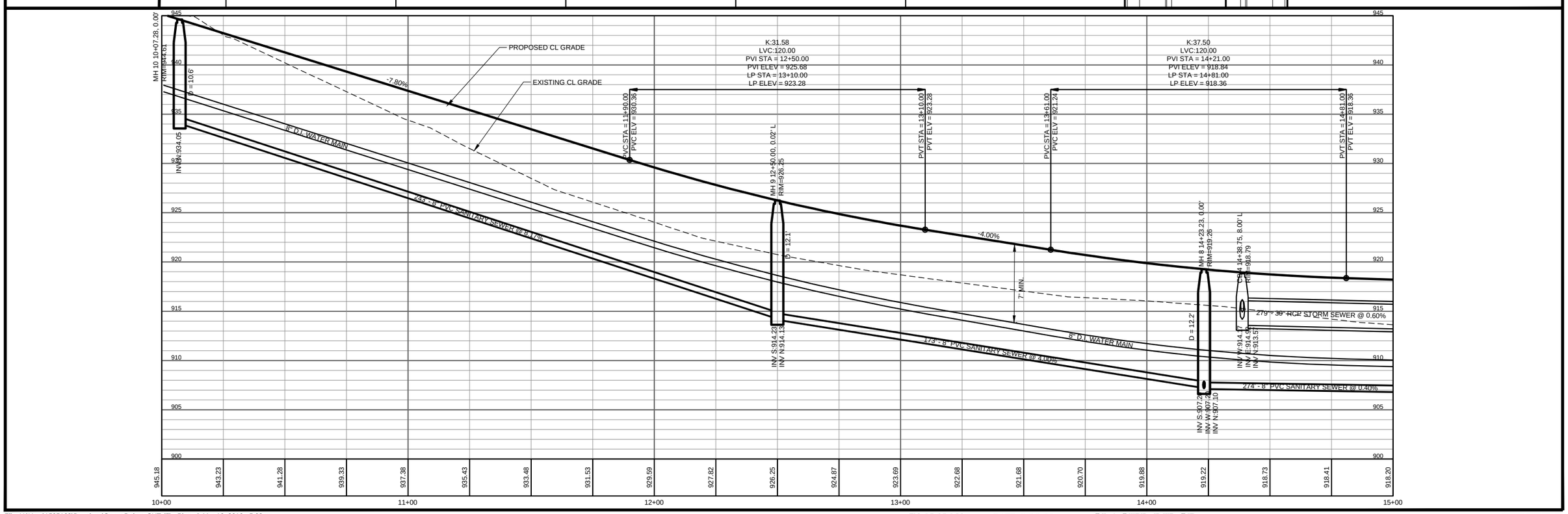
FN: 15-05-168

DATE: 3/10/16
REV:

GLACIER RIDGE

STREET A
SHEET: 15 OF X





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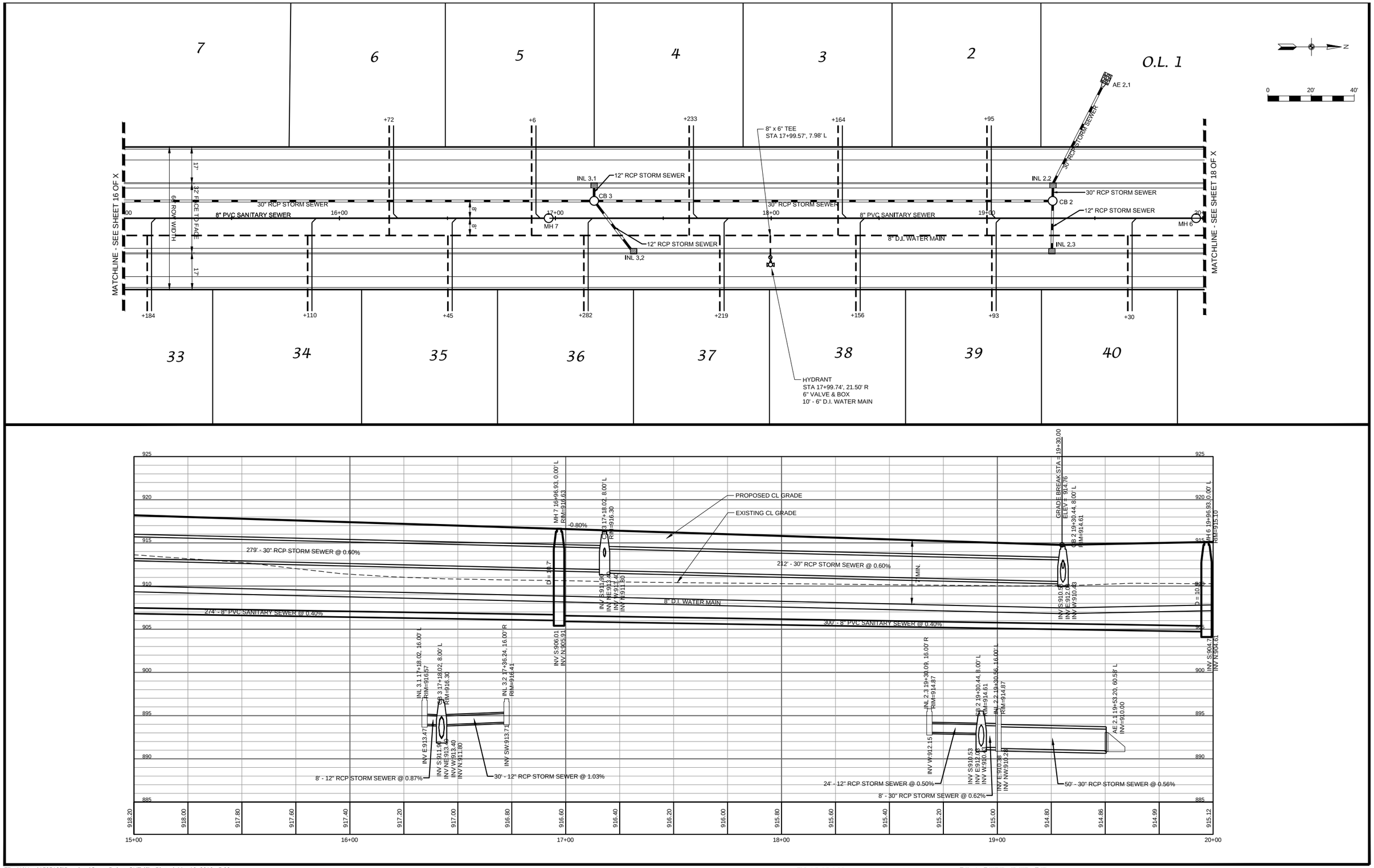
DATE: 3/10/16
REV:

GLACIER RIDGE

STREET B
SHEET: 16 OF X



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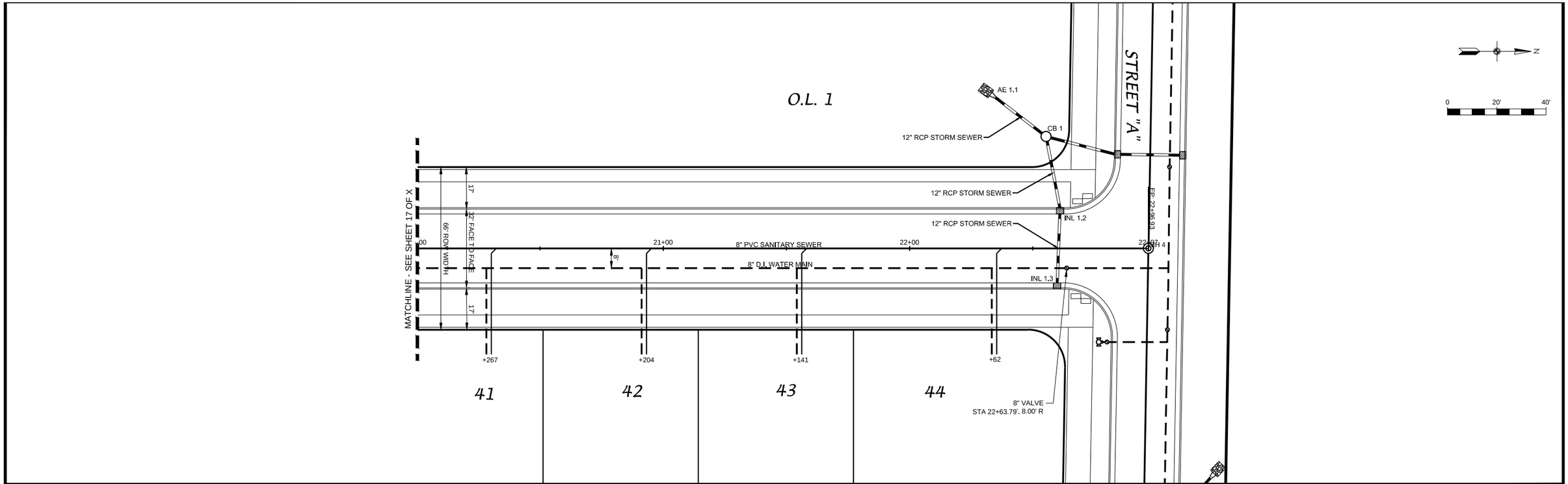
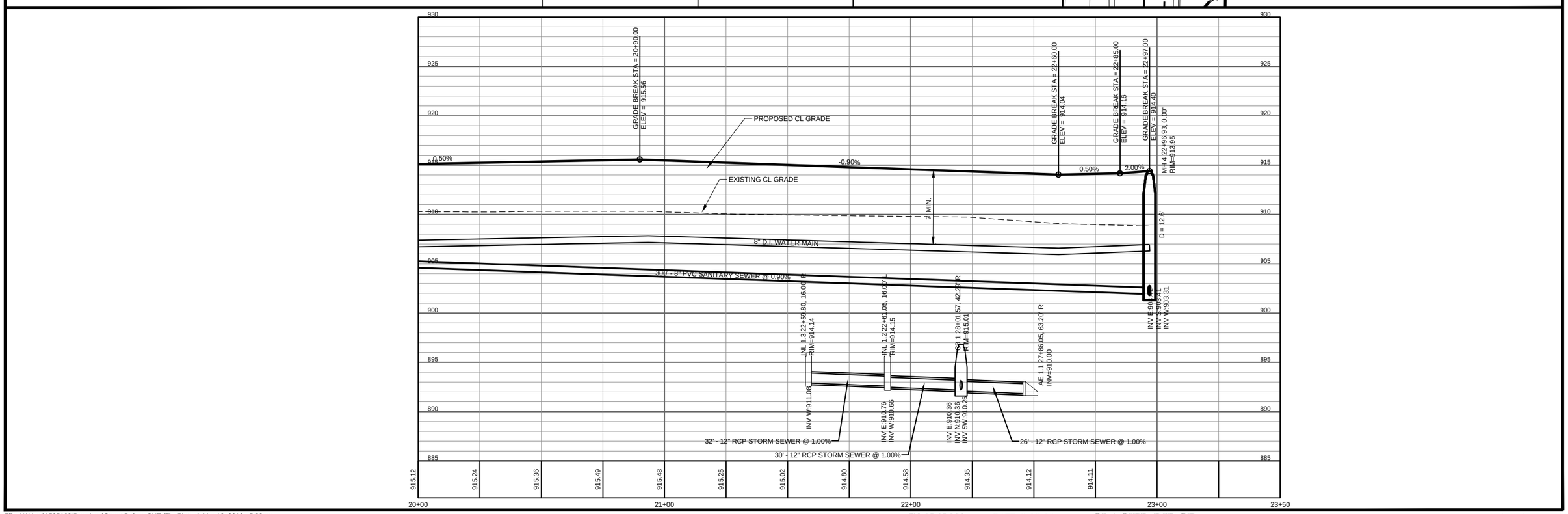
DATE: 3/10/16
REV:

GLACIER RIDGE

STREET B
SHEET: 17 OF X





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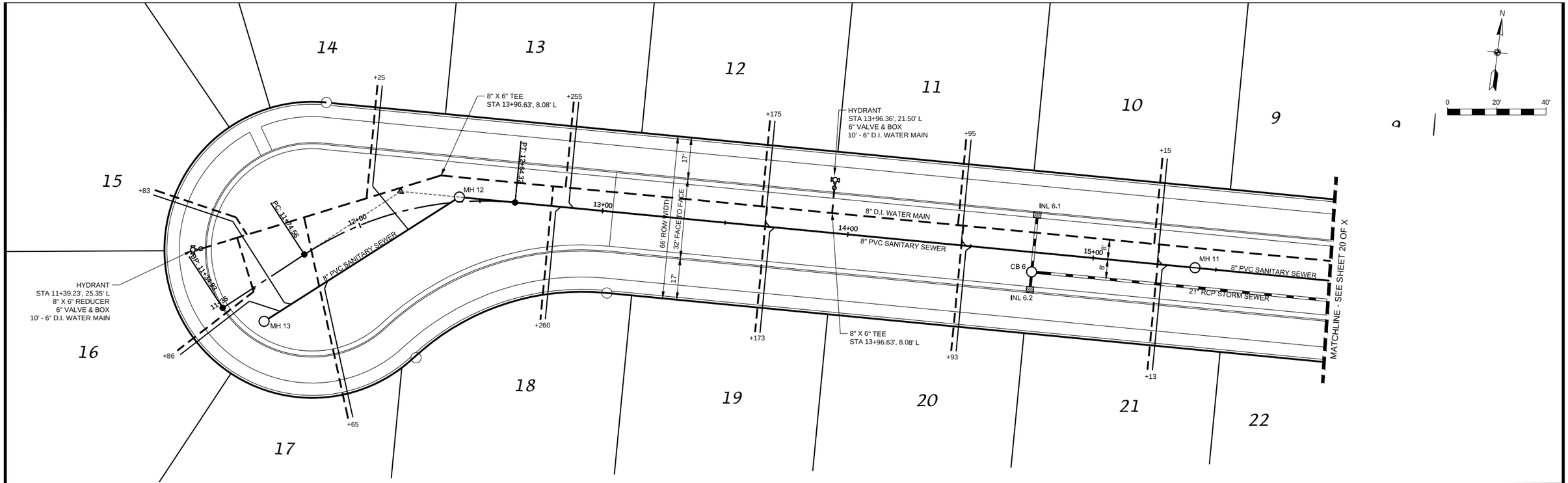
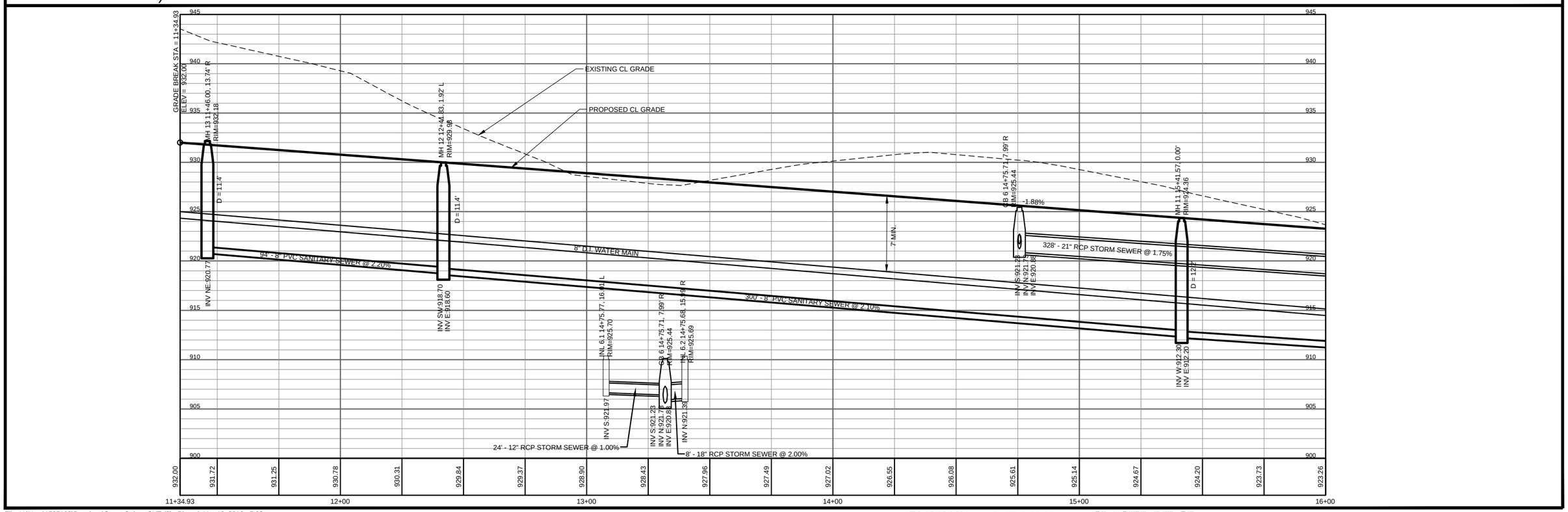
DATE: 3/10/16
REV:

GLACIER RIDGE

STREET B
SHEET: 18 OF X





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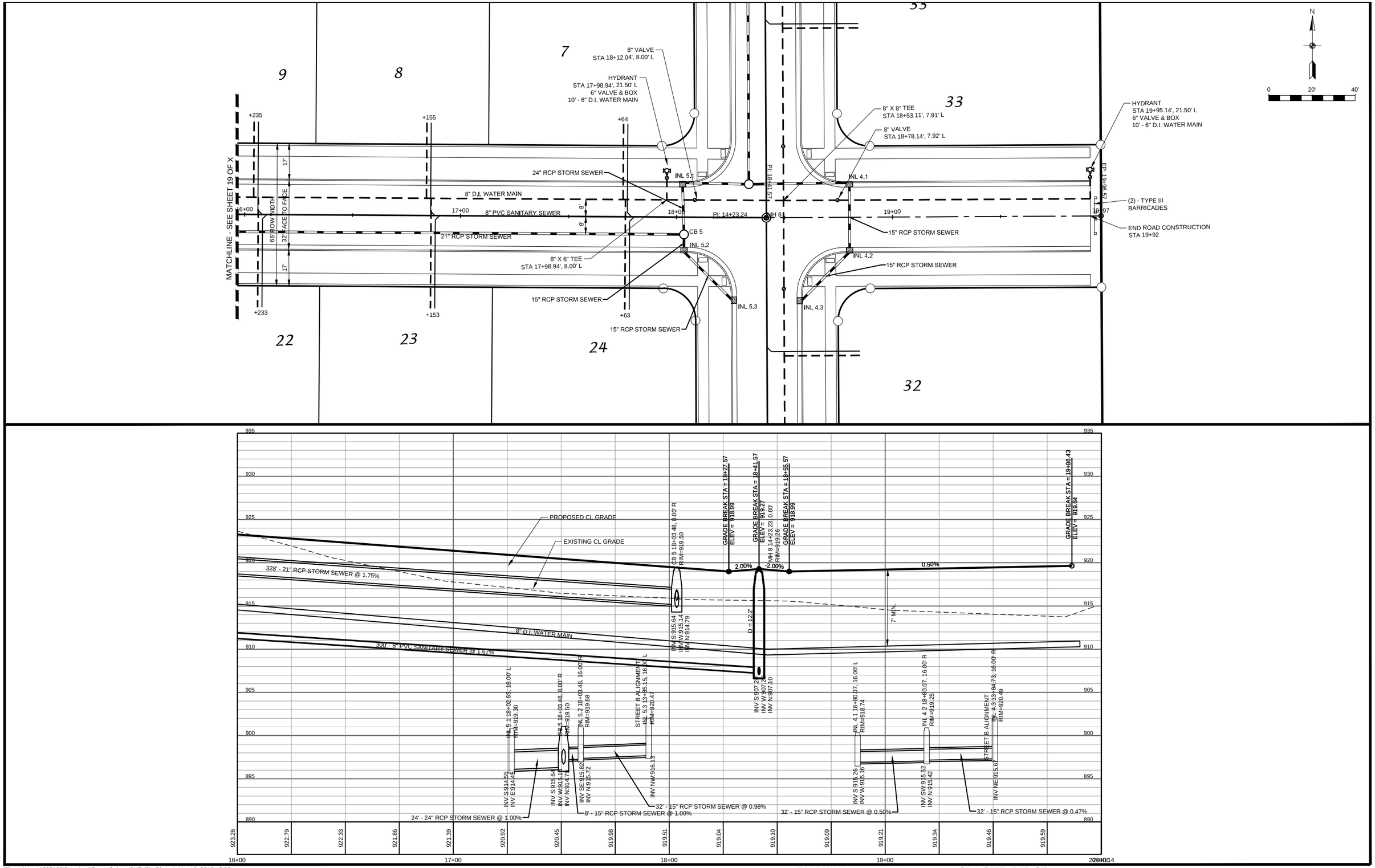
FN: 15-05-168 DATE: 3/10/16 REV:

GLACIER RIDGE

STREET C
SHEET: 19 OF X



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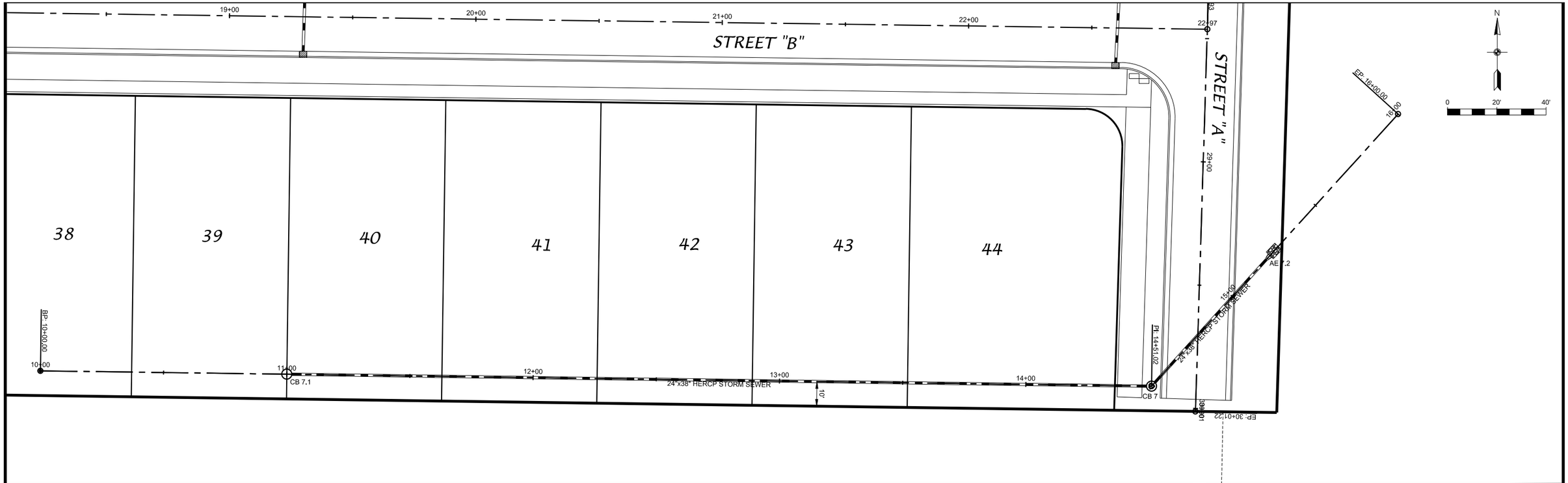
DATE: 3/10/16

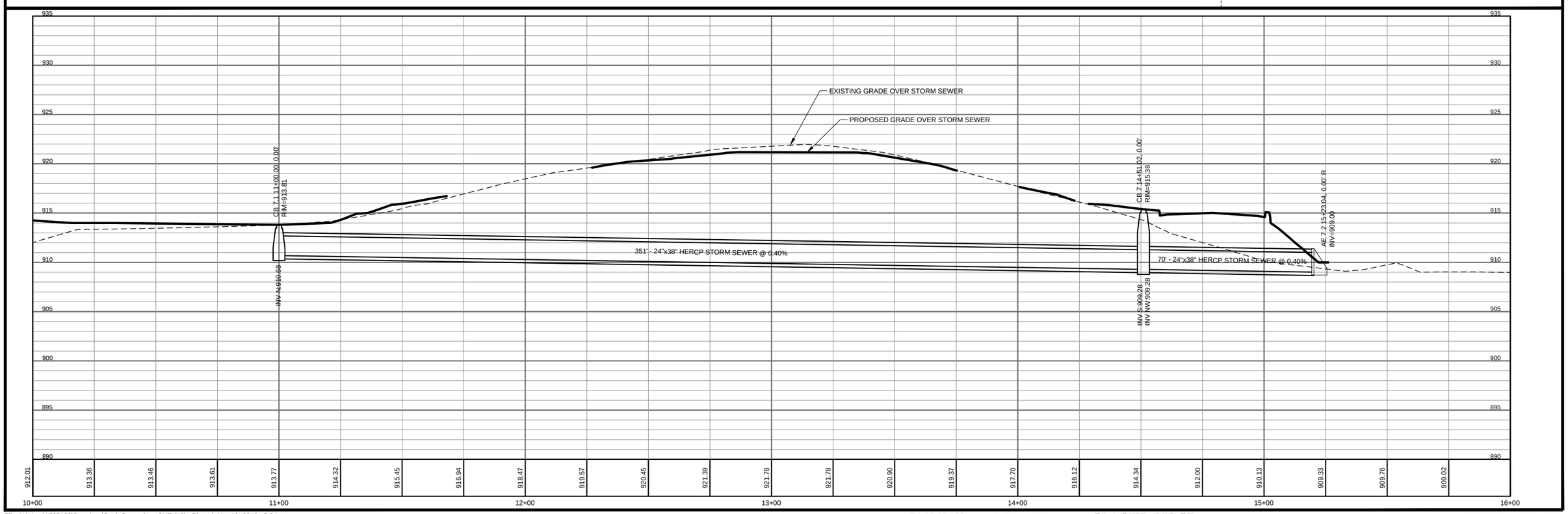
REV:

GLACIER RIDGE

STREET C

SHEET: 20 OF X





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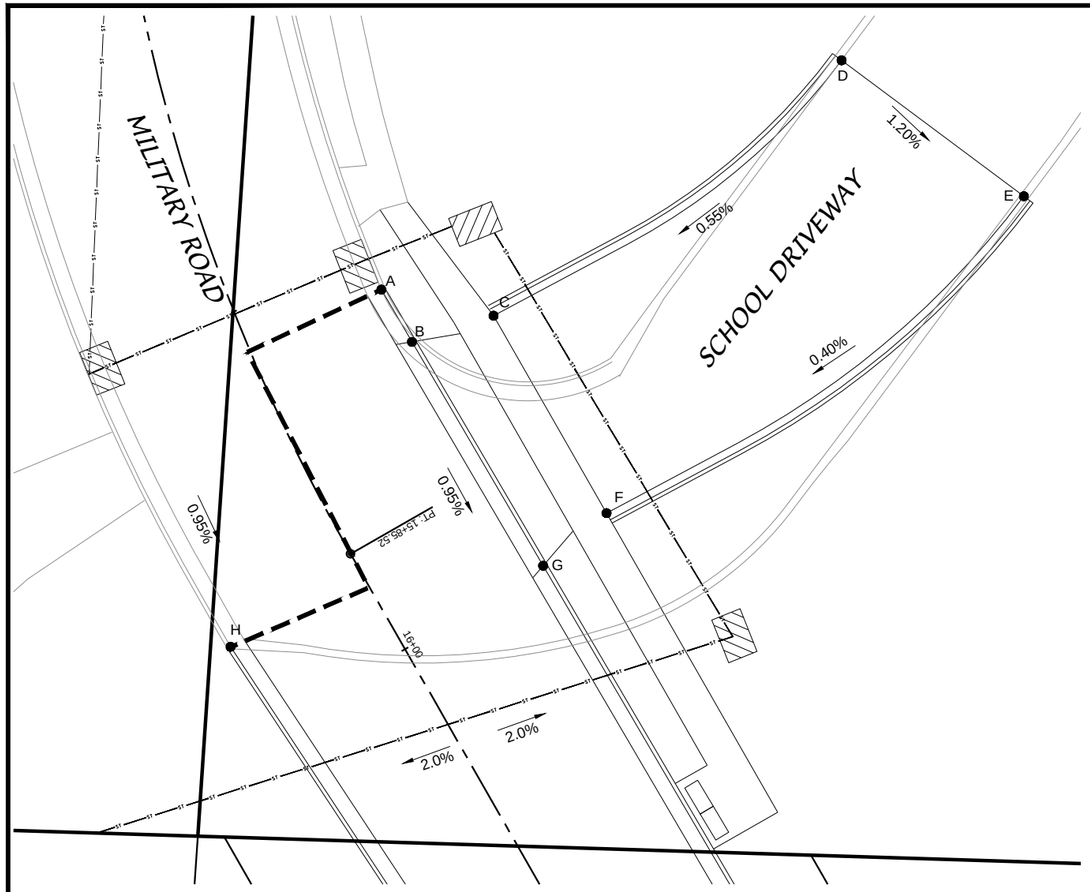
FN: 15-05-168

DATE: 3/10/16
REV:

GLACIER RIDGE

STORM SEWER
SHEET: 21 OF X

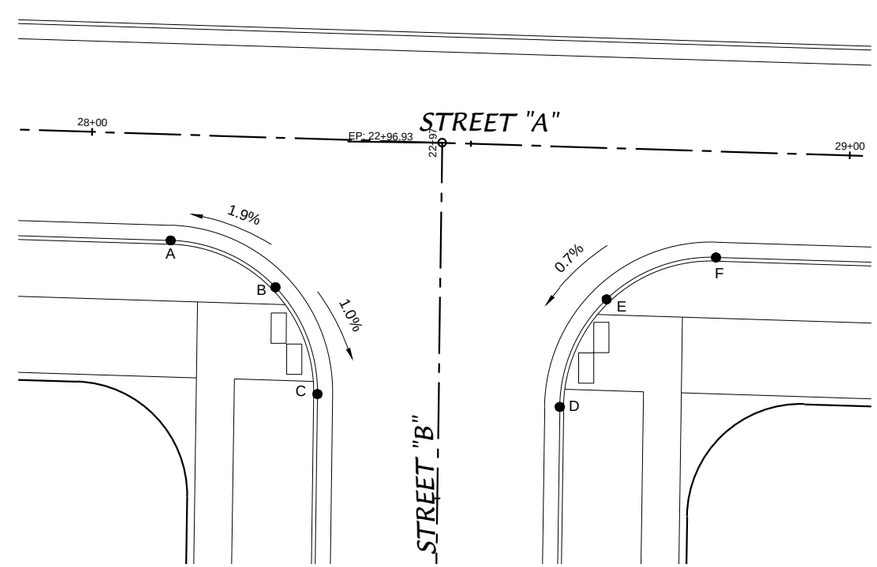


MILITARY ROAD AND SCHOOL DRIVEWAY

POINT	STREET	STATION, OFFSET	DESCRIPTION	ELEV
A	MIL RD	15+54.58, 19.00' L	GTR	916.99
B	MIL RD	15+63.47, 20.00' L	GTR	916.92
C	MIL RD	15+65.04, 31.25' L	BOW	917.42
D	MIL RD	15+48.09, 86.78' L	MATCH	917.71
E	MIL RD	15+88.68, 100.58' L	MATCH	917.35
F	MIL RD	15+97.46, 27.00' L	BOW	917.10
G	MIL RD	15+99.50, 21.29' L	GTR	916.60
H	MIL RD	15+88.29, 19.83' R	GTR / MATCH	916.25

STREET "A" AND STREET "B"

POINT	STREET	STATION, OFFSET	DESCRIPTION	TC ELEV
A	ST "A"	28+10.78, 14.00' R	PC	914.37
B	ST "A"	28+24.80, 19.74' R	MID	914.66
C	ST "B"	22+63.55, 16.00' L	PT	914.50
D	ST "B"	22+62.30, 16.00' R	PT	914.51
E	ST "A"	28+67.10, 18.58' R	MID	914.62
F	ST "A"	28+82.80, 14.00' R	PC	914.73



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INTERSECTION DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1"= 10'
(PAGE SIZE: 11x17)
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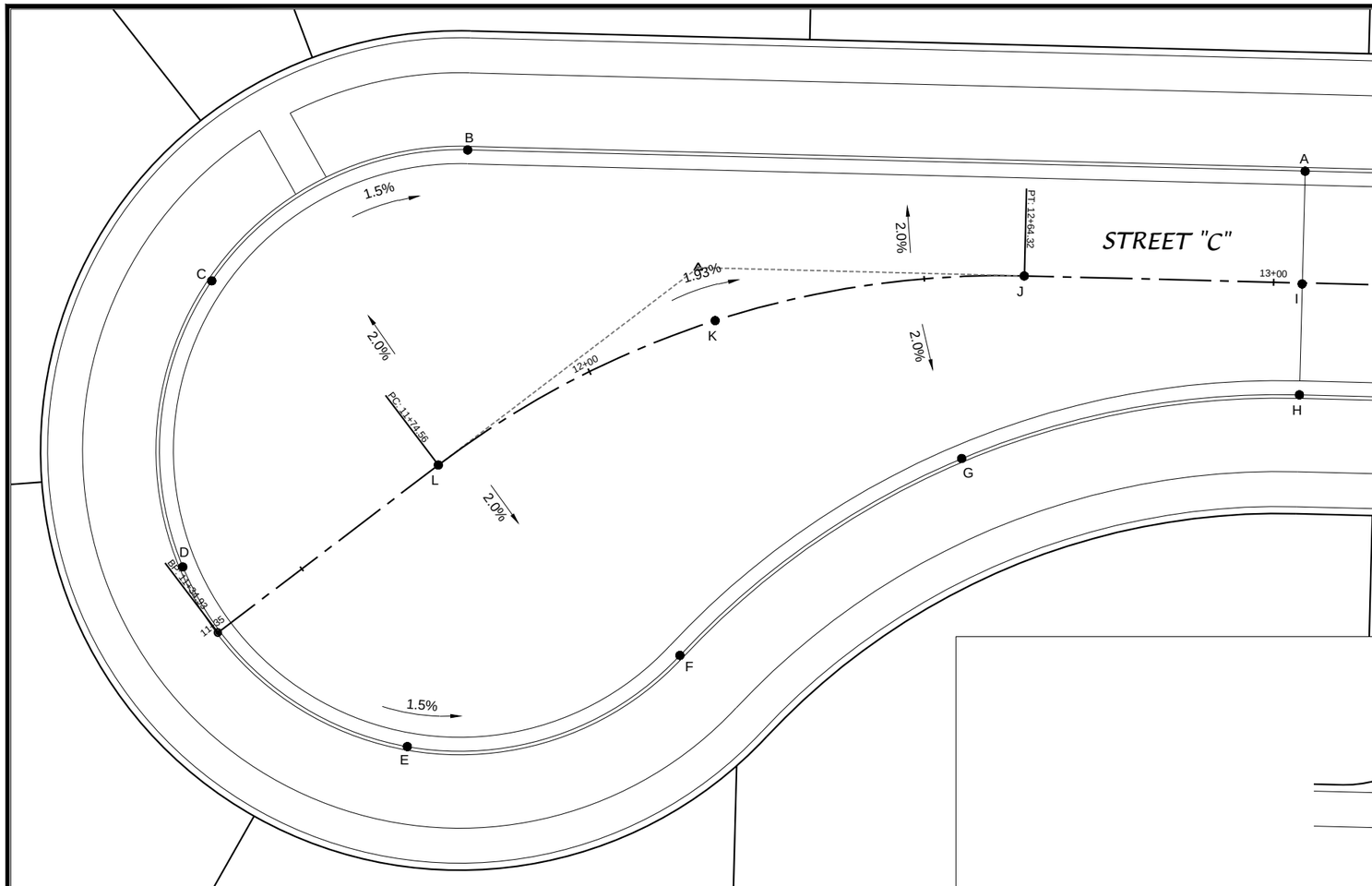
DATE: 3/10/16

DRAWN BY: KWB

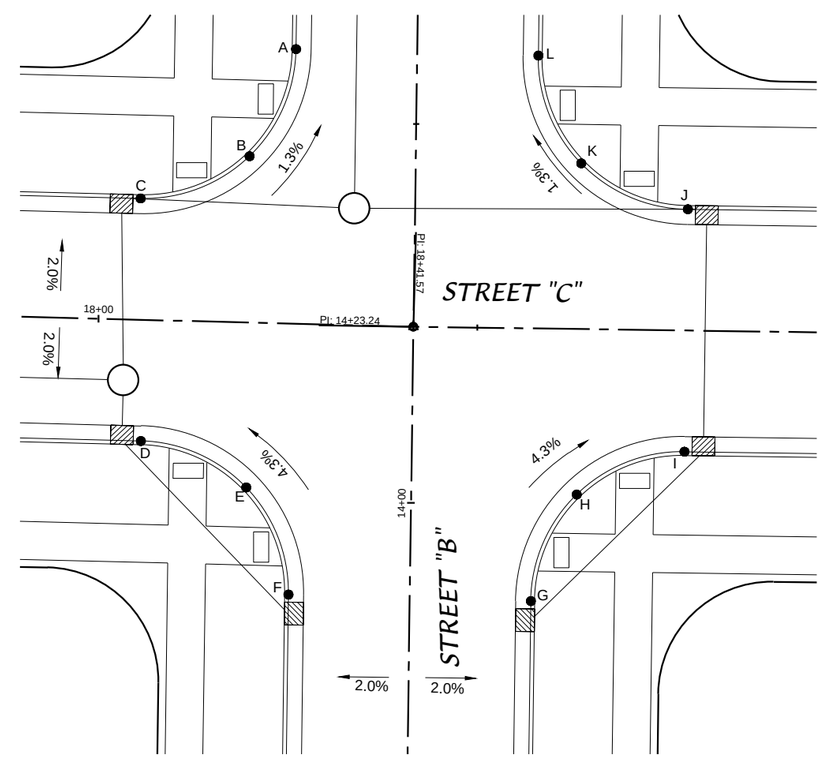
FN: 15-05-168

Sheet Number:
22 OF X



STREET "C" CUL-DE-SAC

POINT	STREET	STATION, OFFSET	DESCRIPTION	TC ELEV
A	ST "C"	13+04.10, 16.00' L	GTR	929.24
B	ST "C"	11+98.75, 36.14' L	PC	931.19
C	ST "C"	11+64.68, 40.58' L	POC	931.85
D	ST "C"	11+36.63, 10.50' L	MID	932.50
E	ST "C"	11+46.68, 29.38' R	POC	931.86
F	ST "C"	11+90.76, 41.90' R	PCC	931.21
G	ST "C"	12+54.02, 26.01' R	MID	930.23
H	ST "C"	13+04.10, 16.00' R	PT	929.24
I	ST "C"	13+04.10, 16.00' R	CL	929.14
J	ST "C"	13+04.10, 16.00' R	CL	929.91
K	ST "C"	13+04.10, 16.00' R	CL	930.78
L	ST "C"	13+04.10, 16.00' R	CL	931.65



STREET "B" AND STREET "C"

POINT	STREET	STATION, OFFSET	DESCRIPTION	TC ELEV
A	ST "B"	14+59.66, 16.00' L	PC	918.70
B	ST "B"	14+45.43, 21.94' L	MID	918.90
C	ST "C"	18+05.15, 16.00' L	PT	919.10
D	ST "C"	18+05.98, 16.00' R	PT	919.10
E	ST "B"	14+01.36, 22.13' L	MID	919.75
F	ST "B"	13+87.65, 16.00' L	PC	920.40
G	ST "B"	13+87.65, 16.00' R	PT	920.40
H	ST "B"	14+01.38, 21.86' R	MID	919.75
I	ST "C"	18+77.57, 16.00' R	PC	919.10
J	ST "C"	18+77.57, 16.00' L	PC	919.10
K	ST "B"	14+45.09, 21.86' R	MID	918.90
L	ST "B"	14+59.23, 16.00' R	PT	918.70

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VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

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0 10

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FN: 15-05-168

Sheet Number:
23 OF X

The subdivider shall construct and dedicate within the plat sidewalks or other pedestrian ways as required by the Village Board. Construction shall be in accordance with standard specifications approved by the Village Engineer.

SECTIONS 83.99 – 83.101 Reserved

PROCEDURE FOR IMPROVEMENTS

SECTION 83.102 Construction Plans and Specifications.

Prior to final plat approval, the subdivider shall prepare construction plans and specifications and submit them in hard copy and electronic form to the Administrator/Clerk-treasurer, the Village Engineer and Director of Public Facilities for review and approval. The Village Engineer shall determine in writing what plans, specifications or other information is required.

SECTION 83.103 Private Contracts.

The subdivider shall engage one general contractor whose qualifications have been approved by the Village Board for each major phase of construction (grading, utilities, and streets) or one general contractor for a contract which includes more than one phase of construction. No private contract shall be awarded until all bids have been reviewed by the Village Engineer.

SECTION 83.104 Scheduling.

A preconstruction meeting shall be held prior to commencement of any work. All scheduling of the contemplated improvements shall be approved by the Village Director of Public Facilities. All earth-disturbing activities for land divisions greater than one acre in size shall occur between May 1 and September 15 each year. Restoration of all earth disturbances shall be completed by September 15. Construction cannot be commenced on any phase of construction until all approvals and conditional requirements are satisfied and a copy of the private contract has been filed with and approved by the Village Board. Construction shall not proceed until all State of Wisconsin approvals are granted.

SECTION 83.105 Street Grading.

