

CHAPTER XXXII
LAND DIVISION ORDINANCE
VILLAGE OF SLINGER, WASHINGTON COUNTY, WISCONSIN

SECTION 7.00 DESIGN STANDARDS

7.01 STREET ARRANGEMENT

- A. General Requirements. In any new land division or condominium, the street layout shall conform to the arrangement, width, type, and location indicated on the adopted County jurisdictional highway system plan, the adopted Village official map, or the adopted Village comprehensive plan or plan component. In areas for which such plans have not been completed, or are of insufficient detail, 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 existing trees, 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. The land division or condominium shall be designed so as to provide each lot with satisfactory frontage on a public street.

- B. 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 planned system of arterial streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.

- C. Collector Streets shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the arterial street and highway system and shall be properly related to the arterial streets to which they connect.

- D. Land Access 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.

- E. Proposed Streets shall extend to the boundary lines of the lot, parcel, or tract being subdivided or developed 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 land division or condominium or for the advantageous development of adjacent lands.

- F. Arterial Street Protection. Whenever an existing or planned arterial street is located adjacent to or within a proposed land division or condominium, adequate protection of residential lots, limitation of access to the arterial street, and separation of through and local traffic shall be provided through the use of alleys, frontage streets, or cul-de-sac or loop streets. A restricted non-access easement along any property line abutting an arterial street may be required. Permanent screening or landscape plantings may be required in any restricted non-access area.
- G. Development Control or Reserve Strips shall not be allowed on any plat or certified survey map to control access to streets or alleys, except where control of such strips is placed with the Village under conditions approved by the Plan Commission.
- H. Access shall be provided in commercial and industrial districts for off-street loading and service areas.
- I. Street Names shall be approved by the Village and shall not duplicate or be similar to existing street names elsewhere in the Village. Existing street names shall be continued into the land division or condominium wherever possible. Where an adopted Village or County street address system plan exists, the street names shall be assigned in accordance with the recommendations of such plan or plans.

7.02 LIMITED ACCESS HIGHWAY AND RAILROAD RIGHT-OF-WAY TREATMENT

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

- A. Non-Access Easement and Planting Area: When lots within a proposed land division or condominium back upon the right-of-way of an existing or planned limited access highway or railroad, a non-access easement and planting area at least 50 feet in depth shall be provided adjacent to the highway or railroad right-of-way. The minimum lot depth required by the Village zoning ordinance shall be increased by 50 feet to accommodate the non-access easement and planting area. This non-access easement and planting area shall be a part of all lots and shall have the following restriction lettered on the face of the plat or certified survey map: "This area is reserved for the planting of trees and shrubs. No access shall be permitted across this area. The building of structures, except public or private utility structures and fences, is prohibited hereon."
- B. Plats Located in Commercial and Industrial Zoning Districts shall provide, on each side of a limited access highway or railroad right-of-way, streets

approximately parallel to such highway or railroad. A distance of not less than 150 feet shall be provided to allow for the appropriate use of the land between such streets and the highway or railroad.

- C. Streets Parallel to a Limited Access Highway or railroad right-of-way, when intersecting an arterial or collector street which crosses said highway shall be located at a minimum distance of 250 feet from said street 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 desirable approach gradients.
- D. Land Access Streets immediately adjacent to arterial streets and railroad rights-of-way shall be avoided in residential areas.

7.03 STREET, BICYCLE, AND PEDESTRIAN WAY DESIGN STANDARDS

- A. Minimum Width. The minimum right-of-way and roadway width of all proposed streets and alleys shall be as specified by the comprehensive plan or component thereof, official map, or County jurisdictional highway system plan. If no width is specified therein, the minimum right-of-way and roadway widths for arterial, collector, and land access streets shall be as shown on Table 1 for streets having an urban cross-section. If the Plan Commission determines that a permanent rural cross-section may be used, the minimum right-of-way and roadway widths set forth in Table 2 shall apply.
- B. Cross-Sections for collector and land access streets having an urban cross-section shall be as shown on Table 1. If the Plan Commission determines that a permanent rural cross-section may be used, the cross-sections for collector and land access streets set forth in Table 2 shall apply. The cross-sections for arterial streets should be based on detailed engineering studies. Appendix A contains cross-sections for both urban and rural streets.
- C. Cul-de-Sac Streets designed to have one end permanently closed shall not exceed 1,000 feet in length unless provisions are made for adequate emergency access and water main configuration. Cul-de-sac streets shall terminate in a circular turnabout having a minimum right-of-way radius of 75 feet. Cul-de-sac turnabouts with an urban cross-section shall have a minimum outside face-of-curb radius of 61 feet; and have a tapered landscaped island with a face-of-curb radius of 37 feet at its widest end, a face-of-curb radius of 20 feet at its narrowest end, and a length of 100 feet. Cul-de-sac turnabouts with a rural cross-section shall have a minimum outside pavement radius of 53 feet; and have a tapered landscaped island

with a face-of-curb radius of 35 feet at its widest end, a face-of-curb radius of 20 feet at its narrowest end, and a length of 93 feet.

- D. Temporary Termination of streets intended to be extended at a later date shall be accomplished with the construction of a temporary “T”-shaped turnout contained within the street right-of-way subject to review and approval by the Village Engineer.
- E. Bicycle and Pedestrian Ways with a right-of-way width of not less than 12 feet may be required where deemed necessary by the Plan Commission to provide adequate bicycle and pedestrian circulation or access to schools, shopping centers, churches, or transportation facilities. Bicycle and pedestrian ways in wooded and wetland areas shall be so designed and constructed as to minimize the removal of trees, shrubs, and other vegetation, and to preserve the natural beauty of the area.
- F. Grades
 - 1. Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and general leveling of the topography. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to 30 times the algebraic difference in the rates of grade for arterial streets, and one-half this minimum for all other streets.

Table 1

**REQUIRED URBAN CROSS-SECTIONS
FOR STREETS AND OTHER PUBLIC WAYS**

Type of Street Or Public Way	Right-of-Way Width To be Dedicated	Roadway, Terrace, Sidewalk, and Related Widths
Arterial Streets	120 feet, or as required by the Village Official Map or Comprehensive Plan	As determined by the Village Plan Commission
Collector Streets	80 feet	<ul style="list-style-type: none"> • 48-foot pavement (face of curb to face of curb) • 10-foot terraces • 5-foot sidewalks • 1-foot sidewalk buffers
Land Access Streets	60 feet	<ul style="list-style-type: none"> • 32-foot pavement^a (face of curb to face of curb) • 8-foot terraces • 5-foot sidewalks • 1-foot sidewalk buffers
Minor Land Access Streets ^b	50 feet	<ul style="list-style-type: none"> • 28-foot pavement (face of curb to face of curb) • 5-foot terraces • 5-foot sidewalks^c • 1-foot sidewalk buffers
Alley	25 feet	<ul style="list-style-type: none"> • 20-foot pavement • 2.5-foot buffers
Cul-de-Sac	75-foot outside radius	<ul style="list-style-type: none"> • 61-foot outside curb radius • 37-foot radius for center island^d • 24-foot pavement (face of curb to face of curb) • 8-foot terrace • 5-foot sidewalk • 1-foot sidewalk buffer
Pedestrian and Bicycle Ways	12 feet ^e	<ul style="list-style-type: none"> • 8-foot pavement^f • 2 foot buffer

^aThe 32-foot pavement width is suggested only for use with land access streets serving relatively low density, single-family residential areas. For land access streets serving higher density single- and multi-family residential, commercial, and industrial areas, a minimum width of 36 feet should be provided.

^bA 50-foot right-of-way and 28-foot pavement width for land access streets would be applicable on relatively short loop and cul-de-sac streets in areas of single-family homes with attached garages and driveways, with adequate area available on each lot for off-street parking and snow storage, and where no bus or truck traffic other than occasional school buses and service or delivery trucks would be expected to operate over the street.

^cSidewalks may be eliminated on one side of minor land access streets at the discretion of the Planning Commission.

^dThe center island should be tapered with a face-of-curb radius of 37 feet at its widest end, a face-of-curb radius of 20 feet at its narrowest end, and a length of 100 feet.

^eRecommended right-of-way width for combined bicycle and pedestrian ways separate from street rights-of-way.

^fThe pavement width of pedestrian and bicycle ways in areas of high use may be increased to 12 feet, and the buffers decreased to four feet each.