(a) The subdivider shall furnish standard drawings which indicate the existing and proposed grades of streets shown on the plat, and after review of design engineering work on the streets by the Village Engineer and approval of street grades by the Village Board, the subdivider shall grade or cause to be graded the full width of the right-of-way of the streets proposed to be dedicated, including the vision clearance triangle on corner lots. In those cases where existing street right-

Exhibit H

DESIGN STANDARDS

SECTION 83.76 Street Arrangement.

In any new subdivision the street layout shall conform to the arrangement, width and location indicated on the Official Map, Comprehensive Plan or component neighborhood development plan of the Village. In areas for which such plans have not been completed, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. Each lot of a subdivision shall have direct access to a public street.

(a) **Arterial Streets.** Arterial streets shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation, and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.

(b) **Collector Streets.** Collector streets shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the major street and highway system and shall be properly related to the mass transportation system, to special traffic generators such as schools, churches, shopping centers and other concentrations of population, and to the major streets into which they feed.

(c) **Local Streets.** Local streets shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.

(d) **Proposed Streets.** Proposed streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts. Temporary turnarounds may be required where the street ends at the boundary of the subdivision.

(e) **Arterial Street and Highway Protection.** Whenever the proposed subdivision contains or is adjacent to a major street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a nonaccess reservation along the rear property line, or by the use of frontage streets.

(f) **Reserve Strips.** Reserve strips controlling access to streets or alleys are prohibited except where control of such strips is placed with the Village under conditions approved by the Plan Commission.

(g) **Alleys.** Alleys shall be allowed in commercial and industrial districts for off-street loading and service access. Alleys shall not be used in residential areas unless approved by the Village Board. Alleys shall not be less than 24 feet wide and shall be continuous through blocks. Dead-end alleys shall not be approved, and alleys shall not connect to an arterial street.

(h) **Public Rights-of-way.** Private improvements, including but not limited to buildings and landscaping, are prohibited within public rights-of-way. The Village shall not be responsible for damage caused to private improvements in the public right of way.

SECTION 83.77 Street Names and Building Numbers.

(a) Duplication of existing street names by similar word, spelling, or sound shall not be permitted.

(b) Where a street maintains the same general direction except for curvilinear changes for short distances, the same name shall continue for the entire length of the street. House numbering difficulties shall be considered the determining factor in considering whether a change of name is necessary due to curvilinear changes.

(c) A street name shall be changed when required to conform to the proposed or existing house numbering base.

(d) A name assigned to a street which is not presently a through street, due to intervening land over which the street extension is planned, shall be continued for the separate portions of the planned through street.

(e) For purposes of consistency, the following street designations shall be used only in the situations indicated. Other terms may be used so long as they are not inconsistent with the below designations.

(1) Boulevard: a street with a divided pavement either existing or planned. If the divided pavement ends but the street continues, the same street name and suffix shall continue.

(2) Lane: a street, one block long, not ending in a cul-de-sac.

(3) Circle: a cul-de-sac of nine lots or more.

(4) Court: a cul-de-sac of eight lots or fewer.

(5) Parkway: a street abutting a park or greenway or creek.

(f) The maximum number of street names at one intersection shall be three.

(g) Street names shall be assigned so that two intersections shall not have the same exact street names.

(h) The name of any projection of a street shall remain unchanged even if the projection terminates in a cul-de-sac.

(i) The changing of a street name that does not duplicate an existing street name shall only be approved where such change will eliminate conflicts with other provisions of this section.

(j) Service roads and highways served by them shall have the same street name and designation.

(k) Approval of street names on a preliminary plat will not reserve the names, nor shall the Village be required to accept such names at the time of final platting.

(l) A minimum number of letters is desirable in a street name. The number of letters, not including the prefix or suffix, shall not exceed 12.

SECTION 83.78 Limited Access Highways and Railroad Rights-of-way.

Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:

(a) In all residential districts, a buffer strip at least 30 feet in depth, in addition to the normal lot depth required, shall be provided adjacent to a railroad right-of-way or a limited access arterial street. The lot depth required, including such buffer strip, shall not be less than 150 feet. The strip shall be a part of the platted lots but shall have the following restrictions lettered on the face of the plat:

> "This strip reserved for the planting of trees or shrubs by the owner; the building of structures hereon is prohibited, and the rear 30 feet of the strip shall not be counted as any required yard. Maintenance of this strip is a responsibility of the lot owner."

(b) Commercial and industrial districts shall have, on each side of the limited access highway or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad (not less than 150 feet) for the appropriate use of the land between such streets and highway or railroad.

(c) Streets parallel to a limited access highway or railroad right-of-way shall, when intersecting a major street and highway or collector street which crosses said railroad or highway, be located at a minimum distance of 250 feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

(d) The location of local streets immediately adjacent and parallel to railroad rights-of-way, and in residential areas immediately adjacent to arterial streets and highways and to railroad rights-of-way, shall be avoided.

SECTION 83.79 Street Design Standards.

(a) **Minimum Right-of-way and Street Surface Width.** The minimum right-of-way (ROW) and street surface width (curb face to curb face) of all proposed streets and alleys shall be the width specified by the Comprehensive Plan, Official Map or

neighborhood development plan, or, if no width is specified therein, the minimum width shall be as follows:

Type of Street	ROW Width (feet)	Curb Face to Curb Face Width (feet)
Arterial	120	40
Collector and Local	66	28
Frontage	66	28
Alley	24	18

The actual street surface width shall be determined by the Village Board following recommendation by the Village engineer, Director of Public Facilities and the Plan Commission.

(b) **Cul-de-sac Streets.**

(1) Streets designed to have one end permanently closed shall not exceed 1,600 feet in length.

(2) Except as provided in Subsection (b)(3), streets which are designed to have one end permanently closed shall terminate in a circular turnaround having a minimum right-of-way diameter of 120 feet and a minimum outside curb diameter of 86 feet. The reverse curve on a cul-de-sac shall have a fifty-foot minimum radius when the bulb is centered on the street and a one-hundred-foot minimum radius when the bulb is offset.

(3) All streets which are designed to have one end permanently closed in business, commercial, industrial and manufacturing areas shall terminate in a circular turnaround having a minimum right-of-way diameter of 130 feet and a minimum outside curb diameter of 96 feet. The reverse curve on a cul-de-sac shall have a fifty-foot minimum radius when the bulb is centered on the street and a one-hundred-foot minimum radius when the bulb is offset.

(4) All lots on cul-de-sacs shall be required to group mailboxes together in a location approved by the Village Director of Public Facilities

(c) **Street Grades.**

(1) The maximum street grades shall not exceed the following:

a. Arterial streets and highways: 6%.

b. Collector and local streets and alleys: 8%.

c. Pedestrian ways: 10% unless steps of acceptable design are provided.

(2) Where necessitated by exceptional topography and where approved by the Village Engineer, Plan Commission and Village Board, the above grades may be exceeded, but in no event shall the grade of any street exceed 12% or be less than 0.50%.

(3) All changes in street grades shall provide sight distances as conditions require as determined by the Village Engineer. Sight distance calculations shall be done in accordance with the provisions of the Wisconsin Department of Transportation Facilities Development Manual.

(4) Street grades shall be established wherever practicable in such a manner to avoid excessive grading, the excessive removal of ground cover and tree growth and general leveling of the topography.

(d) **Radii of Curvature.**

(1) When a continuous street center line deflects at any one point by more than 10°, a circular curve shall be introduced having a radius of curvature on said center line of not less than the following:

a. Arterial streets and highways: 500 feet.

b. Collector streets: 300 feet.

c. Local streets: 150 feet.

(2) A tangent at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.

(e) **Half Streets.** Where 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. Streets less than full width on the boundary of the tract being subdivided shall not be less than a width sufficient to produce a full pavement, a full terrace on the plat side and a reserve strip as determined by the Plan Commission.

(f) **Storm Drainage.** Storm sewer systems shall be provided on all streets to accommodate the post-development runoff resulting from a ten-year, twenty-four-hour rainfall event. Street inlets on local and marginal access streets shall be placed so that temporary accumulations of storm runoff from ponding or flowing water are limited such that water cannot flow across the crown of the street from one side to the other. Street inlets on collector and arterial streets shall be placed so that temporary accumulations of storm runoff from ponding or flowing water are limited such that water cannot reach to within 10 feet of the center line of the street. Valley gutters across intersections shall be permitted only on cul-de-sac or dead-end streets serving fewer than 10 dwelling units and where the minimum grade on the valley gutter and the downstream gutter to the next inlet is not less than 1%. The post-development runoff resulting from a one-hundred-year, twenty-four-hour rainfall shall be contained within the street right-of-way to the point where such runoff reaches a suitably designed drainage channel or perennial watercourse.

SECTION 83.80 Street Intersections.

(a) Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.

(b) The number of streets converging at one intersection shall not be more than two.

(c) The number of intersections along major streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections shall not be less than 1,200 feet.

(d) Property lines at street intersections shall be rounded with a minimum radius of 15 feet, except that at all intersections along collector and arterial streets the radius shall be increased to 25 feet. The Plan Commission may require a larger radius where desirable.

(e) Local streets shall not necessarily continue across arterial or collector streets, but if the center lines of such minor streets approach the major streets from opposite sides within 150 feet of each other, measured along the center line of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the major or collector street is continuous and a jog is avoided.

(f) Radii at the face of curbs at intersections shall be a minimum of 20 feet.

SECTION 83.81 Visibility at Intersections.

(a) **Purpose.** The purpose of this section is to alleviate or prevent congestion of public rights-of-way so as to promote the safety and general welfare of the public by establishing minimum requirements for the provision of vehicular visibility.

(b) **Requirement.**

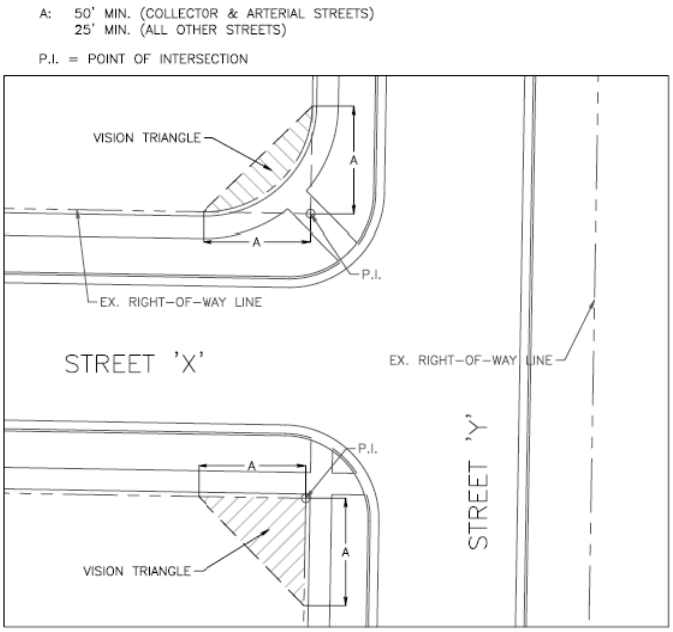
(1) No obstructions are permitted between 2 ½ feet and 10 feet above the plane through the mean curb grade within the triangular space formed by existing or proposed intersecting street or railroad right-of-way lines and a line connecting points on the right-of-way lines as follows:

a. Fifty feet along the right-of-way of USH 14, CTH KP, CTH P, Bourbon Road, Brewery Road and Thinnes Street/Airport Road.

b. Fifty feet along the right-of-way of any street from its intersection with a railroad right-of-way.

c. Twenty-five feet along the right-of-way of all other public streets.

d. Twenty-five feet along the right-of-way of all private roads and drives as specified by the Village Engineer.



(2) Within said triangular area, no signs, parking spaces, structures, or earthwork in excess of 30 inches and no vegetation, fencing, or other such obstructions between 30 inches and 10 feet in height shall be permitted above either of the center-line elevations of said two streets.

(c) **Depiction on Required Site Plan.** Except on property in the Central Business District where no requirement is imposed, any and all visibility triangles located on the subject property shall be depicted as to their location and configuration on final plat, certified survey map and the site plan required for the development of the subject property.

SECTION 83.82 Blocks.

(a) **Purpose.** The widths, lengths, and shapes of blocks shall be suited to the planned use of the land; zoning requirements; need for convenient access, control and safety of street traffic; and the limitations and opportunities of topography.

(b) **Length.** Blocks in residential areas shall not as a general rule be less than 600 feet nor more than 1,500 feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

(c) **Pedestrian Ways.** Pedestrian ways of not less than 10 feet in width may be required near the center and entirely across any block over 900 feet in length where deemed essential by the Village Plan Commission to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.

(d) **Width.** Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic. Width of lots or parcels reserved or laid out for

commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.

(e) **Utility Easements.** All utility lines for electric power and telephone service shall be placed separate from road right-of-way on mid-block easements along rear lot lines whenever carried on overhead poles.

SECTION 83.83 Lots.

These minimums are consistent with SR-4 Zoning but not the newest district of SR-5. Variance is needed from these minimum standards in order to allow for the use of SR-5 in the preliminary plat as planned.

(a) The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.

(b) Double frontage and reverse frontage lots shall be prohibited.

(c) Residential lots shall have a minimum area of 9,600 square feet and a minimum width of 80 feet at the building line; provided, however, that the requirements of the zoning regulations insofar as they may specify greater areas or distance shall be complied with.

(d) Residential lots to be served by private sewage disposal facilities shall comply with the rules of the Wisconsin Department of Commerce.

(e) Every lot shall front or abut on a public street for a distance of at least 50 feet.

(f) Side lot lines shall be substantially at right angles or radial to street lines.

(g) Lots shall follow municipal boundary lines whenever practicable, rather than cross them.

(h) Side lot lines shall be as nearly as possible at right angles to straight street lines or radial to curved street lines on which the lots face.

(i) Corner lots shall have sufficient width to permit adequate building setbacks from side streets.

(j) Excessive depth in relation to width shall be avoided and a proportion of 1.5 to one shall be considered as an acceptable ratio under normal conditions.

(k) Residential lots fronting or backing on arterial streets shall be platted with extra depth to permit generous distances between the buildings and such trafficways.

(l) Depth and width of properties reserved or laid out for commercial or industrial use shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

(m) Whenever a tract is subdivided into large parcels, such parcels shall be arranged and dimensioned as to allow resubdivision of any such parcels into normal lots in accordance with the provisions of this chapter.

(n) Lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake or stream.

(o) Lot drainage patterns shall be indicated on the plat (or a separate sheet recorded with the plat) and shall take into account flow conditions from off site as well as outflow onto downstream properties. As-built grading plans showing the completed ground elevation at each lot corner and significant changes in grade along each side and rear lot line shall be provided to the Village. Benchmarks shall be provided on the northernmost nut on the flange of fire hydrants nearest to each lot.

(p) Unless specifically waived by the Village Director of Public Facilities, the first floor and garage floor elevations shall be at least one vertical foot above the top of curb (or street center-line elevation if there is no curb) at the lowest curb elevation in the street adjacent to the lot. The lowest building opening elevation shall be at least two vertical feet above the lowest lot corner. The first habitable floor and garage floor elevations and building opening elevation shall be shown on the face of the plat or certified survey map (or on a separate sheet recorded with the plat).

SECTION 83.84 Building Setback Lines.

Where not adequately controlled by zoning regulations, building setback lines appropriate to the location and type of development contemplated shall be established by the Plan Commission.

SECTION 83.85 Utility and Drainage Easements.

(a) **Underground Utility Service.**

(1) All new electric distribution lines (excluding lines of 12,000 volts or more), all new telephone lines from which lots are individually served, and all cable television communication lines and services installed within a newly platted area, mobile home park, cluster development or planned development shall be underground unless the Plan Commission shall specifically find after study that:

a. The placing of such facilities underground would not be compatible with the planned development;

b. Location, topography, soil, water table, solid rock, boulders, stands of trees, hedges or other physical conditions would make underground installation unreasonable or impracticable; or

c. The lots to be served by said facilities can be served directly from existing overhead facilities.

(2) Associated equipment and facilities which are appurtenant to underground electric and communications systems, such as, but not limited to, substations, pad-mounted transformers, pad-mounted sectionalizing switches and above-grade pedestal-mounted terminal boxes, may be located aboveground.

(3) The subdivider or its agent shall furnish proof to the Plan Commission that such arrangements as may be required under applicable rates and rules filed with the Public Service Commission of Wisconsin have been made with the owner or owners of such lines or services for placing their respective facilities underground as required by this section, as a condition precedent to approval of the final plat, site plan or certified survey map.

(4) Temporary overhead facilities may be installed to serve a construction site or where necessary because of severe weather conditions. In the latter case, within a reasonable time after weather conditions have moderated or upon completion of installation of permanent underground facilities, such temporary facilities shall be replaced by underground facilities and the temporary facilities removed, subject to any exception permitted by the Plan Commission under this subsection.

(b) **Easement Conditions.**

(1) Adequate easements shall be provided and dedicated on each side of all rear lot lines, and on side lot lines where necessary, for the installation of storm and sanitary sewers, gas, water, and electric lines, and telephone and cable television communication lines. Such easements as required by the Village or other private utility lines shall be noted as "Utility Easements" on the final plat or certified survey map. Prior to approval of the final plat or certified survey map, the concurrence of the electric, telephone and cable television communications companies serving the area as to the location and width of the utility easements shall be noted on the final plat or certified survey map. All easements for storm and sanitary sewers, water, bike paths and pedestrian walks, and other public purposes shall be noted thereon as "Public Easement for" followed by reference to the use or uses for which they are intended.

(2) Where the electric and communications facilities are to be installed underground, the utility easements shall be graded to within six inches of final grade by the subdivider, prior to the installation of such facilities, and earth fill, piles or mounds of dirt shall not be stored on such easement areas. Utility facilities when installed on utility easements, whether overhead or underground, shall not disturb any monumentation in the plat.

(3) Where the electric and/or communications facilities are to be installed underground, a plat restriction shall be recorded with the final plat or certified survey map stating that the final grade established by the subdivider on the utility easements shall not be altered by more than six inches by the subdivider, its agent, or by subsequent owners of the lots on which such utility easements are located, except with written consent of the utility or utilities involved. The purpose of this restriction shall be to notify initial and future lot owners of the underground facilities at the time of purchase and to establish responsibility in the event of damage to such facilities or the need to alter such facilities. When the utility company uses

a service application, said application should also notify the initial and subsequent lot owners of their responsibility regarding such underground facilities.

(c) **Drainage Easements.** Where a subdivision is traversed by a watercourse, drainageway, channel or stream, or stormwater runoff needs to be addressed, an adequate drainageway or easement shall be provided as required by the Plan Commission. The location, width, alignment and improvement of such drainageway or easement shall be subject to the approval of the Plan Commission, and parallel streets or parkways may be required in connection therewith. However, all such drainageways or easements shall be a minimum of 20 feet wide. Wherever possible, the stormwater drainage shall be maintained by landscaped, open channels of adequate size and grade to hydraulically accommodate maximum potential flow volumes. These sizes and design details are subject to review and approval by the Village Engineer, Plan Commission and Village Parks, Recreation and Conservancy Commission. In addition to the requirements of Chapter 65 of this Code regarding erosion control and stormwater runoff, the subdivider shall provide all necessary easements and facilities to transport the water off the platted area in a manner satisfactory to the Village Engineer and Village Board. Drainageways should substantially maintain existing water flow patterns onto neighboring lands.

SECTIONS 83.86 – 83.88 Reserved

REQUIRED IMPROVEMENTS

SECTION 83.89 Private Obstructions in Public Rights-of-way.

No private obstructions shall be permitted within the public right-of-way. The Village shall not be responsible for any damage to private obstructions as a result of public improvement projects.

SECTION 83.90 Streets.

Standard street improvements, including concrete curb and gutter, shall be installed in all subdivisions and land divisions within the corporate limits and in any land division or subdivision located within the extraterritorial jurisdiction area where required by the Plan Commission.

SECTION 83.91 Municipal Sanitary Sewers and Water Supply Systems.

Exhibit I

expenses incurred. If at any time moneys in the escrow are insufficient to pay expenses incurred by the Village for planning, legal, engineering, and staff services, the subdivider shall deposit additional amounts as determined by the Village within 15 days of written demand or further review and evaluation of the proposed development shall be delayed or terminated.

b. Payment of all administrative costs shall be a condition of any further approvals required from the Village. Further, should the subdivider withdraw the project and the amount of the escrow is insufficient to cover all of the Village's administrative, planning, legal, and engineering costs, the subdivider shall immediately reimburse the Village within 15 days of final billing. Should the subdivider withdraw the project or the project reach completion and there are sums held in escrow by the Village which shall exceed the final amount owed to the Village, the Village shall return all excess funds in escrow to the subdivider within 15 days of reconciling the final billing statement with the subdivider.

(3) **Default.** In the event of default by the subdivider, in addition to any other remedies to which the Village may be entitled, the Village shall recover from the subdivider all of its costs in enforcing this chapter, including actual attorney fees, and may elect to collect the administrative costs and all costs of collection as a special charge upon the new tax roll on lands being reviewed if owned by the subdivider pursuant to the authority of Section 66.0627, Wis. Stats.