Table 2
REQUIRED RURAL CROSS-SECTIONS
FOR STREETS AND OTHER PUBLIC WAYS

Type of Street Or Public Way	Right-of-Way Width To be Dedicated	Roadway and Related Widths
Arterial Streets	120 feet, or as required by the Village Official Map or Comprehensive Plan	As determined by the Village Plan Commission
Collector Streets	80 feet	<ul style="list-style-type: none"> • 24-foot pavement • 6-foot shoulders^a • 22-foot terraces/drainage swales^b
Land Access Streets	66 feet	<ul style="list-style-type: none"> • 22-foot pavement • 4-foot shoulders^a • 18-foot terraces/drainage swales^b
Cul-de-Sac	75-foot outside radius	<ul style="list-style-type: none"> • 53-foot outside pavement radius • 35-foot radius for center island^c • 18-foot traveled way • 22-foot terrace/drainage swale^b
Pedestrian and Bicycle Ways	12 feet ^d	<ul style="list-style-type: none"> • 8-foot pavement • 2-foot buffer

^aShoulders may be paved or gravel.

^bThe Plan Commission may require sidewalks to be provided on one or both sides of any street, if the Commission determines that sidewalks will be needed to accommodate anticipated pedestrian traffic. Such sidewalks shall be located at the outside edge of the terrace/drainage swale, with a one-foot wide buffer between the sidewalk and outside edge of the street right-of-way, unless otherwise directed by the Plan Commission upon the recommendation of the Village Engineer.

^c The center island should be tapered with a face-of-curb radius of 35 feet at its widest end, a face-of-curb radius of 20 feet at its narrowest end, and a length of 93 feet.

^dRecommended right-of-way width for combined bicycle and pedestrian ways separate from street rights-of-way.

2. Unless necessitated by exceptional topography, subject to the approval of the Plan Commission, the maximum centerline grade of any street or public way shall not exceed the following:
 - a. Arterial streets: 6 percent.
 - b. Collector streets: 8 percent.
 - c. Land access streets, alleys and frontage streets: 10 percent.
 - d. Bicycle ways: 5 percent; however, steeper grades are acceptable for distances up to 500 feet.
 - e. Pedestrian ways: 12 percent. Steps or stairs shall be provided if the grade will exceed 12 percent.
 3. The grade of any street shall in no case exceed 10 percent or be less than one-half of one percent for streets with an urban cross-section, and one percent for streets with a rural cross section.
- G. Crowns. Unless otherwise approved, roadway pavements shall be designed with a centerline crown. Offset crowns or continuous cross-slopes may be utilized upon approval of the Village Engineer. Alley pavements shall be “V”-shaped, with a centerline gutter for drainage.
- H. Radii of Curvature. When a continuous street centerline deflects at any one point by more than 10 degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:
- | | |
|-----------------------------------|----------|
| 1. Arterial streets and highways: | 500 feet |
| 2. Collector streets: | 300 feet |
| 3. Land access streets: | 100 feet |
- A tangent at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.
- I. Elevations of Arterial Streets shall be set so that they will not be overtopped by a 50-year recurrence interval flood.
- J. Bridges and Culverts. All new and replacement bridges and culverts over navigable waterways, including pedestrian and other minor bridges, shall be designed so as to accommodate the peak rate of discharge of a 100-year recurrence interval flood event without raising the peak stage, either upstream or downstream, more than 0.01 foot above the peak stage for the 100-year recurrence interval flood, as established by the Southeastern Wisconsin Regional Planning Commission or the Federal Emergency Management Agency. Larger permissible flood stage increases may be acceptable for reaches having topographic or land use conditions which could accommodate the increased stages without creating additional flood

damage potential upstream or downstream of the proposed structure, providing that flood easements or other appropriate legal measures have been secured from all property owners affected by the excess stage increases. Such bridges and culverts shall be so designed and constructed as to facilitate the passage of ice flows and other debris.

- K. Half-Streets. Where an existing dedicated or platted half-street is adjacent to the proposed land division or condominium plat, the other half of the street shall be dedicated by the subdivider. The platting of new half-streets shall not be permitted.

7.04 STREET INTERSECTIONS

- A. Right Angle. Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.
- B. The Maximum Number of streets converging at one intersection shall not exceed two.
- C. The Number of Intersections along arterial 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. Continuation of Land Access and Collector Streets. Land access and collector streets shall not necessarily continue across arterial streets; but if the centerlines of such streets approach the arterial streets from opposite sides within 300 feet of each other, measured along the centerline of the arterial or collector streets, then the location of the collector and/or land access streets shall be so adjusted so that a single intersection is formed.
- E. Corner Curves. Property lines at intersections of arterial streets and at intersections of collector and arterial streets shall be rounded to an arc with a minimum radius of 15 feet, or a greater radius if required by the Village Engineer.
- F. Vision Clearance Easements shall be provided at street intersections as may be required by the Village zoning ordinance and by any approving or objecting authority concerned.

7.05 BLOCKS

- A. General Requirements. The widths, lengths, and shapes of blocks shall be suited to the planned use of the land; zoning requirements; the need for convenient bicycle, pedestrian, and motor vehicle access; traffic safety; and the limitations and opportunities of topography.

- B. The Length of Blocks in residential areas shall not as a general rule be less than 600 feet nor more than 1,200 feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.
- C. The Width of Blocks shall be sufficient to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from arterial streets and railroad rights-of-way. The width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street parking and loading required by the contemplated use and the Village zoning ordinance.

7.06 LOTS

- A. General Requirements. The size, shape, and orientation of lots shall be appropriate for the location of the land division 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. Lot lines shall follow municipal boundary lines rather than cross them.
- B. Side Lot Lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face, unless a non-conventional lot layout is approved by the Plan Commission.
- C. Double Frontage Lots shall be prohibited except where necessary to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation.
- D. Public Street Frontage. Every lot shall front or abut for a distance of at least 40 feet on a public street.
- E. The Area & Dimensions of Lots, Parcels or Condominium Parcels –
 - 1. Lots Within the Village. The area and dimensions shall conform to the requirements of the Village's Zoning Code.
 - 2. Lots, Parcels or Condominium Parcels in the Village's Extraterritorial Plat Review Area. All lots or parcels, including condominium ownership parcels, created in the aforementioned area shall be a minimum of 35 acres in size to preserve such areas for reasons described in the Village's Comprehensive Plan.
 - 3. Approval of Lots, Parcels or Condominium Parcels Less Than 35 Acres in Size in the Village's Extraterritorial Plat Review Area. The Village Planning Commission may consider and recommend, and the Village Board may approve the creation of lots, parcels, or condominium

ownership parcels less than 35 acres in size in the aforementioned area provided the Village finds that the following applicable criteria are met:

- a. Prior Approval. The land division must be approved conceptually by the Town's Planning Commission before its submittal to the Village.
- b. Public Entity Benefit. If applicable, the land division is created by or for a county, city, village, town, school district, or agency of the State, and is specifically for a public purpose.
- c. Open Space Preservation. If applicable, the land division results in the preservation of permanent open space lands for public or for private use.
- d. Agricultural Land Divisions. If applicable, the land division will assist and assure the continued agricultural use of the whole property.
- e. Non-agricultural or Residential Subdivisions or Land Divisions.
 1. The created parcels are located outside the Village's planned Sanitary Sewer Service Area.
 2. The resulting development would be compatible with the Village's Comprehensive Plan.
 3. The resulting development would be compatible with nearby land uses. Measures of compatibility include basic use, lot sizes, traffic generation, access, noise and visual appearance.
 4. The resulting development would not adversely affect the Village's ability to provide current or future public services, or install public improvements, or accomplish future annexations. The Village may consider annexation agreements with property owner(s) to meet this criteria.
 5. If commercial, industrial or institutional use is proposed, the land division would allow infill between or adjacent to already existing commercial, industrial or institutional use(s).
 6. If mineral extraction is proposed, the land division would meet criteria described in the Village's Comprehensive Plan Report.

f. Possible Conditions. The Village may require conditions in conjunction with its approval authority as described herein.