SECTION 83.120 Variances and Waivers.

(a) **Procedure.** Variance from, or waivers of, any of the specific terms or provisions of this chapter, other than those required by state law, may be granted for any land division or subdivision. Such variance or waiver can be granted by the Village Board only after approval by the Plan Commission and only in accordance with the following procedure:

(1) A request for a variance or waiver shall be submitted in writing to the Village Administrator/Clerk-Treasurer, who shall forward the request to the Plan Commission. Variances or waivers shall be granted by the Village Board only where there is a recommendation for approval or conditional approval of the Plan Commission. A three-fourths affirmative vote of the entire membership of the Plan Commission shall be required to recommend approval or conditional approval of a variance or waiver. No variance or waiver can be recommended unless the Plan Commission determines that the variance or waiver would not be detrimental to the public good, would not substantially impair the overall intent of this chapter, and would not

A Variance and a Waiver from Chapter 83 (Land Division) is recommended by Staff as part of the approval for the Final Plat. All Variances and Waivers recommended are consistent with the Preliminary Plat and Development Proposal previously approved by the Village Board.

impede the desirable development of the Village in accordance with an adopted Comprehensive Plan.

(2) A three-fourths affirmative vote of the entire membership of the Village Board is required to grant a variance or waiver under this section. The Village Board shall grant a variance or waiver only after the Board also determines that the variance or waiver would not be detrimental to the public good, would not substantially impair the overall intent of this chapter, and would not impede the desirable development of the Village in accordance with an adopted Comprehensive Plan. The Village Board may not delete or weaken conditions of approval attached by the Plan Commission, but the Board may add further conditions or strengthen existing conditions as it deems necessary. The reasons justifying the variance or waiver, and any conditions thereon, shall be specifically entered in the minutes of the Village Board or other written document.

(b) **Other Provisions Remain Applicable.** If a variance or waiver is granted for one or more provisions of this chapter, the land division or subdivision remains subject to all other applicable provisions of this chapter and related ordinances.

(c) **Procedure Prevails.** This procedure applies to all waivers or variance requests under this chapter whether or not specifically noted and notwithstanding general waiver language.

(d) **No appeal.** The decision of the Plan Commission to deny a variance or waiver request is not appealable to the Village Board, it being the intent of this chapter to require that both the Plan Commission and Village Board approve the variance or waiver request before it can be granted.

SECTION 83.121 Appeals.

(a) Any person aggrieved by an objection to a plat or a failure to approve a plat may, after review by the Village Board, appeal therefrom as provided in Sections 236.13(5) and 62.23(7)(e)10 to 15, Wis. Stats.

(b) The provisions of Ch. 68, Wis. Stats., shall not be applicable to any determination made pursuant to the provisions of this chapter.

SECTIONS 83.122 – 83.124 Reserved

DEFINITIONS

SECTION 83.125 Definitions.

In this chapter, the following words and phrases shall have the designated meaning unless a different meaning is expressly provided or the context clearly indicates a different meaning:

highway system if the land owned or controlled by the subdivider abuts on a state trunk highway or connecting street.

(4) The Village Comprehensive Plan, Chapter 84 of this Code, the Official Map as adopted under Section 62.23, Wis. Stats., and all other applicable adopted ordinances, regulations, standards, policies and plans of the Village of Cross Plains.

(b) All final plats shall be recorded within the time limits specified in Section 236.25, Wis. Stats., and:

(1) Failure to record the final plat within 36 months after the first approval shall require the subdivider to resubmit a preliminary plat pursuant to this chapter and pay all fees required under this chapter.

(2) Failure to record the final plat within 12 months after the date of the last approval of the plat shall require the subdivider to resubmit a final plat pursuant to this chapter and pay all fees required under this chapter.

(3) All resubmissions of preliminary plats or final plats under this subsection shall be treated as new and independent preliminary or final plats, and no approval of a previous preliminary or final plan shall be binding upon the Plan Commission or Village Board even if such plat is unchanged.

(4) No building permits shall be issued and no improvements may be made until the final plat is properly recorded and all other requirements have been met.

SECTION 83.11 Agreement and Security for Improvements.

(a) **Agreement.** Before any final plat or Certified Survey Map is approved, the subdivider shall enter into an agreement with the Village wherein the subdivider agrees that the subdivider shall make and install any public improvements reasonably necessary or that the subdivider execute a surety bond as set forth in (b) below to ensure that he or she will make those improvements within a reasonable time. The subdivider may construct the project in such phases as the Village Board approves, which approval may not be unreasonably withheld. If the subdivider's project will be constructed in phases, the amount of any surety bond or other security required by the Village Board shall be limited to the phase of the project that is currently being constructed. The Village Board may not require that the subdivider provide any security for improvement sooner than is reasonably necessary before the commencement of the installation of the improvements.

(b) **Security for Performance Required.**

(1) To guarantee the satisfactory installation of the required improvements and as a condition of approval of the plat or certified survey map, the subdivider shall furnish to the Village an irrevocable letter of credit in a form acceptable to the Village and in an amount equal to 125% of the estimated cost of all required improvements as determined by the Village Engineer.

Where staging is permitted, the amount and duration of the security shall be determined in accordance with Subsection (a) above.

(2) When the security is furnished to insure the construction of required improvements within the extraterritorial jurisdiction of the Village, it may name the town and Dane County, or either of them, in addition to the Village, as obligees, payees, or beneficiaries.

(3) The security deposit shall guarantee that all required improvements will be made and installed according to the agreement with the Village and Village specifications by the subdivider or its contractors by a date as required in the agreement with the Village.

(4) The security deposit shall be used, applied and released pursuant to Section 83.113.

SECTION 83.12 Reservation and Dedication of Land and Park Improvement.

(a) **Dedication of Public Ways.** Whenever a tract of land to be subdivided embraces all or any part of a street, drainageway or other public way that has been designated in the Comprehensive Plan or the Official Map of the Village, the public way shall be dedicated as such on the face of the plat or certified survey map. Lands dedicated under this subsection shall not satisfy the park dedication requirements in Subsection (b) below unless found suitable for such purpose by the Village Board.

(b) **Parkland Dedication and Fees in Lieu of Dedication.** The Village has adopted a Parks and Recreation Plan that quantifies the lands and fees that shall be dedicated and paid by a subdivider for the Village to continue to provide an adequate level of park and recreational facilities. The land dedication and fee in lieu of land dedication requirements in this section are derived from the Parks and Recreation Plan.

(1) Where the Village Board determines that suitable land is available within the proposed subdivision or land division, the subdivider shall dedicate land to be used for active park purposes (neighborhood and community parks) and for conservancy park purposes (conservancy parks and trails and linear parkways). Public ways and stormwater management facilities shall not be used to satisfy the parkland dedication requirements of this Section. The amount of such land shall be rationally related to the need for such parks that will be created by the subdivision or land division. Each proposed residential dwelling unit within the land division or subdivision shall be presumed to create a need for a minimum of 1,455 square feet of land for active park purposes and 3,359 square feet of land for conservancy park purposes. If the land to be divided may be used for multifamily housing, then the dedication shall be based upon the maximum number of dwelling units which the zoning classification allows, unless the subdivider commits to a definite number of dwelling units, in which case the dedication shall be

Exhibit K

Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Veridian Homes
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: April 1, 2016
Re: **Buechner Property** – *Development Timeline*

Executive Summary

The following schedule is established in order to conform to the requirements of Chapter 82 for Annexations and Chapter 83 for Land Division as well as to meet the Developer's expectations for completing the development review in an efficient manner. There are several phases to this process including (1) Pre-Annexation Agreement; (2) Preliminary Procedures; (3) Development Proposal; (4) Annexation; and (5) Land Division. Please the following regarding the proposed timeline for Development Review to work through these phases as is required.

Phase 1 – Pre-Annexation Agreement (Section 82.05) *COMPLETE*

Phase 2 – Preliminary Procedures (Section 82.03) *COMPLETE*

Phase 3

(A) *Development Proposal* – COMPLETE

(B) USA Amendment – CARPC has approved a resolution expanding the USA Boundaries. They have submitted this decision to the DNR and we are awaiting the final Administrative Decision officially granting this request.

- ~~December 16, 2015 – Preliminary discussion with CARPC and DNR Staff.~~
- ~~January 13, 2016 – Final USAA Application submitted by Village to CARPC.~~
- ~~January 29, 2016 – CARPC Staff comments provided to Village Staff for follow-up.~~
- ~~February 1, 2016 – Village Staff response to CARPC Staff resubmitted within revised Final Application.~~
- ~~February 9, 2016 – Public Hearing notice posted and Staff Analysis released.~~
- ~~March 10, 2016 – Public Hearing and Final Action on Recommendation by CARPC.~~
- ~~March 22, 2016 – Application materials and CARPC recommendation forwarded to DNR for consideration.~~
- April 15, 2016 – DNR issues Administrative Decision on USA Amendment.

Phase 4 – Annexation Ordinance (Section 82.07) *COMPLETE*

Phase 5 – Land Division (Chapter 83)

In order to complete the various steps remaining following Ordinance approval, it will be necessary to overlap the various reviews to be conducted by Village Staff, Plan Commission, and Village Board. As the Plan Commission and Village Board are working on their review of various issues, the Developer and Staff will be preparing the next item for consideration. Please note the following items as part of the Land Division:

(A) Preliminary Plat – COMPLETE

(B) Final Plat – Requirements defined under Section 83.45-83.52 of the Village Code.

- ~~February 15, 2016 – First draft of Final Plat submitted for Staff Review. May be incomplete with remainder of the information to be provided with future submittals.~~
- ~~February 17, 2016 – The first meeting with Village Staff to review the draft Final Plat submitted.~~
- ~~March 14, 2016 – Developer will provide second draft of Final Plat to Village for Staff Review.~~
- ~~March 16, 2016 – The second meeting with Village Staff to review the draft for the Final Plat. Comments provided in the meeting will be addressed by the Developer as directed by the discussion.~~
- ~~March 18, 2016 – Final submittal of the Final Plat with all revisions and comments from the last meeting addressed. Assuming there are no outstanding issues at this point, then the Final Plat shall move onto the Plan Commission.~~
- April 4, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Final Plat.
- April 25, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Final Plat.

(C) Development Agreement (Section 83.11) – This will be prepared by the Village Attorney to memorialize and finalize the approvals for the project overall. Review of this document will likely not need meetings with the entire Village Staff. At a minimum will include Village Administrator, Village Attorney, Developer, and Developer's Attorney. Other individuals can be consulted as needed but this step is typically a formality to put all actions taken on the official record. The Village Board will review and approve this document in their sole discretion with no recommendation from the Plan Commission.

- April 6, 2016 – First draft of Development Agreement submitted from Village to Developer for review. No other meetings with Staff are projected but can be scheduled upon request by either party. It is proposed that terms be discussed outside of formal meetings between parties leading up to the Village Board meeting. This will allow for the Development Agreement and Final Plat to be considered at the same time.
- April 25, 2016 – The Village Board will conduct its review and take action on the Development Agreement.

Glacier's Edge Square Shopping Center Redevelopment

Village of Cross Plains

DANE COUNTY BUILD GRANT LETTER OF APPLICATION

SEPTEMBER 4, 2015

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17 Estimated Project Cost & Match Acknowledgement Statement

VILLAGE OF CROSS PLAINS
2417 Brewery Road, PO Box 97 • Cross Plains, WI 53528 • Phone (608) 798-3241 • Fax (608) 798-3817

August 27, 2015

Pamela Andros, AICP
Dane County Planning and Development
City-County Building, Room 116
210 Martin Luther King Jr, Blvd.
Madison, WI 53703
E-mail: Andros@countyofdane.com

Subject: BUILD Grant Application for Glacier's Edge Square Shopping Center in the Village of Cross Plains, Wisconsin

Dear Ms. Andros,

The Village of Cross Plains is pleased to submit this grant application for funding assistance for redevelopment/infill of the Glacier's Edge Square Shopping Center Project. The estimated fee for this project is $24,000. The Village is requesting the maximum amount of $15,000 from Dane County and will provide a local match of $9,000.

The Glacier's Edge Square Shopping Center is a major mixed-use business and commercial activity node within the Village of Cross Plains. The center is located off US 14/ Main Street and County Road P, is entirely auto-centric and has not been updated since construction in the early 1990's. There is new commercial construction occurring and proposed elsewhere along Main Street. If improvements are not made it is highly unlikely that the development can continue to compete with current and future demands of the market.

The desired outcomes of the planning process are to provide the Village of Cross Plains a road map for improvement and implementation of viable design strategies to ensure that the Glacier's Edge Square Center remains viable into the future. The Glacier's Edge Square Shopping Center Redevelopment Plan will 1)Provide better vehicular, bicycle and pedestrian access and circulation to the development and within it, 2) Re-imagine an underutilized village "park" into a multi-purpose, flexible and desirable community asset or infill development, 3)Improve parking lot design aesthetic to create a sense of arrival and entry, 4) Improve the curb appeal of existing buildings, creating a unique and memorable sense of place that increases property values and consumer activity, 5) Address impacts and provide solutions to the WisDOT 2015 reconstruction of US14 on adjacent lots and 6) Provide the Village with a plan for infill development on underutilized parcels fronting US 14.

Thank you for this opportunity to submit this request.

Sincerely,

J. Patrick Andreoni
Village President

Matthew G. Schuenke
Village Administrator/Clerk-Treasurer

www.cross-plains.wi.us

Glacier's Edge Square Shopping Center Redevelopment

Village of Cross Plains

The following section provides a description of the proposed planning area, including the boundaries, the current conditions of buildings and infrastructure, and the need for revitalization and infill development.

PROJECT DESCRIPTION

The Study Area

Glacier's Edge Square Shopping Center is a major business and commercial activity node within the Village of Cross Plains, Wisconsin in Dane County. The center is located off of US 14/ Main Street and County Road P. The study areas is bound by US 14/Main Street, Church Street, and West Brewery Road. "Glacier Edge Square" is the internal access road within the development. The study area consists of a mix of uses including: commercial and second story multi-family residential. The primary businesses include: Piggly Wiggly, Walgreens, World of Variety, Subway, Culver's, Cross Plains Chiropractic, U.S. Cellular, American Family Insurance, Edward Jones and State Bank of Cross Plains. Additional businesses include: All-American Liquor-Video-Tan, Snap Fitness, Hair Chamber, LA Tolteca Mexican Cuisine, General Tso's Chinese Food, PT Firearms and Accessories, Glacier's Edge Salon & Spa, Styles Unlimited, Maria's Pizza and Marila Veterinary Clinic.

Adjacent Uses

North and northwest of the study area is predominantly single family residences, with the exception of a St. Martin's Lutheran Church located near the intersection of Church Street and W Brewery Road.

East of the study area is a mix of single family residences, Valley Home Cemetery and UW Health Cross Plains Facility.

South of the study area is a Kwik Trip Gas Station located near the Church Street intersection along US 14 Main Street. The Black Earth Creek flows through a wetland area behind the Gas Station beyond the length of the study area as well as the Ice Age State Trail.

Cross Plains has only a modest traditional Main Street downtown area west of the proposed planning area; Glacier's Edge Square is the Village's greatest concentration of retail stores.

CURRENT CONDITIONS

Existing Conditions

The Shopping Center is entirely auto-centric and has not been updated since construction in the early 1990's. Meanwhile, there is new commercial construction occurring and proposed elsewhere along Main Street. If improvements are not made it is highly unlikely that the development can continue to compete with current and future demands of the market.

Buildings: The mixed-use buildings, (identified as 1. thru 4. on the location map) are aging and lack architectural character that would help to maintain viability in today's market.

Parking Lots: The existing parking lots are at varying levels of wear,

and are starting to need resurfacing and/or replacement. There are few parking lot islands and shade trees or landscaping within the development. In addition to the condition of the parking lot, the design is poor and does not provide a comfortable pedestrian environment.

Village Park: The Village owns a piece of property located in the center of the Square that is officially a Village park but is seldom used as such due to its poor location and design. If features some grass, gravel, a few benches and a handful of trees. This "park" is surrounded by parking and drive lanes, offers no shelter or other reason to be there, and is seldom used.

Infrastructure and Access

The Shopping Center is entirely auto-centric with little regard to pedestrian comfort or alternative transportation connections, despite the presence of rental and condo units above the commercial spaces.

Vehicular Access: The Shopping Center can be accessed in three locations. The primary access road is via Glacier's Edge Square near All-American Liquor. Walgreen's, State Bank of Cross Plains, The Hair Chamber, Culver's and Cross Plains Chiropractic Buildings have their own curb cuts off Main Street. The Second access drive is off of W Brewery Road on the south side of Piggly Wiggly and an additional, adjacent, yet separate drive for Walgreens separated by a vegetated median. The final access drive is located off of Church Road just north of the Culver's parking lot. The Square can be accessed through Cross Plains Chiropractic, State Bank All American Liquor and Walgreens and Piggly Wiggly parking lots as well. The number, location and proximity of entry drives is an issue to be addressed in the planning process. If consolidated, there is the potential to improve safety and make more land available for other uses.

Pedestrian Access: The Ice Age Trail runs through Cross Plains but does not directly connect to the center. Sidewalks are provided around the entire project area but connect into the development at only two points.

Bicycle Access: There are no designated bike lanes or routes through the Square and the center lacks accessory bicycle infrastructure.

THE NEED FOR REVITALIZATION AND INFILL DEVELOPMENT

The primary focus of the redevelopment plan would be to explore infill alternatives and cosmetic improvements for the mixed-use buildings and Village Park along Glacier's Edge Square, The All American Liquor and The Hair Chamber parcels. The study would also include evaluating access, circulation (pedestrian, cyclist and vehicular), parking, park and facade improvements.

Objectives:

Evaluate parking at peak times to determine need, use and potential issues and opportunities.

Evaluate the impact of the US14/ Main Street reconstruction project on parcels and parking along Main Street (Walgreens in particular).

Identify improvement strategies for pedestrian access to and within the planning area.

Identify improvement strategies for vehicular access and internal circulation.

Evaluate alternative designs for the parking areas that work with new access configurations while improving pedestrian safety and comfort.

Explore the capacity of this site to host a community farmers market (a current market may lose its site to redevelopment soon).

Explore redevelopment alternatives for the parcels at the main entry to the development (All American Liquor and The Hair Chamber).

Study three redevelopment alternatives for the Village owned parcel. 1) re-image the space as a more inviting park, 2) turn the area into an open marketplace or 3) redevelop with private infill development.

Evaluate alternatives for facade beautification improvements for the original Glacier's Edge Square commercial buildings.

Evaluate projected tax revenue of any redevelopment scenarios to identify the potential for tax increment finance assistance.

POPULATION IMPACTED

The following section provides a description of the population most directly impacted, including estimated number of persons, ages and household incomes.

Population:(Figures 1 & 2) Cross Plains is a village with a population of 3,538. Figures 1 and 2. provide population trends and projections for the Village and Town of Cross Plains as well as Dane County and Wisconsin for comparison purposes. As a prominent "gateway" site at the east entry to the City, the planning area conveys to residents and visitors an implicit message about the quality and vitality of the Village. Users of the site include not only most residents of the Village and surrounding Town of Cross Plains, but also residents of Mazomanie, Black Earth, and other communities from which many people commute to Madison each workday.

Income: (Figure 3) identifies the income for residents in the village, town and county. The per capita income for residents of the village in 2000 was $23,894 with a median family income of $62,500 and a median household of $56,629.

Age: (Figure 4) Over 27% of the population of the Cross Plains is under the age of 18, while over 32% are between the ages of 35 and 55 years old, 20% is over the age of 55.

Household Counts: (Figure 5) The current number of households within the village is 1,639, projections indicate an additional 157 households will be added by the year 2020 and another 300 by the year 2030.