- F. Re-division of Lots. Wherever a lot, parcel, or tract is subdivided into lots or parcels that are more than twice the minimum lot area required in the zoning district in which the lot or parcel is located, the Plan Commission may require that such lots or parcels be arranged and dimensioned to allow re-division into smaller lots or parcels that will meet the provisions of this Ordinance and the zoning ordinance.
- G. Depth. Lots shall have a minimum average depth of 125 feet. Excessive depth in relation to width shall be avoided and a proportion of two to one (2:1) shall be considered a desirable ratio, unless a deeper lot is needed to protect natural resources. The depth of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street parking and loading areas required by the contemplated use and the Village zoning ordinance.
- H. The Width of Lots shall conform to the requirements of the Village Zoning Ordinance, and in no case shall a lot be less than 75 feet in width at the building setback line, unless otherwise provided by the Village zoning ordinance.
- I. Corner Lots, when located in a district that permits a lot width less than 100 feet, shall have an extra width of 15 feet to permit adequate building setbacks from side streets.
- J. The Shape of lots shall be approximately rectangular, with the exception of lots located on a curved street or on a cul-de-sac turnabout. Flag lots shall be prohibited, except where necessary to accommodate exceptional topography or to preserve natural resources or to allow for shared driveways.
- K. Lands Lying Between the Meander Line and the Water's Edge and any otherwise unplattable lands which lie between a proposed land division or condominium and the water's edge shall be included as part of lots, outlots, or public dedications in any plat abutting a lake or stream.
- L. Restrictions Prohibiting Development. Whenever a lot appearing on a final plat, condominium plat, or certified survey map is not intended to be buildable, or is intended to be buildable only upon certain conditions, an express restriction to that effect, running with the land and enforceable by the Village, shall appear on the face of the plat or map.
- M. Basement Elevations on Proposed Building Sites Affected by High Groundwater.

Any person proposing to create new building sites shall perform a detailed soil profile evaluation and satisfactorily demonstrate to the Village Engineer that any structures with a basement will be constructed to minimize risks from high groundwater where any of the following conditions exist:

1. In areas with soils classified by the Natural Resource Conservation Service (NRCS) as hydric, poorly drained, somewhat poorly drained or very poorly drained.
2. Within eight (8) vertical feet adjacent to soils classified by NRCS as hydric or poorly drained, wetlands or other surface water features such as lakes, streams, ponds, etc.
3. Within areas where other soil investigations show indicators of seasonal high water tables.
4. Within other areas the Village Engineer determines to be at risk of high groundwater based on site topography, drainage patterns, observed hillside seeps or other indicators.

All soil profile evaluations shall be performed in accordance with Chapter Comm 85 Wisconsin Administrative Code. A minimum of one (1) soil profile evaluation shall be conducted within fifty (50) feet of each proposed basement meeting one or more of the criteria above. Determinations of seasonal high water table elevations shall be made in written interpretive report and signed and stamped by a certified soil tester or professional soil scientist registered in the State of Wisconsin. All submittals to the Village Engineer shall include all applicable soil profile evaluations.

To minimize the risks from the presence of high groundwater, recommended basement floor elevation data shall be included on the face of the plat or CSM and recorded with the Register of Deeds with the following statement:

“Basement floor surface elevation shall not be lower than (xxx.x) due to the potential for seasonal high groundwater conditions.”

N. Drain Tiles and Discharge of Groundwater.

The Village Engineer shall be notified of any drain tiles that are uncovered during construction, which the Village Engineer may require to be restored or connected to other drainage systems. No discharge of groundwater from tile lines, sump pumps or other means shall be allowed onto another persons land, road right-of-way or other public space without the prior written approval of the downstream landowner or the applicable unit of government.

7.07 BUILDING AND SETBACK LINES

Building setback lines appropriate to the location and type of development contemplated, which are more restrictive than required in the applicable zoning

district, may be permitted or required by the Plan Commission and shall be shown on the final plat, condominium plat, or certified survey map. Examples of the application of this provision would include requiring greater setbacks on cul-de-sac lots to achieve the necessary lot width at the setback line, requiring greater setbacks to conform to setbacks of existing adjacent development, requiring greater setbacks to accommodate a coving design, requiring greater setbacks to avoid placing buildings within easements or vision clearance triangles, setting special yard requirements to protect natural resources, or requiring greater setbacks along arterial streets and highways to meet the requirements of Chapter Trans 233 of the Wisconsin Administrative Code.