Figure 1: Population Trends and Projections

	Village of Cross Plains	Town of Cross Plains	Dane County	Wisconsin
1980	2,156	1,003	323,545	4,705,642
1990	2,362	1,206	367,085	4,891,769
2000	3,084	1,419	426,526	5,363,675
2010	3,538	1,557	488,073	5,686,986
2015	4,158	1,648	523,800	5,783,015
2020	4,534	1,742	558,977	6,005,080
2025	4,901	1,832	592,888	6,203,850
2030	5,249	1,915	624,454	6,375,910

Source: 2010 Census; Wisconsin Dept. of Adminstration

Figure 2: Population Trends and Projections (Village and Town of Cross Plains)

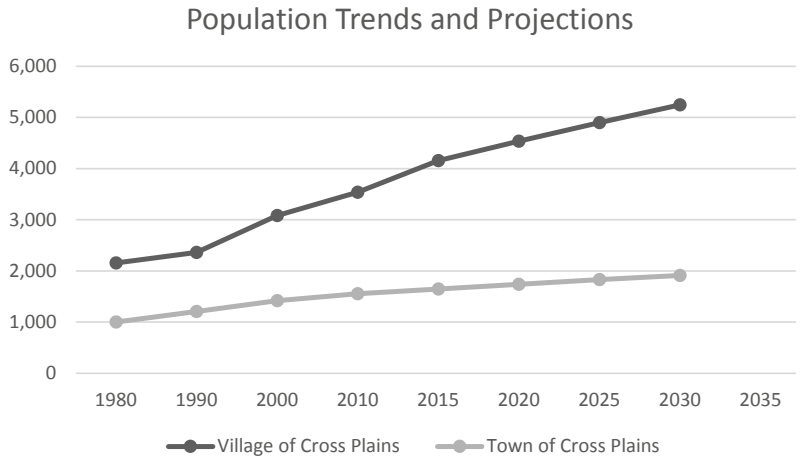


Figure 3: Income

		2010	Avg. 2009-2013
Village of Cross Plains	Per Capita	$23,894	$30,385
	Median Family	$62,500	$84,688
	Median Household	$56,629	$65,571
	Below Poverty	2.3%	3.3%
Town	Per Capita	$30,163	$50,665
	Median Family	$74,327	$106,641
	Median Household	$66,055	$97,344
	Below Poverty	1.5%	1.2%
County	Per Capita	$24,985	$33,712
	Median Family	$62,964	$83,509
	Median Household	$49,223	$61,721
	Below Poverty	7.6%	12.9%

Figure 4 : Age and Sex

	Village of Cross Plains		Town of Cross Plains		Dane County	
	Number	*Percent*	*Number*	*Percent*	*Number*	*Percent*
Male	1762	49.8%	786	52.2%	241,411	49.5%
Female	1776	50.2%	721	47.8%	246,662	50.5%
Under 10	544	15.4%	152	10.1%	60,114	12.3%
10-19 years	495	14.0%	213	14.1%	61,742	12.7%
20-34 years	642	18.1%	167	11.1%	126,105	25.8%
35-54 years	1139	32.2%	504	33.4%	133,593	27.4%
55-64 years	391	11.1%	244	16.2%	56,375	11.6%
65-74 years	173	4.9%	142	9.4%	26,559	5.4%
75-84 years	109	3.1%	69	4.6%	15,811	3.2%
85 & Over	45	1.3%	16	1.1%	7,774	1.6%
18 & Under	969	27.4%	334	22.2%	366,217	75.0%
65 & Over	327	9.2%	227	15.1%	50,144	10.3%
Totals	3,538	100%	1,507	100%	488,073	100%

Source: 2010 Census Data

Figure 5 : Household Counts

	Village of Cross Plains		Town of Cross Plains		Dane County		Wisconsin	
	Number	*Persons Per**	*Number*	*Persons Per**	*Number*	*Persons Per**	*Number*	*Persons Per**
1980	n/a	n/a	n/a	n/a	120,601	2.70	1,652,261	2.85
1990	n/a	n/a	n/a	n/a	142,786	2.60	2,055,774	2.38
2000	1,199	2.56	513	2.77	173,484	2.50	2,084,544	2.57
2010	1,386	2.55	581	2.59	203,750	2.50	2,279,768	2.49
2015	1,639	2.54	639	2.58	210,573	2.49	2,329,913	2.48
2020	1,796	2.52	679	2.56	225,844	2.48	2,431,538	2.47
2025	1,951	2.51	718	2.55	240,748	2.46	2,524,646	2.46
2030	2,100	2.50	754	2.54	254,840	2.45	2,607,704	2.45

** Forecasted Years (2015-2035) assumes a 1% decline per decade (past decline ranged from 1.0-4%, excluding State figures)*

Source: Census Bureau

GLACIER'S EDGE SQUARE SHOPPING CENTER

LOCATION MAP

BUILD OBJECTIVES

The following section provides a description of how the project will advance the BUILD program objectives.

WHY GLACIER'S EDGE SQUARE SHOPPING CENTER REDEVELOPMENT PLAN MEETS BUILD OBJECTIVES

Objective: Make better use of existing infrastructure.

Though some of the internal circulation will likely be reconfigured, this project aims to spur infill development without the need for new streets or sewer or water extensions.

Objective: Locate community services, jobs and shopping in close proximity.

By reinvigorating this site, the Village can maintain and grow services, jobs and shopping within walking distance of many residents, while preventing growth in other locations not as closely integrated with the Village.

Objective: Stabilize and enhance existing neighborhoods, downtowns and other business districts.

By enhancing the commercial and public spaces in this planning area, the village has the opportunity to also enhance the value and stability of the various residential units in and near the planning area.

Objective: Produce housing and jobs for low to moderate-income people

The range of businesses in the shopping center provide a range of unskilled to some skilled job opportunities to low and moderate income people. These jobs span the spectrum from fast food and restaurateurs, grocery store workers, bank and Insurance brokers to hair stylists.

Objective: Improve the lives of those of low to moderate income living in the community.

Development in the center provides a variety of retail sales and services available to a range of income levels. The potential use of the site for a farmers market as the potential to provide low to moderate income residents with access to locally grown vegetables and produce.

The condo units within Glacier Edge Square, which will be protected and enhanced by the improvement of adjacent spaces, function as affordable owner-occupied housing in the Village.

Objective: Avoid converting productive farmland on urban fringes and in rural areas.

By promoting reinvestment in this site the Village can forestall growth on greenfield sites.

Objective: Provide viable options to auto trips by supporting walking, biking and transit.

As previously discussed this development is auto-centric with attempts to create a pedestrian and cyclist friendly environment that was not fully executed. A redesign will incorporate better walking and bicycling alternatives, especially to the neighborhoods directly adjacent.

Objective: Clean up environmentally contaminated sites.

While there is no known contamination on site, we plan to evaluate alternatives to pervious surfaces and increase vegetative cover to help improve not only aesthetics but stormwater management and the urban heat island effect within the parking lot.

WORK PLAN AND TIMELINE

The following section provides a description of the project work plan and time line. This schedule includes approximate meeting schedule for local BUILD Steering Committee:

Project Schedule	2016						
Glacier's Edge Square Redevelopment Plan -Village of Cross Plains -	NOV. - FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUGUST
Contract preparation, approval, execution							
Project negotiations							
PHASE 1: Data Collection, Inventory & Analysis							
Site Visits							
Data Collection and Mapping							
Business and Property Inventories							
Site Inventory/Analysis/Existing Conditions/Issues and Opportunities							
Parking Occupancy Study							
PHASE 2: Conceptual Site Plans							
Develop three conceptual site plans for redevelopment including projected tax revenues							
Develop two conceptual alternatives for façade improvements							
Revised selected design alternatives							
Develop Final Plan and Deliverables							
PHASE 3: Meetings							
Steering Committee Kick-Off		1					
Public Informational Meeting			2				
Preliminary Design Review (Steering Committee)				3			
Public Informational Meeting					4		
Final Design Review (Steering Committee)						5	
Village Board Adoption							6

Assumes a Project Start Date of March 1st, 2016

Meeting Groups

Steering Committee Meeting (3 Total)

Document Production

DESIRED OUTCOMES

The desired outcomes of the planning process are to provide the Village of Cross Plains a road map for improvement and implementation of viable design strategies to ensure that the Glacier's Edge Square Shopping Center remains viable into the future.

The Glacier's Edge Square Shopping Center Redevelopment Plan will:

Provide better vehicular, bicycle and pedestrian access and circulation to the development and within it.

Re-imagine an underutilized village park into a multi-purpose, flexible and desirable community asset.

Improve parking lot design aesthetic to create a sense of arrival and entry.

Improve the curb appeal of existing buildings, creating a unique and memorable sense of place that increases property values.

Address impacts and provide solutions to the WisDOT 2015 reconstruction of US14 on Walgreen's parking lot.

Provide the Village with a plan for infill development on underutilized properties.

RELEVANT PREVIOUS PLANNING

WisDot 2015 USH 14 Reconstruction

US 14 Streetscape and Signage Plan, 2015

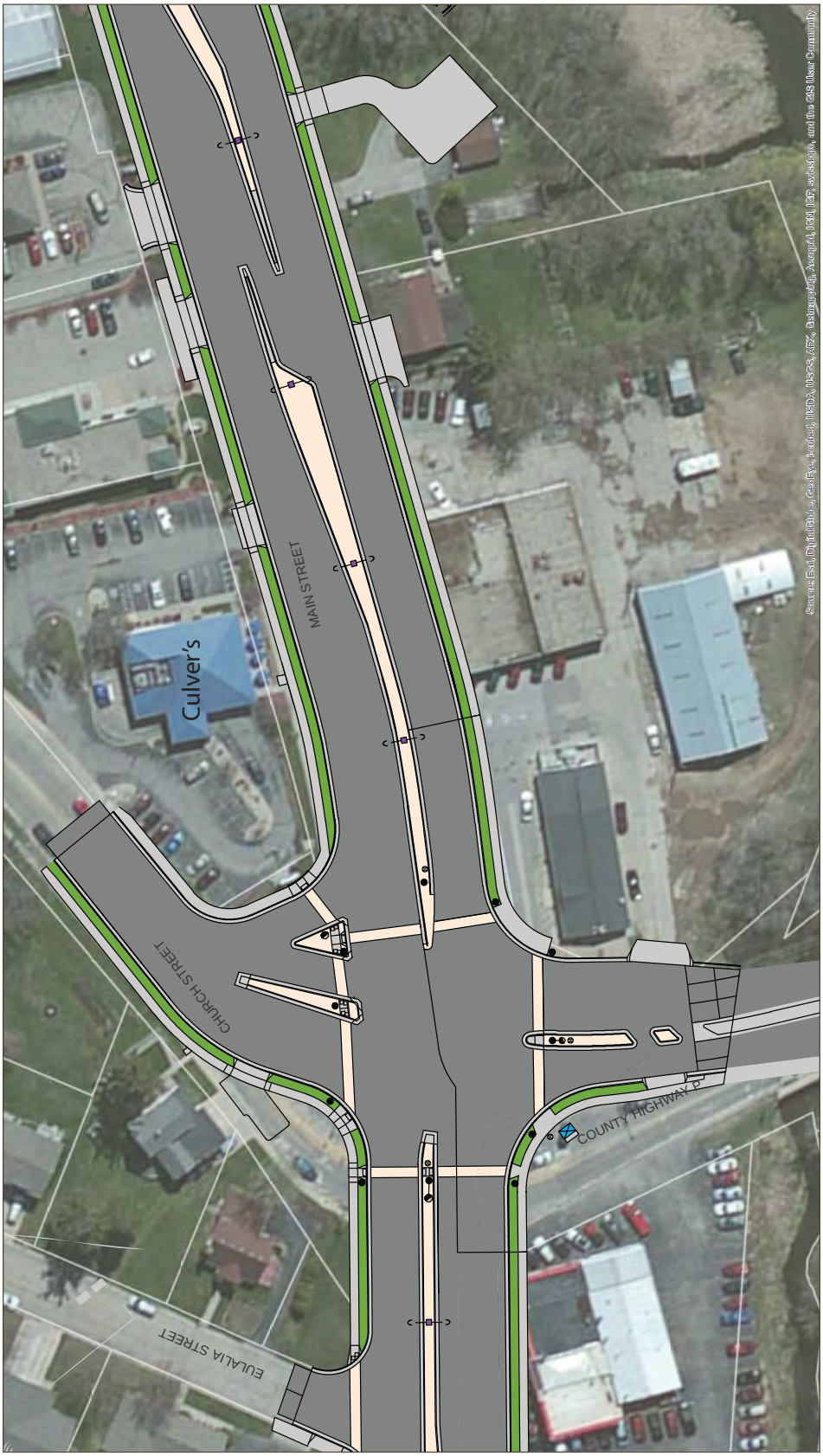
Cross Plains Comprehensive Plan, 2012

Cross Plains TID #3 Project Plan, 2008

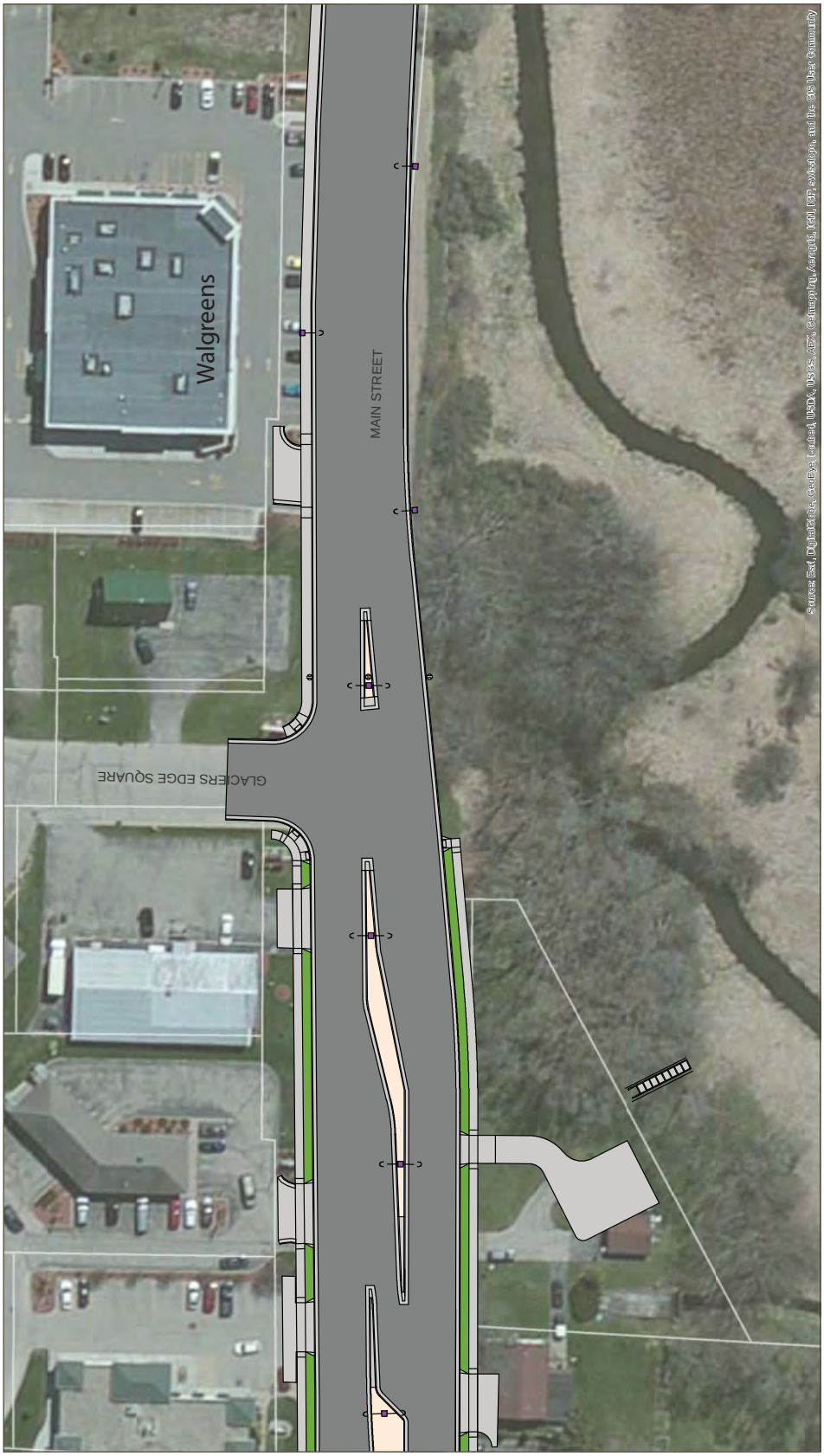
Cross Plains Strategic Plan, 2007

Cross plains Downtown Revitalization Plan, 2005

US 14 | MAIN STREET RECONSTRUCTION



US 14 | MAIN STREET RECONSTRUCTION



US 14 | MAIN STREET RECONSTRUCTION

From: Stephen Tremlett
To: Andrew Bremer; Matt Schuenke
Subject: RE: Plan Commission meeting - April 4 @ 7:00 pm
Date: Thursday, March 31, 2016 2:49:55 PM
Attachments: image006.png
image007.png
image010.png
image011.png
EC Maps_reduced.pdf

Matt,

The planned agenda items for the BUILD project include the following:

1. Discuss project, including purpose, scope of work, and meeting schedule
2. Discuss up-coming public informational meeting (PIM), including business/public notification, meeting type (special open house vs. prior to, or during, PC mtg), etc.
3. Discuss Opportunities/Constraints, while reviewing the existing conditions maps (see attachment)

Items #1 and #2 are the most important to get through in this first meeting with PC. Dependent on how long it takes to get through these items will dictate how much we get into Item #3.

Stephen Tremlett, AICP, CNU-A | Urban Designer
MSA Professional Services, Inc.
+1 (608) 242-6621

From: Andrew Bremer
Sent: Thursday, March 31, 2016 10:16 AM
To: Matt Schuenke
Cc: Stephen Tremlett
Subject: RE: Plan Commission meeting - April 4 @ 7:00 pm

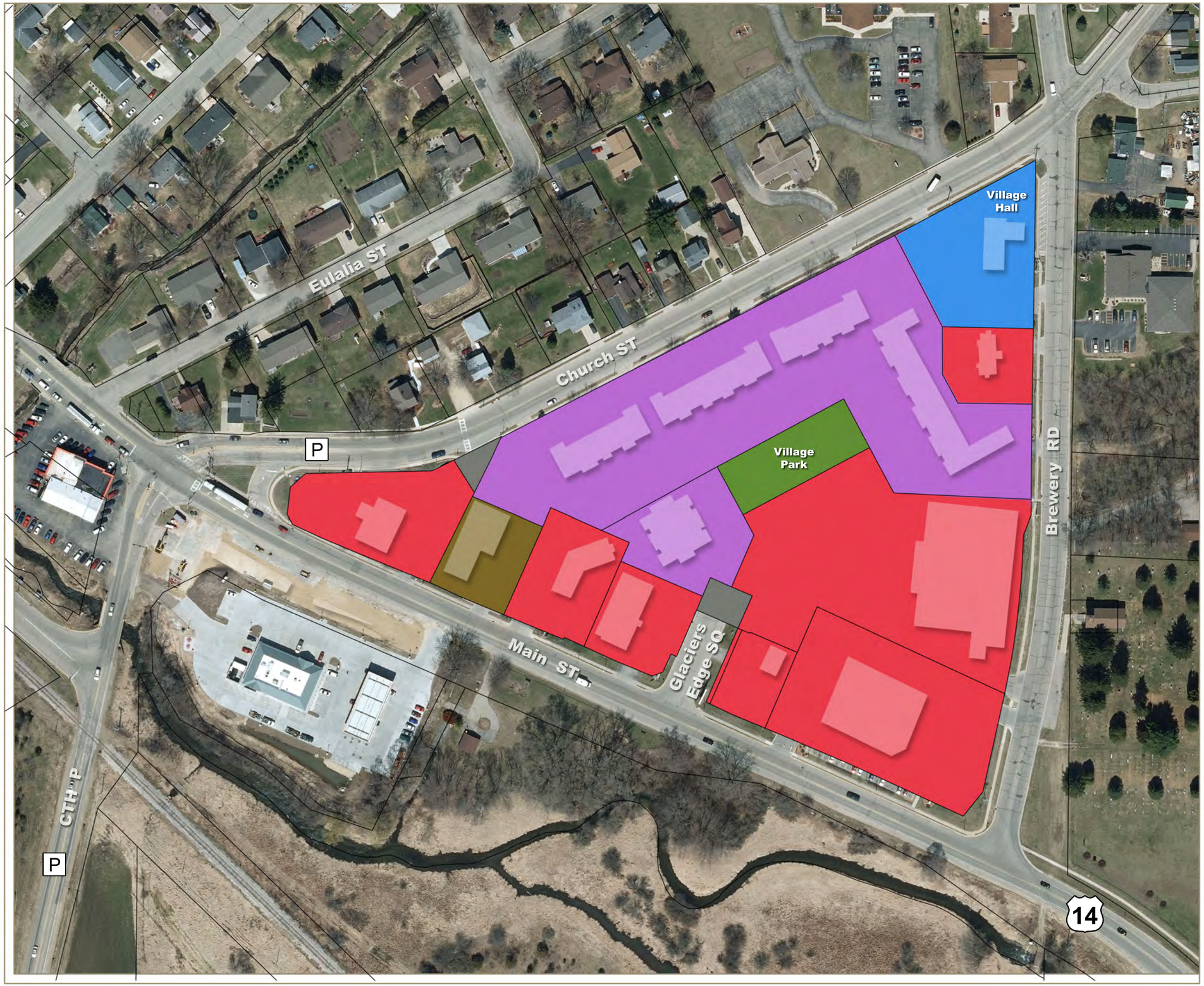
6 works for us. Steve will send over meeting materials later this afternoon.

Andrew Bremer, AICP | Project Planner
MSA Professional Services, Inc.
+1 (608) 242-6605

From: Matt Schuenke [mailto:matt@cross-plains.wi.us]
Sent: Thursday, March 31, 2016 8:54 AM
To: Matt Schuenke <matt@cross-plains.wi.us>
Subject: FW: Plan Commission meeting - April 4 @ 7:00 pm

FYI – Please let me know if this is an issue. More than likely the meeting will move up an hour. Thanks.

GLACIER'S EDGE SQUARE
REDEVELOPMENT PLAN



EXISTING LAND USE MAP

LEGEND

- Parcels
- BuildingFootprint

Existing Land Use

- Mixed Use
- Commercial
- Office
- Civic
- Park
- Parking / Access Drive

DATA SOURCES:
BASE DATA PROVIDED BY DANE COUNTY.

VILLAGE OF CROSS PLAINS
DANE COUNTY, WI

MSA PROFESSIONAL SERVICES

0 100 200 300 Feet

GLACIER'S EDGE SQUARE
REDEVELOPMENT PLAN

BUSINESS INVENTORY MAP

GLACIER'S EDGE SQUARE BUSINESS INVENTORY

Location	Name	Sector	Sub-Sector	Gross Area (appox. SQ.FT.)
1	Subway	Eatery	Fast Food Restaurant	3,000
2	Cross Plains Family Restaurant	Eatery	Sit-down Restaurant	3,500
3	All State	Service	Insurance Agency	2,400
4	VACANT (For Lease)			3,500
5	The Soap Box	Service	Laundramat	1,900
6	MaRiLa Veterinary Clinic	Service	Clinic	2,500
7	PT Firearms	Retail	Sales	4,200
8	World of Variety	Retail	Sales	12,900
9	Nanny Love Daycare	Service	Daycare	1,800
10	Piggly Wiggly	Retail	Grocer	26,810
11	Walgreens	Retail	Drug Store and Convenience	13,420
12	Incredible Cars	Retail	Auto Dealership	1,060
13	All American Liqour	Retail	Sales	5,320
14	State Bank of Cross Plains	Service	Financial Advisor/Institution	3,740
15	VACANT (For Lease)			900
16	Edward Jones Investments	Service	Financial Advisor/Institution	900
17	American Family Insurance	Service	Insurance Agency	3,800
18	Culver's	Eatery	Fast Food Restaurant	3,850
19	Snap Fitness	Service	Fitness Center	1,800
20	General Tso's Chinese Food	Eatery	Sit-down Restaurant	1,800

LEGEND

- Parcels
- BuildingFootprint

Existing Land Use

- Mixed Use
- Commercial
- Office
- Civic
- Park
- Parking / Access Drive

DATA SOURCES:
BASE DATA PROVIDED BY DANE COUNTY.

VILLAGE OF CROSS PLAINS
DANE COUNTY, WI

MSA PROFESSIONAL SERVICES

0 100 200 300 Feet

GLACIER'S EDGE SQUARE
REDEVELOPMENT PLAN

BUILDING CONDITIONS MAP

LEGEND

- Parcels
- BuildingFootprint

Building Conditions

- Good
- Good to Fair
- Fair
- Fair to Poor
- No Building

DATA SOURCES:
BASE DATA PROVIDED BY DANE COUNTY.

VILLAGE OF CROSS PLAINS
DANE COUNTY, WI

MSA PROFESSIONAL SERVICES

0 100 200 300 Feet

GLACIER'S EDGE SQUARE
REDEVELOPMENT PLAN

PROPERTY VALUE RATIO MAP

LEGEND

- Parcels
- BuildingFootprint

Property Value Ratio

- Less than 1.0
- 1.0 - 2.0
- 2.1 - 4.0
- More than 4.0
- Tax Exempt

DATA SOURCES:
BASE DATA PROVIDED BY DANE COUNTY.

VILLAGE OF CROSS PLAINS
DANE COUNTY, WI

MSA PROFESSIONAL SERVICES

0 100 200 300 Feet

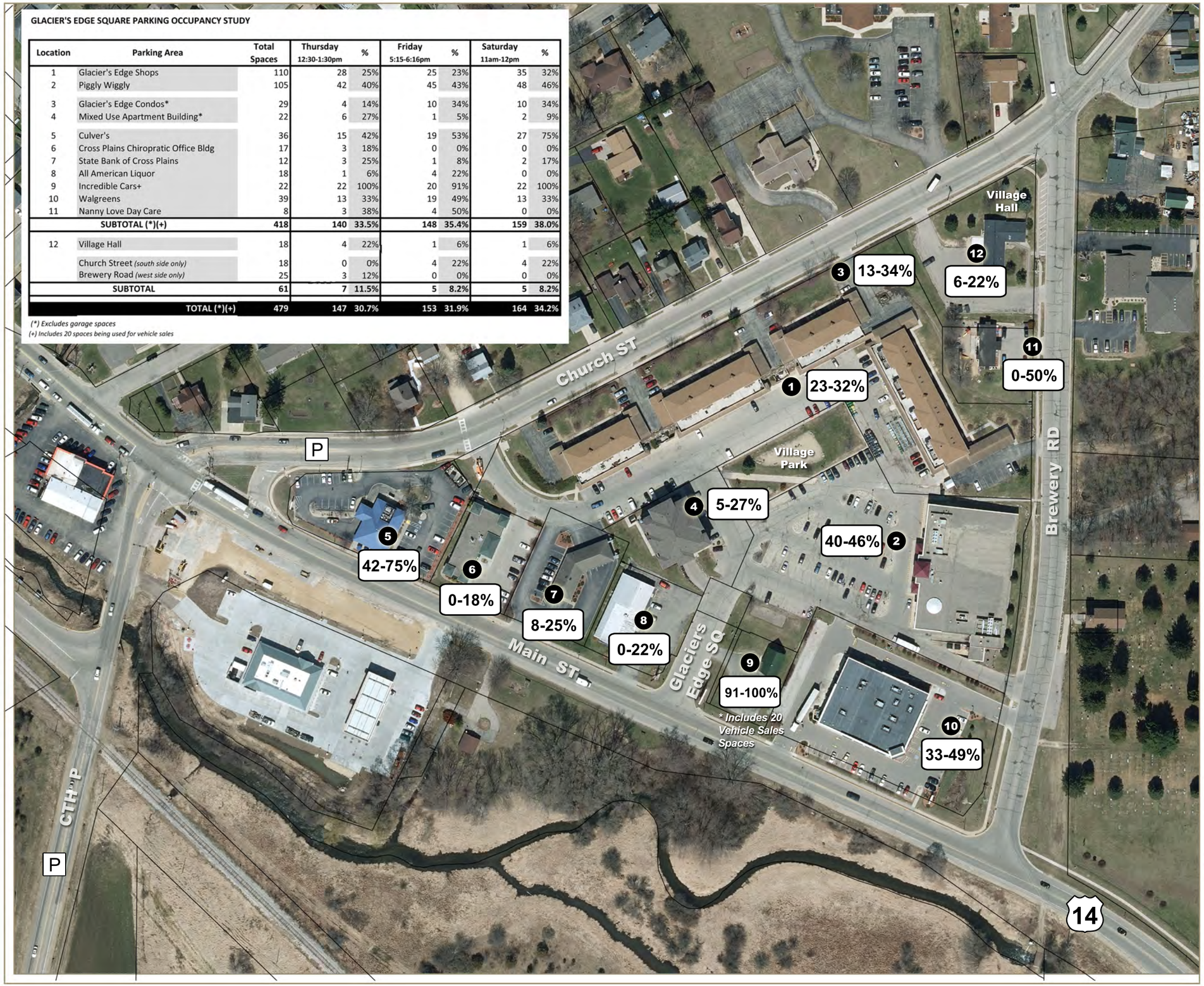
GLACIER'S EDGE SQUARE
REDEVELOPMENT PLAN

PARKING OCCUPANCY MAP

GLACIER'S EDGE SQUARE PARKING OCCUPANCY STUDY

Location	Parking Area	Total Spaces	Thursday 12:30-1:30pm	%	Friday 5:15-6:16pm	%	Saturday 11am-12pm	%
1	Glacier's Edge Shops	110	28	25%	25	23%	35	32%
2	Piggly Wiggly	105	42	40%	45	43%	48	46%
3	Glacier's Edge Condos*	29	4	14%	10	34%	10	34%
4	Mixed Use Apartment Building*	22	6	27%	1	5%	2	9%
5	Culver's	36	15	42%	19	53%	27	75%
6	Cross Plains Chiropratic Office Bldg	17	3	18%	0	0%	0	0%
7	State Bank of Cross Plains	12	3	25%	1	8%	2	17%
8	All American Liquor	18	1	6%	4	22%	0	0%
9	Incredible Cars+	22	22	100%	20	91%	22	100%
10	Walgreens	39	13	33%	19	49%	13	33%
11	Nanny Love Day Care	8	3	38%	4	50%	0	0%
	SUBTOTAL (*)(+)	**418**	**140**	**33.5%**	**148**	**35.4%**	**159**	**38.0%**
12	Village Hall	18	4	22%	1	6%	1	6%
	Church Street *(south side only)*	18	0	0%	4	22%	4	22%
	Brewery Road *(west side only)*	25	3	12%	0	0%	0	0%
	SUBTOTAL	**61**	**7**	**11.5%**	**5**	**8.2%**	**5**	**8.2%**
	TOTAL (*)(+)	**479**	**147**	**30.7%**	**153**	**31.9%**	**164**	**34.2%**

(*) Excludes garage spaces
(+) Includes 20 spaces being used for vehicle sales



LEGEND

- Parcels
- BuildingFootprint

Peak Hour Parking Occupancy

X-X% Occupancy (Low-High)

DATA SOURCES:
BASE DATA PROVIDED BY DANE COUNTY.

VILLAGE OF CROSS PLAINS
DANE COUNTY, WI

MSA PROFESSIONAL SERVICES

0 100 200 300 Feet

U.S. Department of Homeland Security
500 C Street, SW
Washington, DC 20472

FEMA

MAR 4 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Pat Andreoni
Village President
Village of Cross Plains
2417 Brewery Road
Cross Plains, Wisconsin 53528

FYI - Full size copies will be available for review in the meeting -

Dear Mr. Andreoni:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for the Village of Cross Plains, Wisconsin, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- a Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on June 16, 2016; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations Section 60.3(d).

As noted in FEMA's letter dated December 16, 2015, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for Dane County. Therefore, the Village of Cross Plains should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for the Village of Cross Plains will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the Wisconsin Department of Natural Resources. You may contact Meg Galloway, Acting NFIP State Coordinator, by telephone at (608) 266-7014, in writing at Post Office Box 7921, Madison, Wisconsin 53707-7921, or by electronic mail at Meg.Galloway@wisconsin.gov.

The FEMA Regional staff in Chicago, Illinois, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for the Village of Cross Plains and will ensure its participation in the NFIP. The Regional Office may be contacted by telephone at (312) 408-5500 or in writing. Please send your written inquiries to the Director, Federal Insurance

and Mitigation Division, FEMA Region V, at 536 South Clark Street, Sixth Floor, Chicago, Illinois 60605.

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until June 16, 2016, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by June 16, 2016. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Sincerely,

Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

Enclosure

cc: Andrew Velasquez, III, Regional Administrator, FEMA Region V
Meg Galloway, Acting NFIP State Coordinator, Wisconsin Department of Natural Resources
Matthew Schuenke, Zoning Administrator, Village of Cross Plains

NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 8 NORTH, RANGE 7 EAST.

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
HTTP://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) *Zone A, V, A99*
	With BFE or Depth *Zone AE, AO, AH, VE, AR*
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
	Future Conditions 1% Annual Chance Flood Hazard *Zone X*
	Area with Reduced Flood Risk due to Levee See Notes. *Zone X*
OTHER AREAS	NO SCREEN Areas Determined to be Outside the 0.2% Annual Chance Floodplain *Zone X*
	Area of Undetermined Flood Hazard *Zone D*
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Accredited or Provisionally Accredited Levee, Dike, or Floodwall
	Non-accredited Levee, Dike, or Floodwall
OTHER FEATURES	E 18.2 17.8 Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
	B Coastal Transect
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of the FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was provided by the Wisconsin Regional Orthophotography Consortium (WROC). The aerial photography was acquired in the spring of 2010 to create 1"=1000' scale digital orthophotos with 16-bit resolution.

SCALE

N

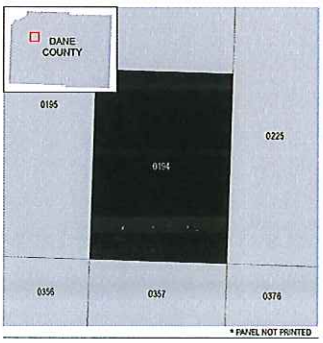
Map Projection:
NAD83 HARN UTM Zone 16N
Western Hemisphere, Vertical Datum: NAVD 88

1 Inch = 500 feet 1:6,000

0 500 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR



* PANEL NOT PRINTED

FEMA
National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

DANE COUNTY, WISCONSIN
AND INCORPORATED AREAS

PANEL **194** OF **850**

FEMA

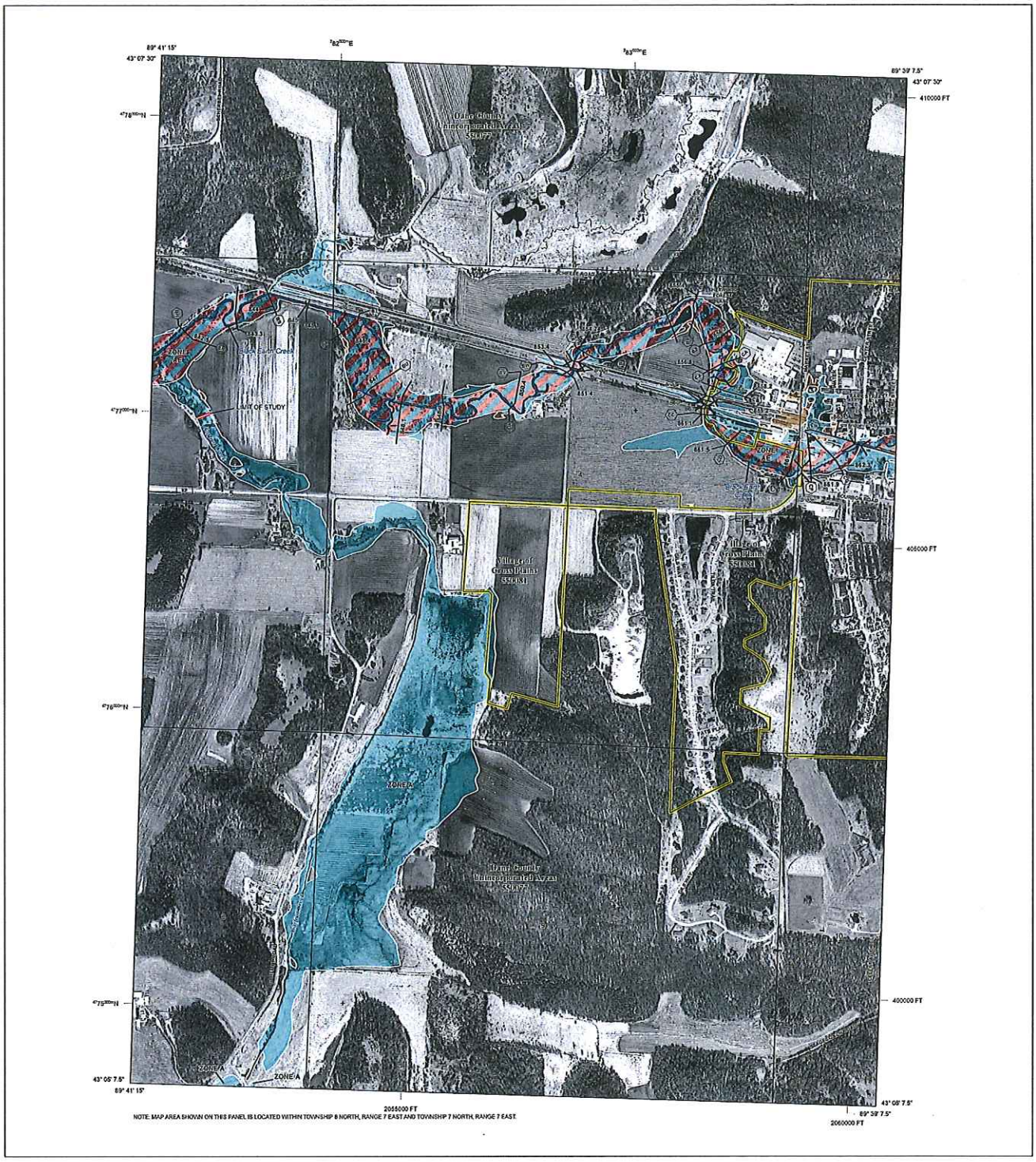
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CROSS PLAINS, VILLAGE OF	550081	0194	H
DANE COUNTY	550077	0194	H

VERSION NUMBER
2.2.2.1

MAP NUMBER
55025C0194H

MAP REVISED
June 16, 2016



NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 8 NORTH, RANGE 7 EAST AND TOWNSHIP 7 NORTH, RANGE 7 EAST.

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
HTTP://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) *Zone A, V, A99*
	With BFE or Depth *Zone AE, AO, AH, VE, AR*
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
	Future Conditions 1% Annual Chance Flood Hazard *Zone X*
	Area with Reduced Flood Risk due to Levee See Notes. *Zone X*
OTHER AREAS	NO SCREEN Areas Determined to be Outside the 0.2% Annual Chance Floodplain *Zone X*
	Area of Undetermined Flood Hazard *Zone D*
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Accredited or Provisionally Accredited Levee, Dike, or Floodwall
	Non-accredited Levee, Dike, or Floodwall
OTHER FEATURES	E 18.2 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
	8 Coastal Transect
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature
	513 Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

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For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was provided by the Wisconsin Regional Orthophotography Consortium (WROC). The aerial photography was acquired in the spring of 2010 to create 1":1000' scale digital orthophotos with 15-inch resolution.

SCALE

N

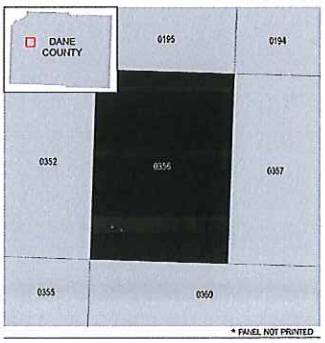
Map Projection:
NAD83 HARN UTM Zone 16N;
Western Hemisphere; Vertical Datum: NAVD 88

1 inch = 500 feet 1:6,000

0 500 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR



* PANEL NOT PRINTED

FEMA National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

DANE COUNTY, WISCONSIN
AND INCORPORATED AREAS

PANEL **356** OF **850**

FEMA

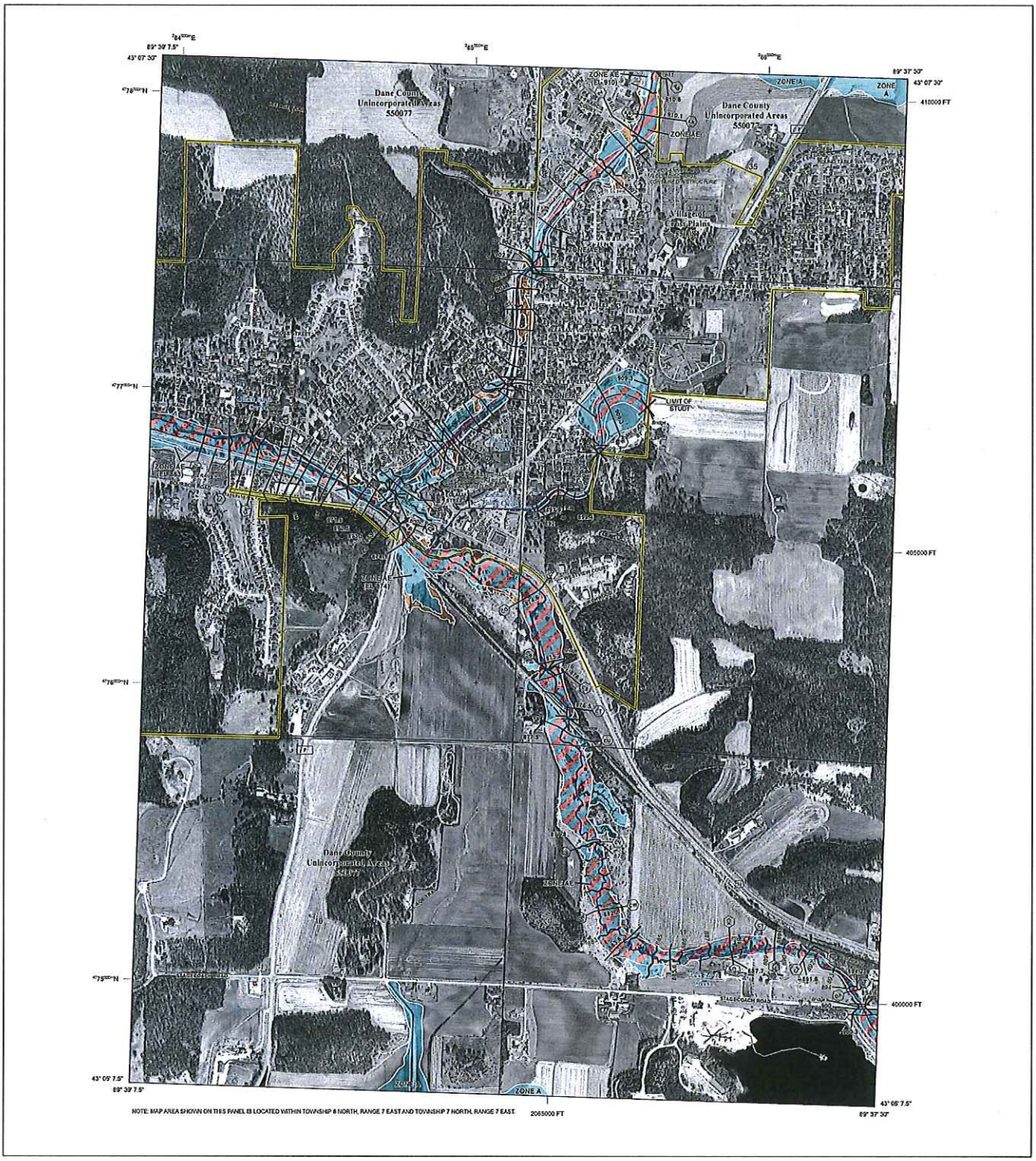
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CROSS PLAINS, VILLAGE OF	550061	0356	H
DANE COUNTY	550077	0356	H

VERSION NUMBER
2.2.2.1

MAP NUMBER
5502500356H

MAP REVISED
June 16, 2016



NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 8 NORTH, RANGE 7 EAST AND TOWNSHIP 7 NORTH, RANGE 7 EAST.