7.08 EASEMENTS

- A. Utility Easements. The Plan Commission may require utility easements of widths deemed adequate for the intended purpose. Such easements shall be located as determined by the applicable utility company, but preferably should be located along rear and side lot lines and should be designed to avoid the location of such facilities as electric power transformers in the flow lines of drainage swales and ditches. All lines, pipes, cables and similar equipment shall be installed underground unless the Plan Commission finds that the topography, soils, depth to bedrock, woodlands, wetlands, or other physical barriers would make underground installation impractical, or that the lots to be served by said facilities can be served directly from existing overhead facilities and requiring underground installation would constitute an undue hardship upon the subdivider. Associated equipment and facilities which are appurtenant to underground electric power, communications, and gas facility systems, including but not limited to, substations, pad-mounted transformers, pad-mounted sectionalizing switches, above-grade pedestal-mounted terminal boxes, junction boxes, meter points, and similar equipment may be installed at ground level.
- B. Drainage Easements. Where a land division or condominium is traversed by a drainageway or stream, an adequate easement shall be provided as required by the Plan Commission and shown on the final plat or CSM. The location, width, alignment, and improvement of such drainageway or easement shall be subject to the approval of the Village Engineer; and parallel streets or parkways may be required in connection therewith. Where necessary, storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. These design details are subject to review and approval by the Village Engineer.

7.09 PROTECTION OF NATURAL RESOURCES

Where natural drainage channels, floodplains, wetlands, or other environmentally sensitive areas are encompassed in whole or in part within a proposed land division or condominium, the Plan Commission may require that such areas be dedicated or that restriction be placed on the plat or certified survey map to protect such resources. The Plan Commission may further require that such areas be included in outlots designated on the plat or certified survey map and restricted from development.

7.10 PARK, OPEN SPACE, AND OTHER PUBLIC SITES

- A. In the Design of a subdivision or condominium plat or a certified survey map, due consideration shall be given to the dedication or reservation of suitable sites of adequate size for future schools, parks, playgrounds, public access to navigable waters, and other public purposes. Accordingly, each subdivider of land in the Village shall dedicate park and open space lands designated on the Village official map or comprehensive plan or component thereof, or, where no park or open space lands are directly involved, pay a public site fee. Proposed school sites shall be reserved by the subdivider for future acquisition by the School Board.
1. Dedication of public parks and open space sites. Whenever a proposed public playground, park, parkway, trail corridor, public open space site, or other public lands designated on the Village's official map or comprehensive plan or component thereof is encompassed, in whole or in part, within a proposed land division or condominium, the public lands shall be made a part of the subdivision or condominium plat or certified survey map and shall be dedicated to the public by the subdivider. Should the value of the land to be dedicated be less than the value of the public site fee, the subdivider shall be required to pay the Village the difference between the value of the land dedicated and the public site fee. Should the value of the land to be dedicated exceed the public site fee, any lands in excess of the value of the public site fee shall be reserved for a period not to exceed three years, unless extended by mutual agreement, for purchase by the Village at the price agreed upon and set forth in the Development Agreement. If the reserved lands are not acquired within the three-year period, the land will be released from reservation to the owner. Land values shall be determined in accordance with Subsection 7.10B.
 2. Reservation of school sites. Whenever a proposed public school site designated on the Village's official map or comprehensive plan or component thereof is encompassed, in whole or in part, within a proposed land division or condominium, the proposed

school site shall be made a part of the plat and reserved at the time of final plat or certified survey map approval for a period not to exceed three years, unless extended by mutual agreement, for acquisition by the School Board at a price agreed upon and set forth in the Development Agreement.

3. Public site fee option. If a proposed land division or condominium does not encompass a proposed public playground, park, parkway, open space site, or other public lands, the subdivider shall pay a public site fee to be used for the acquisition of public sites to serve the future inhabitants of the proposed subdivision, minor land division, or condominium at the time of application for final plat or certified survey map approval at the rate and in accordance with the procedures set forth in Section 10.06.

- B. The Value of Land to be dedicated for park or open space purposes shall be agreed upon by the Village and the subdivider on the basis of full and fair market value of the land to be dedicated. If the value cannot be agreed upon by the Village and the developer, an appraisal board consisting of one appraiser selected by the Village and retained at the Village's expense, one appraiser selected by the subdivider and retained at the subdivider's expense, and a third appraiser selected by the other two appraisers and retained at a cost shared equally by the Village and the subdivider, shall determine the value of the land.
- C. Navigable Streams or Lakeshores shall have a public access-way at least 60 feet in width platted to the low water mark at intervals of not more than one-half mile and connecting to existing public streets, unless wider access or greater shoreline intervals are agreed upon by the Wisconsin Department of Administration, the Wisconsin Department of Natural Resources, and the Village, as required by Section 236.16(3) of the Wisconsin Statutes.