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	With BFE or Depth *Zone AE, AO, AH, VE, AR*
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
	Future Conditions 1% Annual Chance Flood Hazard *Zone X*
	Area with Reduced Flood Risk due to Levee See Notes. *Zone X*
OTHER AREAS	NO SCREEN Areas Determined to be Outside the 0.2% Annual Chance Floodplain *Zone X*
	Area of Undetermined Flood Hazard *Zone D*
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Accredited or Provisionally Accredited Levee, Dike, or Floodwall
	Non-accredited Levee, Dike, or Floodwall
	E 19.2 17.6 Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
	8 Coastal Transect
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature
	513 Base Flood Elevation Line (BFE)
OTHER FEATURES	Limit of Study
	Jurisdiction Boundary

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SCALE

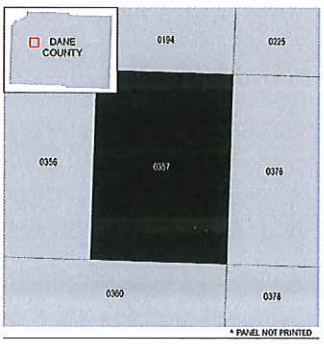
Map Projection:
NAD83 HARN UTM Zone 16N;
Western Hemisphere, Vertical Datum: NAVD 88

1 Inch = 500 feet 1:6,000

0 500 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR



* PANEL NOT PRINTED

FEMA
National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

DANE COUNTY, WISCONSIN
AND INCORPORATED AREAS

PANEL **357** OF **850**

FEMA

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CROSS PLAINS, VILLAGE OF	550061	0357	H
DANE COUNTY	550077	0357	H

VERSION NUMBER
2.2.1
MAP NUMBER
55025C0357H
MAP REVISED
June 16, 2016

FLOOD HAZARD INFORMATION

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	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
	Future Conditions 1% Annual Chance Flood Hazard *Zone X*
	Area with Reduced Flood Risk due to Levee See Notes. *Zone X*
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	Area of Undetermined Flood Hazard *Zone D*
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Accredited or Provisionally Accredited Levee, Dike, or Floodwall
	Non-accredited Levee, Dike, or Floodwall
OTHER FEATURES	E 18.2 / 17.8 Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
	9 Coastal Transect
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary

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SCALE

N

Map Projection:
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1 inch = 500 feet 1:6,000

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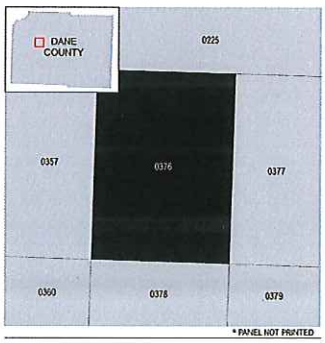
PANEL LOCATOR



* PANEL NOT PRINTED

FEMA
National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

DANE COUNTY, WISCONSIN
AND INCORPORATED AREAS

PANEL 376 OF 850

FEMA

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CROSS PLAINS, VILLAGE OF	550081	0376	H
DANE COUNTY	550077	0376	H

VERSION NUMBER
2.2.2.1

MAP NUMBER
55025C0376H

MAP REVISED
June 16, 2016

VILLAGE OF CROSS PLAINS

2417 Brewery Road
Cross Plains, WI 53528
(608) 798-3241

Plan Commission – Public Hearing Notice

Notice is hereby given that a public hearing will be held at the Village Hall located at 2417 Brewery Road, Cross Plains, WI 53528 at 7:00 pm on April 4, 2016 before the Plan Commission regarding the following items:

1. Proposed Ordinance #05-2016 amending Section 85.05(b)(1)-(4) in order to update the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) panel numbers with a new effective date as of June 16, 2016.

Dated this 17th and 24th day of March, 2016.

Matthew G. Schuenke
Administrator/Clerk-Treasurer

CHAPTER 85 FLOODPLAIN ZONING

Introduction

SECTION 85.01 Statutory Authorization.

This chapter is adopted pursuant to the authorizations afforded the Village of Cross Plains by Sections 61.35 and 62.23, Wis. Stats., and as required by Section 87.30, Wis. Stats.

SECTION 85.02 Findings of Fact.

Uncontrolled development and use of the floodplains, streams and creeks within the Village would impair the public health, safety, convenience, general welfare and tax base.

SECTION 85.03 Statement of Purpose.

This chapter is intended to regulate floodplain development to:

(a) Protect life, health and property;
(b) Minimize expenditures of public funds for flood-control projects;
(c) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
(d) Minimize business interruptions and other economic disruptions;
(e) Minimize damage to public facilities in the floodplain;
(f) Minimize the occurrence of future flood blight areas in the floodplain;
(g) Discourage the victimization of unwary land and home buyers;
(h) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
(i) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

SECTION 85.04 Title.

This chapter shall be known as the "Floodplain Zoning Ordinance for the Village of Cross Plains, Dane County, Wisconsin."

SECTION 85.05 General Provisions.

(a) **Areas to be Regulated.** This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

(b) **Official Maps and Revisions.** The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Village Clerk. If more than one map or revision is referenced, the most restrictive information shall apply. The official maps, based on the Flood Insurance Study, include the following:

(1) Flood Insurance Rate Map (FIRM), Community Panel Number 550081, including map panels 55025C0194H, 55025C0356H, 55025C0357H, and 55025C0376H ~~55025C0195G, 55025C0356G, 55025C0357G and 55025C0376G,~~ made effective on June 16, 2016 ~~January 2, 2009,~~ and all future amendments thereto.

(2) Flood Insurance Study (FIS) for Dane County, Wisconsin, numbered 55025CV001D, 55025CV002D, 55025CV003D, and 55025CV004D ~~55025CV001C and 55025CV002C~~ made effective on June 16, 2016.~~September 17, 2014.~~

(3) Official Maps: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

~~(4)~~ (a) Letter of Map Revisions approved by FEMA after June 16, 2016 ~~January 2, 2009~~.

(c) **Establishment of Districts.** The regional floodplain areas are divided into the following:

(1) The floodway district (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE zones as shown on the FIRM..

(2) The flood-fringe district (FF) is that portion of the floodplain between the regional flood limits and the floodway and displayed as AE zones on the FIRM.

(3) The general floodplain district (GFP) is those areas that have been or may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO zones on the FIRM.

(d) **Locating Floodplain Boundaries.** Discrepancies between boundaries on the Official Floodplain Zoning Map and actual field conditions shall be resolved using the criteria in Subsection (d)(1) or (2) below. If a significant difference exists, the map shall be amended according to Section 85.53. The Zoning Administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The Zoning Administrator shall be responsible for documenting actual predevelopment field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this subsection. Disputes between the Zoning Administrator and an applicant over the district boundary line shall be settled according to Section 85.45(c) and the criteria set forth in Subsection (d)(1) and (2) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant so Section 85.52:

(1) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.

(2) Where flood profiles do not exist, the location of the boundary shall be determined by the map scale.

(e) **Removal of Lands from Floodplain.** Compliance with the provisions of this chapter shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to Section 85.53.

(f) **Compliance.** Any development or use within the areas regulated by this chapter shall be in compliance with the terms of this chapter and other applicable local, state, and federal regulations.

(g) **Municipalities and State Agencies Regulated.** Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this chapter and obtain all necessary permits. State agencies are required to comply if Section 13.48(13), Wis. Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when Section 30.2022, Wis. Stats., applies.

(h) **Abrogation and Greater Restrictions.**

(1) This chapter supersedes all the provisions of any municipal zoning ordinance enacted under Section 61.35, Wis. Stats., for villages or Section 87.30, Wis. Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

(2) This chapter is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

(i) **Interpretation.** In their interpretation and application, the provisions of this chapter are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this chapter required by Ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this chapter or in effect on the date of the most recent text amendment to this chapter.

(j) **Warning and Disclaimer of Liability.** The flood protection standards in this chapter are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This chapter does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This chapter does not create liability on the part of, or a cause of action against, the Village or any officer or employee thereof for any flood damage that may result from reliance on this chapter.

(k) **Severability.**. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(l) **Annexed Areas.** The Dane County floodplain zoning provisions in effect on the date of any annexation shall remain in effect and shall be enforced by the Village for all annexed areas until the Village adopts and enforces an ordinance which meets the requirements of Ch. NR 116, Wis. Adm. Code, and 44 CFR 59-72, the National Flood Insurance Program (NFIP). These annexed lands are described on the Village's Official Zoning Map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this subsection and are on file in the office of the Village Zoning Administrator. All plats or maps of annexation shall show the regional flood elevation and the location of the floodway.

SECTIONS 85.06 – 85.07 Reserved

General Standards Applicable to All Floodplain Districts

SECTION 85.08 General Standards Applicable to All Districts. The Village shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood resistant msaterials; be constructed to minimize flood damages; and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. 85.43(b). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages

SECTION 85.09 Hydraulic and Hydrologic Analyses.

(a) Except as allowed in Subsection (c) below, no floodplain development shall:
   (1) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, increasing regional flood height; or
   (2) Cause any increase in the regional flood height due to floodplain storage area lost.

(b) The Zoning Administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of section 85.53 are met.

SECTION 85.10 Watercourse Alterations.

(a) No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the Zoning Administrator has notified in writing all adjacent municipalities, the Department and FEMA regional offices and required the applicant to secure all necessary state and federal permits. The standards of section 85.08 must be met and the flood-carrying capacity of any altered or relocated watercourse shall be maintained.

(b) As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation, and pursuant to section 85.53, the Zoning Administrator shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

SECTION 85.11 Chapter 30, 31Wis. Stats., Development.

Development which requires a permit from the Department under Chs. 30 or 31, Wis. Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to Section 85.53 of this Chapter.

SECTION 85.12 Public or Private Campgrounds.

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

(a) The campground is approved by the Department of Health Services.

(b) A land use permit for the campground is issued by the Zoning Administrator.

(c) The character of the water system and the elevation of the campground are such that a seventy-two-hour warning of an impending flood can be given to all campground occupants.

(d) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the Village emergency government coordinator and the Village Police Chief which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation.

(e) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated, by the officials identified in Subsection (d), to remain in compliance with all applicable regulations, including those of the State Department of Health Services and all other applicable regulations.

(f) Only camping units that are fully licensed, if required, and ready for highway use are allowed.

(g) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours.

(h) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section.

(i) The Village shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section.

(j) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements for the floodplain district in which the structure is located.

(k) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued.

(l) All service facilities, including but not limited to refuse collection, electrical service, natural gas lines, propane tanks, sewage systems and wells, shall be properly anchored and placed at or floodproofed to the flood protection elevation.

SECTIONS 85.13 – 85.15 Reserved

Floodway District

SECTION 85.16 Applicability.

This article applies to all floodway areas on the floodplain zoning maps and those identified pursuant to Section ~~85.31~~ 85.32.

SECTION 85.17 Permitted Uses.

The following open space uses are allowed in the floodway district and the floodway areas of the general floodplain district if they are not prohibited by any other ordinance, the meet the standards in sections 85.18 and 85.19, and all permits have been issued according to section 85.43:

(a) Agricultural uses, such as farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.

(b) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.

(c) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of Section 85.18(d).

(d) Uses or structures accessory to open space uses or classified as historic structures that comply with Section 85.18, and are not prohibited by Section 85.19.

(e) Extraction of sand, gravel or other materials that complies with Section 85.18(d).

(f) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Chs. 30 and 31, Wis. Stats.

(g) Public utilities, streets and bridges that comply with Section 85.18(c).

SECTION 85.18 Standards for Development in Floodway Areas.

(a) **General.**

(1) Any development in floodway areas shall comply with Sections 85.09 – 85.12 and have a low flood damage potential.

(2) Applicants shall provide the following data to determine the effects of the proposal according to Section 85.09:

a. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or

b. An analysis calculating the effects of this proposal on regional flood height.

(3) The Zoning Administrator shall deny the permit application if the project will cause any increase in the flood elevations upstream or downstream, based on the data submitted for Subsection (a)(2) above.

(b) **Structures.** Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

(1) The structure is not designed for human habitation, does not have a high flood damage potential, and is constructed to minimize flood damage;

(2) It must be anchored to resist flotation, collapse, and lateral movement;

(3) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and

(4) It must not obstruct the flow of floodwaters or cause any increase in flood levels during the occurrence of the regional flood.

(5) Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(c) **Public Utilities, Streets and Bridges.** Public utilities, streets and bridges may be allowed by permit if:

(1) Adequate floodproofing measures are provided to the flood protection elevation; and

(2) Construction meets the development standards of Section 85.09.

(d) **Fills or Deposition of Materials.** Fills or deposition of materials may be allowed by permit if:

(1) The requirements of Section 85.09 are met;

(2) No material is deposited in the navigable waters unless a permit is issued by the Department pursuant to Ch. 30, Wis. Stats., and a permit pursuant to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. Section 1344 has been issued, if applicable, and the other requirements of this section are met;

(3) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and

(4) The fill is not classified as a solid or hazardous material.

SECTION 85.19 Prohibited Uses.

All uses not listed as permitted uses in Section 85.17 are prohibited, including the following uses:

(a) Habitable structures, structures with high flood damage potential, or those not associated with permanent open space uses.

(b) Storage of materials that are buoyant, flammable, explosive, or injurious to property, water quality, or human, animal, plant, fish or other aquatic life.

(c) Uses not in harmony with or detrimental to uses permitted in the adjoining districts.

(d) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Ch. SPS 383, Wis. Adm. Code.

(e) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and Chs. NR 811 and NR 812, Wis. Adm. Code.

(f) Any solid or hazardous waste disposal sites.

(g) Any wastewater treatment ponds or facilities, except those permitted under Section NR 110.15(3)(b), Wis. Adm. Code.

(h) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

SECTIONS 85.20 – 85.22 Reserved

Flood-Fringe District (FF)

SECTION 85.23 Applicability.

This article applies to all flood-fringe areas shown on the floodplain zoning maps and those identified pursuant to Section ~~85.31~~ 85.32.

SECTION 85.24 Permitted Uses.

Any structure, land use, or development is allowed in the flood-fringe district if the standards in Section 85.25 are met, the use is not prohibited by this chapter or any other ordinance or regulation and all permits or certificates specified in Section 85.43 have been issued.

SECTION 85.25 Standards for Development in Flood-fringe.

Section 85.09 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of section 85.36:

(a) **Residential Uses.** Any structure, including a manufactured home, which is to be newly constructed or moved into the flood-fringe shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of section 85.36:

(1) The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of ~~section (b)~~ Subsection(a)(2) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.

(2) The basement or crawlway floor may be placed at the regional flood elevation if it is floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation.

(3) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in Subsection (a)(4).

(4) In developments where existing street or sewer line elevations make compliance with Subsection (a)(3) impractical, the municipality may permit new development and substantial improvements where access roads are at or below the regional flood elevation if:

a. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or

b. The Village has a DNR approved emergency evacuation plan.

(b) **Accessory Structures or Uses.** Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(c) **Commercial Uses.** Any commercial structure which is erected, altered or moved into the flood-fringe shall meet the requirements of Subsection (a). Subject to the requirements of Subsection (e), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(d) **Manufacturing and Industrial Uses.** Any manufacturing or industrial structure which is erected, altered or moved into the flood-fringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in Section 85.47. Subject to the requirements of Subsection (e), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(e) **Storage of Materials.** Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with Section 85.47. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(f) **Public Utilities, Streets and Bridges.** All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans and:

(1) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are floodproofed in compliance with Section 85.47.

(2) Minor roads or nonessential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(g) **Sewage Systems.** All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to Section 85.47~~(3)~~(b), to the flood protection elevation and meet the provisions of all local ordinances and Ch. SPS 383, Wis. Adm. Code.

(h) **Wells.** All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to Section 85.47~~(3)~~ (b), to the flood protection elevation and shall meet the provisions of Chs. NR 811 and NR 812, Wis. Adm. Code.

(i) **Solid Waste Disposal Sites.** Disposal of solid or hazardous waste is prohibited in flood-fringe areas.

(j) **Deposition of Materials.** Any deposited material must meet all the provisions of this chapter.

(k) **Manufactured Homes.**

(1) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.

(2) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:

a. have the lowest floor elevated to the flood protection elevation; and

b. be anchored so they do not float, collapse or move laterally during a flood

(3) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in section (a)

(l) **Mobile Recreational Vehicles.** All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in Subsections (k)(2) and (3). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

SECTIONS 85.26 – 85.28 Reserved

General Floodplain District

SECTION 85.29 Applicability.

The provisions of this Chapter shall apply to all floodplains mapped as A, AO or AH zones.

SECTION 85.30 Permitted Uses.

Pursuant to Section ~~85.31~~ 85.32, it shall be determined whether the proposed use is located within a floodway or flood-fringe.Those uses permitted in the Floodway or Floodfringe Districts are allowed within the General Floodplain District, according to the standards of section 85.31 provided that all permits or certificates required under section 85.43 have been issued.

SECTION 85.31 Standards for Development in the General Floodplain District

Sections 85.16-85.19 apply to floodway areas. Sections 85.23-85.25 apply to floodfringe areas. The rest of this ordinance applies to either district.

(a) In AO/AH Zones, provide plans showing adequate drainage paths to guide floodwaters around structures and the structure's lowest floor must meet one of the conditions listed below whichever is higher:

1. at or above the flood protection elevation; or
2. two (2) feet above the highest adjacent grade around the structure; or
3. the depth as shown on the FIRM

SECTION 85.32 Determining Floodway and Flood-fringe Limits.

Upon receiving an application for development within the general floodplain district, the Zoning Administrator shall:

(a) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and floodproofing measures, and the flood zone as shown on the FIRM..

(b) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows and regional flood elevation and to determine floodway boundaries:

(1) A Hydrologic and Hydraulic Study as specified in section 85.43(e).

(2) Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types; and other pertinent information.

(3) Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

SECTIONS 85.33 – 85.35 Reserved

Nonconforming Uses

SECTION 85.36 Applicability; Conditions for Continued Use.

(a) If these standards conform with Wis. Stats. Section 62.23 (7)(h), they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this chapter or any amendment thereto.

(b) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this chapter may continue subject to the following conditions:

(1) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this chapter. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance. The construction of a deck that does not exceed 200 square feet and that ios adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress or egress to the principal structure.

(2) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this chapter.

(3) The Village shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent.

(4) No modification or addition to any nonconforming structure or any structure with a nonconforming use which over the life of the structure would equal or exceed 50% of its present equalized assessed value shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this chapter. Contiguous dry land access must be provided for residential and commercial uses in compliance with Section 85.25(a). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this subsection.

(5) No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with Section 85.25(a)

(6) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with Section 85.25(a)

(7) Except as provided in subd. ~~(h)~~(8), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.

(8) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

a. Residential Structures

1. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of Section 85.47(c).

2. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.

3. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

4. In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.

5. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in Section 85.31.
6. in AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

b. Nonresidential Structures

1. Shall meet the requirements of ~~this~~ section 85.36(b)8(1-2) and (5-6).
2. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in Section 85.47(a) or ~~(b)~~(c)
3. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in Section 85.31

c. Historic Structures. A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with Section 85.18(a) flood resistant materials are used, and construction practices and floodproofing methods that comply with section 85.47 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of paragraph (8) of this section if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure

SECTION 85.37 Floodway District.

(a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in a floodway district, unless such modification or addition:

(1) Has been granted a permit or variance which meets all requirements of this chapter.

(2) Meets the requirements of Section 85.36.

(3) Shall not increase the obstruction to flood flows or regional flood height.

(b) Any addition to the existing structure shall be floodproofed, pursuant to Section 85.47, by means other than the use of fill, to the flood protection elevation.

(c) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

(1) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of floodwaters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;

(2) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;

(3) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and

(4) The use must be limited to parking or limited storage.

(d) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway district. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all Village ordinances, s. 85.47(b) and Ch. SPS 383, Wis. Adm. Code.

(e) No new well or modification to an existing well used to obtain potable water shall be allowed in a floodway district. Any replacement, repair or maintenance of an existing well in a floodway district shall meet the applicable requirements of all Village ordinances, s. 85.47(b) and Chs. NR 811 and NR 812, Wis. Adm. Code.

SECTION 85.38 Floodfringe District.

(a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the Village, and meets the requirements of Section 85.25, except where Subsection (b) is applicable.

(b) Where compliance with the provisions of Subsection (a) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Zoning Board of Appeals, using the procedures established in Section 85.45, may grant a variance from those provisions of Subsection (a) for modifications or additions, using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

(1) No floor is allowed below the regional flood elevation for residential or commercial structures;

(2) Human lives are not endangered;

(3) Public facilities, such as water or sewer, ~~will~~ shall not be installed;

(4) Flood depths ~~will~~ shall not exceed two feet;

(5) Flood velocities ~~will~~ shall not exceed two feet per second; and

(6) The structure ~~will~~ shall not be used for storage of materials as described in Section 85.25(e).

(c) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system, shall meet all the applicable provisions of all local ordinances, s. 85.47(b) and Ch. SPS 383, Wis. Adm. Code.

(d) All new wells, or addition to, replacement, repair or maintenance of a well, shall meet the applicable provisions of this chapter, s.85.47(b) and Chs. NR 811 and NR 812, Wis. Adm. Code.

SECTIONS 85.39 – 85.41 Reserved

Administration

SECTION 85.42 General Provisions.

The Village Zoning Administrator, Plan Commission and Zoning Board of Appeals shall administer this Chapter as set forth in this Chapter.

SECTION 85.43 Zoning Administrator; Permits and Certificates.

(a) **Zoning Administrator.** The Zoning Administrator is authorized to administer this chapter and shall have the following duties and powers:

(1) Advise applicants of the provisions of this chapter, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.

(2) Issue permits and inspect properties for compliance with the provisions of this chapter and issue certificates of compliance where appropriate.

(3) Inspect all damaged floodplain structures and perform a substantial damage assessment to determine if substantial damage to the structures has occurred.

(4) Keep records of all official actions such as:

a. All permits issued, inspections made, and work approved;

b. Documentation of certified lowest floor and regional flood elevations;

c. water surface profiles, floodplain zoning maps and ordinances, and nonconforming uses and structures, including changes, appeals, variances and amendments.

d. All substantial damage assessment reports for floodplain structures.

e. floodproofing certificates

f. list of nonconforming structures and uses.

(5) Submit copies of the following items to the Department regional office:

a. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments.

b. Copies of any case-by-case analyses and any other information required by the Department, including an annual summary of the number and types of floodplain zoning actions taken.

c. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.

(6) Investigate, prepare reports, and report violations of this chapter to the Plan Commission and Attorney for prosecution. Copies of the reports shall also be sent to the Department regional office.

(7) Submit copies of text and map amendments and biennial reports to the FEMA regional office.

(b) **Land Use Permit.** A land use permit shall be obtained before any new development or any structural repair or change in the use of a building or structure, including sewer and water facilities, may be initiated. The application to the Zoning Administrator shall include:

(1) **General Information.**

a. Name and address of the applicant, property owner and contractor.

b. Legal description, proposed use, and whether it is new construction or a modification.

(2) **Site Development Plan.** A site plan drawn to scale shall be submitted with the permit application form and shall contain:

a. Location, dimensions, area and elevation of the lot;

b. Location of the ordinary high-water mark of any abutting navigable waterways;

c. Location of any structures with distances measured from the lot lines and street center lines;

d. Location of any existing or proposed on-site sewage systems or private water supply systems;

e. Location and elevation of existing or future access roads;

f. Location of floodplain and floodway limits as determined from the Official Floodplain Zoning Maps;

g. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study, either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);

h. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements regarding Floodway Districts and Flood Fringe Districts are met; and

i. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to Section 85.09. This may include any of the information noted in Section 85.18(a).

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(c) **Certificate of Compliance.** No land shall be occupied or used and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the Zoning Administrator, except where no permit is required, subject to the following provisions:

(1) The certificate of compliance shall show that the building or premises or part thereof and the proposed use conform to the provisions of this chapter.

(2) Application for such certificate shall be concurrent with the application for a permit.

(3) If all provisions of this chapter are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed.

(4) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that floodproofing measures meet the requirements of Section 85.47.

(d) **Other Permits.** The applicant must secure all necessary permits from federal, state, and local agencies, including those required by the U.S. Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. Section 1344.

(e) **Hydraulic and Hydrologic Studies to Analyze Development.** All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

(1) . Zone A floodplains:

a. Hydrology

i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge.*

b. Hydraulic modeling

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.

ii. channel sections must be surveyed.

iii. minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.

iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.

v. the most current version of HEC_RAS shall be used.

vi. a survey of bridge and culvert openings and the top of road is required at each structure.

vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.

viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

c. Mapping

A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.

ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

2. Zone AE Floodplains

a. Hydrology

If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge.*

b. Hydraulic model

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

i. Duplicate Effective Model

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

ii. Corrected Effective Model.

The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

iii. Existing (Pre-Project Conditions) Model.

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

iv. Revised (Post-Project Conditions) Model.

The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

c. Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.

ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.

iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.

iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.

v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.

vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.

vii. Both the current and proposed floodways shall be shown on the map.

viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

(f) **Expiration**

All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

SECTION 85.44 Plan Commission.

(a) The Village Plan Commission shall:

(1) Oversee the functions of the office of the Zoning Administrator; and

(2) Review and advise the Village Board on all proposed amendments to this chapter, maps and text.

(b) The Plan Commission shall not:

(1) Grant variances to the terms of this chapter in place of action by the Zoning Board of Appeals; or

(2) Amend the text or zoning maps in place of official action by the Village Board.

SECTION 85.45 Zoning Board of Appeals.

The Zoning Board of Appeals (the "Board"), created under Section 62.23(7)(e), Wis. Stats., for villages, is hereby authorized and is appointed to act for the purposes of this chapter. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The Zoning Administrator may not be the Secretary of the Board.

(a) **Powers and Duties.** The Zoning Board of Appeals shall:

(1) **Appeals.** Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this chapter.

(2) **Boundary Disputes.** Hear and decide disputes concerning the district boundaries shown on the Official Floodplain Zoning Map.

(3) **Variances.** Hear and decide, upon appeal, variances from the standards of this chapter.

(b) **Appeals to the Board.**

(1) **Filing.** Appeals to the Board may be taken by any person aggrieved or by any officer or department of the municipality affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within 30 days, unless otherwise provided by the rules of the Board, by filing with the official whose decision is in question, and with the Board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the Board all records regarding the matter appealed.

(2) **Notice and Hearing.**

a. **Notice.** The Board shall:

1. Fix a reasonable time for the hearing.
2. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing.
3. Assure that notice shall be mailed to the parties in interest and the Department regional office at least 10 days in advance of the hearing.

b. **Hearing.** Any party may appear in person or by agent. The Board shall:

1. Resolve boundary disputes according to Subsection (c).
2. Decide variance applications according to Subsection (d).
3. Decide appeals of permit denials according to Section 85.46.

(3) **Decision.** The final decision regarding the appeal or variance application shall:

a. Be made within a reasonable time.

b. Be sent to the Department regional office within 10 days of the decision.

c. Be a written determination signed by the Chairperson of the Board.

d. State the specific facts which are the basis for the Board's decision.

e. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application.

f. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(c) **Boundary Disputes.** The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

(1) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined.

(2) In all cases, the person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board.

(3) If the boundary is incorrectly mapped, the Board should inform the Plan Commission or the person contesting the boundary location to petition the governing body for a map amendment according to Section 85.53.

(d) **Variance.**

(1) The Board may, upon appeal, grant a variance from the standards of this chapter if an applicant convincingly demonstrates that:

a. Literal enforcement of the provisions of this chapter will cause unnecessary hardship;

b. The hardship is due to adoption of this chapter and unique property conditions not common to adjacent lots or premises; in such case the chapter or map must be amended;

c. The variance is not contrary to the public interest; and

d. The variance is consistent with the purpose of this chapter as set forth in Section 85.03.

(2) In addition to the criteria in Subsection (d)(1), to qualify for a variance under FEMA regulations, the following criteria must be met:

a. The variance may not cause any increase in the regional flood elevation.

b. Variances can only be granted for lots that are less than 1/2 acre and are contiguous to existing structures constructed below the RFE.

c. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of this chapter.

(3) A variance shall not:

a. Grant, extend or increase any use prohibited in the zoning district.

b. Be granted for a hardship based solely on an economic gain or loss.

c. Be granted for a hardship which is self-created.

d. Damage the rights or property values of other persons in the area.

e. Allow actions without the amendments to this chapter or map(s) required in Sections 85.52 – 85.53.

f. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

(4) When a floodplain variance is granted, the Board shall notify the applicant in writing that it may increase flood insurance premiums and risks to life and property. A copy shall be maintained with the variance record.

SECTION 85.46 To Review Appeals of Permit Denials.

(a) The Board shall review all data related to the appeal. This may include:

(1) Permit application data listed in Section 85.43(b).

(2) Floodway/flood-fringe determination data in Section ~~85.31~~ 85.32.

(3) Data listed in Section 85.18(a)(2) where the applicant has not submitted this information to the Zoning Administrator.

(4) Other data submitted with the application or submitted to the Board with the appeal.

(b) For appeals of all denied permits the Board shall:

(1) Follow the procedures of Section 85.45;

(2) Consider Plan Commission recommendations; and

(3) Either uphold the denial or grant the appeal.

(c) For appeals concerning increases in regional flood elevation the Board shall:

(1) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of section 85.53.

(2) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase, provided that no other reasons for denial exist.

SECTION 85.47 Floodproofing Standards for Nonconforming Structures or Uses.

(a) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.

(b) Floodproofing measures shall be designed, as appropriate, to:

(1) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;

(2) Protect structures to the flood protection elevation;

(3) Anchor structures to foundations to resist flotation and lateral movement; and

(4) Minimize or eliminate infiltration of flood waters

(5) Minimize or eliminate discharges into floodwaters..

(c) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:

(1) certified by a registered professional engineer or architect, or.

(2) meets or exceeds the following standards:

a. a minimum of two openings having a total net net area of not less than one square inch for every square foot of enclosed area subject to flooding

b. the bottom of all openings shall be no higher than one foot above grade, and

c. openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters..

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SECTION 85.48 Public Information

(a) Place marks on structures to show the depth of inundation during the regional flood

(b) All maps, engineering data and regulations shal be available and widely distributed

(c) Real estate transfers should show what floodplain district any real property is in.

SECTIONS 85.49 – 85.51 Reserved

Amendments

SECTION 85.52 General.

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with this section ~~85.53~~.

(a) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with section 85.53. Any such alterations must be reviewed and approved by FEMA and the DNR.

(b) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with this section ~~85.53~~.

(c) The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in this section ~~85.53~~ below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

(1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;

(2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;

(3) Any changes to any other officially adopted floodplain maps listed in ~~1.5 (2)(b)~~ 85.05(b)(3);

(4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;

(5) Correction of discrepancies between the water surface profiles and floodplain maps;

(6) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and

(7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

SECTION 85.53 Amendment Procedure.

Amendments to this chapter may be made upon petition of any interested party according to the provisions of Section 62.23, Wis. Stats. Such petitions shall include all necessary data required by Sections ~~85.31~~ 85.32and 85.43(b). The Land Use Permit shall not be issued until a Letter of Map revision is issued by FEMA for the proposed changes.

(a) The proposed amendment shall be referred to the Plan Commission for a public hearing and recommendation to the Village Board. The amendment and notice of public hearing shall be submitted to the Department regional office for review

prior to the hearing. The amendment procedure shall comply with the provisions of Section 62.23, Wis. Stats.

(b) No amendments shall become effective until reviewed and approved by the Department.

(c) All persons petitioning for a map amendment that obstructs flow, causing any increase in the regional flood height shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

SECTIONS 85.54 – 85.56 Reserved

Enforcement and Penalties

SECTION 85.57 Violations and Penalties.

Any violation of the provisions of this chapter by any person shall be unlawful and shall be referred to the Village Attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not less than $25 and not more than $50, together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this chapter is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the Village, the State of Wisconsin or any citizen thereof pursuant to Section 87.30, Wis. Stats.

SECTIONS 85.58 – 85.59 Reserved

Definitions and Word Usage

SECTION 85.60 Word Usage.

Unless specifically defined, words and phrases in this chapter shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word “may” is permissive; “shall” is mandatory and is not discretionary.

SECTION 85.61 Definitions.

(a) **Accessory Structure or Use.** A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.

(b) **A Zones.** Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered

A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

(c) **AH Zone.** See "Area of Shallow Flooding"

(d) **AO Zone.** See "Area of Shallow Flooding"

(e) **Alteration.** An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning or other systems within a structure.

(f) **Area of Shallow Flooding.** A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow

(g) **Base Flood.** The flood having a one-percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

(h) **Basement.** Any enclosed area of a building having its floor subgrade, i.e., below ground level, on all sides.

(i) **Building.** See "Structure."

(j) **Bulkhead Line.** A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to Section 30.11, Wis. Stats., and which allows limited filling between this bulkhead line and the original ordinary high-water mark, except where such filling is prohibited by the floodway provisions of this chapter.

(k) **Campground.** Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by four or more camping units or which is advertised or represented as a camping area.

(l) **Camping Unit.** Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pickup truck, tent or other mobile recreational vehicle.

(m) **Certificate of Compliance.** A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this chapter.

(n) **Channel.** A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

(o) **Crawlways or Crawl Space.** An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

(p) **Deck.** An unenclosed exterior structure that has no roof or sides but has a permeable floor which allows the infiltration of precipitation.

(q) **Department.** The Wisconsin Department of Natural Resources.

(r) **Development.** Any artificial change to improved or unimproved real estate, including but not limited to the construction of buildings, structures or accessory

structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

(s) **DryLand Access.** A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

(t) **Encroachment.** Any fill, structure, equipment, building, use or development in the floodway.

(u) **Federal Emergency Management Agency (FEMA).** The federal agency that administers the National Flood Insurance Program.

(v) **Flood Insurance Rate Map (FIRM).** A map of a community on which the Federal Insurance Administration has delineated bith the floodplain and the risk premium zones applicable to the community. This map can only be amended by FEMA.

(w) **Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters;
- The rapid accumulation or runoff of surface waters from any source;
- The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or

The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event

(x) **Flood Frequency.** The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent chance of occurring in any given year.

(y) **Floodfringe.** That portion of the floodplain outside of the floodway which is covered by floodwaters during the regional flood and associated with standing water rather than flowing water.

(z) **Flood Hazard Boundary Map.** A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

(aa) **Flood Insurance Study.** A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A Zones. Flood Insurance Rate Maps that accompany the Flood Insurance Study form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

(bb) **Floodplain.** Land which has been or may be covered by floodwater during the regional flood. It includes the floodway and the flood fringe and may include other designated floodplain areas for regulatory purposes.

(cc) **Floodplain Island.** A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

(dd) **Floodplain Management.** Policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

(ee) **Flood Profile.** A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

(ff) **Floodproofing.** Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding for the purpose of reducing or eliminating flood damage.

(gg) **Flood Protection Elevation.** An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see "freeboard.")

(hh) **Flood Storage.** Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

(ii) **Floodway.** The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

(jj) **Freeboard.** A safety factor expressed in terms of a specified number of feet above a calculated flood level. "Freeboard" compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

(kk) **Habitable Structure.** Any structure or portion thereof used or designed for human habitation.

(ll) **Hearing Notice.** Publication or posting meeting the requirements of Ch. 985, Wis. Stats. For appeals, a Class 1 notice, published once at least one week (seven days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (seven days) before the hearing, is required. Local ordinances or bylaws may require additional notice, exceeding these minimums.

(mm) **High Flood Damage Potential.** Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

(nn) **Highest Adjacent Grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

(oo) **Historic Structure.** Any structure that is either:

(1) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior, or by the Secretary of the Interior in states without approved programs.

(pp) **Increase in Regional Flood Height.** A calculated upward rise in the regional flood elevation, equal to or greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions, which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

(qq) **Land Use.** Any nonstructural use made of unimproved or improved real estate. (Also see "development.")

(rr) **Lowest Adjacent Grade.** Elevation of the lowest ground surface that touches any of the exterior walls of a building.

(ss) **Lowest Floor**. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

(tt) **Maintenance.** The act or process of restoring to original soundness, including redecorating, refinishing, non structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures

(uu) **Manufactured Home.** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term

"manufactured home" includes a mobile home but does not include a mobile recreational vehicle.

(vv) **Mobile Recreational Vehicle.** A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicle."

(ww) **Mobile/Manufactured Home Park or Subdivision**. A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

(xx) **Mobile/Manufactured Home Park or Subdivision, Existing**. A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

(yy) **Mobile/Manufactured Home Park Expansion to Existing**. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring if concrete pads.

(zz) **Model, Corrected Effective**. A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

(aaa) **Model, Duplicate Effective**. A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

(bbb) **Model, Effective**. The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

(ccc) **Model, Existing (Pre-Project).** A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

(ddd) **Model, Revised (Post Project).** A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

(eee) **Municipality or Municipal.** The Village governmental unit enacting, administering and enforcing this chapter

(fff) **NAVD or North American Vertical Datum.** Elevations referenced to mean sea level datum, 1988 adjustment.

(ggg) **New Construction.** For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

(hhh) **NGVD or National Geodetic Vertical Datum.** Elevations referenced to mean sea level datum, 1929 adjustment.

(iii) **Nonconforming Structure.** An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this chapter for the area of the floodplain which it occupies. (For example, an existing residential structure in the flood-fringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

(jjj) **Nonconforming Use.** An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this chapter for the area of the floodplain which it occupies (such as a residence in the floodway).

(kkk) **Obstruction to Flow.** Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

(lll) **Official Floodplain Zoning Map.** That map, adopted and made part of this chapter, as described in Section 85.05(b), which has been approved by the Department and FEMA.

(mmm) **Open Space Use.** Those uses having a relatively low flood damage potential and not involving structures.

(nnn) **Ordinary High-Water Mark.** The point on the bank or shore up to which the presence and action of surface water are so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

(ooo) **Person.** An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

(ppp) **Private Sewage System.** A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Commerce, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

(qqq) **Public Utilities.** Those utilities using underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems, such as water, sanitary sewer and storm sewer.

(rrr) **Reasonably Safe From Flooding.** Base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area and any subsurface waters related to the base flood will not damage existing or proposed buildings.

(sss) **Regional Flood.** A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one-percent chance of being equaled or exceeded in any given year, and, if depicted on the FIRM, the RFE is equivalent to the BFE.

(ttt) **Start of Construction.** The date the building permit was issued, provided that the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

(uuu) **Structure.** Any man-made object with form, shape and utility either permanently or temporarily attached to, placed upon or set into the ground, streambed or lake bed, including but not limited to roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

(vvv) **Subdivision.** Has the meaning given in Section 236.02(12), Wis. Stats.

(www) **Substantial Damage.** Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its predamaged condition would equal or exceed 50% of the equalized assessed value of the structure before the damage occurred.

(xxx) **Substantial Improvement.** Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living

conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

(yyy) **Unnecessary Hardship.** Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this chapter.

(zzz) **Variance.** An authorization by the Zoning Board of Appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in this chapter.

(aaaa) **Violation.** The failure of a structure or other development to be fully compliant with this chapter. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

(bbbb) **Watershed.** The entire region contributing runoff or surface water to a watercourse or body of water.

(ccc) **Water Surface Profile.** A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

(dddd) **Well.** An excavation opening in the ground made by digging, boring, drilling, driving or other methods to obtain groundwater, regardless of its intended use.