

(b) In residential subdivisions, lots shall be served by underground electric, cable TV and telephone utility lines unless waived by the committee. Land disturbed by such installation shall be restored.

(c) Where utility facilities are to be installed underground, the utility easements shall be graded to within six (6) inches of the 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 easements.

(d) All utility lines for electric power and telephone service when carried overhead on poles shall be placed in utility easements unless waived by the committee.

(e) Utility facilities when installed on utility easements, whether overhead or underground, shall not be closer than one (1) foot to a property line or three (3) feet to any monument.

(f) Where a subdivision is served by an existing overhead facility, the facility may be utilized and improved with the approval of the committee.

(3) Drainageway easements. Where a subdivision is traversed by a water course, drainageway, channel or stream, there shall be provided an adequate drainageway easement as required by the committee. The location, width, alignment and grading of such easements shall be of such a width and design to accommodate the anticipated discharge from the property being subdivided and also the anticipated runoff that will occur when property at a higher elevation in the drainage basin is developed.

(4) Setbacks. Where the lots abut navigable waters, building setback lines for all buildings and structures, except piers, marinas, boathouses and similar uses, shall be shown on the plat and shall not be less than 75 feet from the normal high water line.

(5) Blocks. (a) The length, width and shape of blocks shall be suited to the planned use of the land, the applicable zoning requirements, the needs for convenient access, control and safety of street traffic, and the limitations and opportunities of topography. Block lengths in residential areas shall not, as a general rule, be less than 600 feet in length between street lines unless dictated by exceptional topography or other limiting factors of good design.

(b) Blocks shall have sufficient widths to provide two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.

(c) Pedestrian ways or cross walks, not less than ten (10) feet in width, shall be provided near the center and entirely across any block 900 feet or more in length where deemed essential to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.

(6) Lots. (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. Lots should be designed to provide an esthetically pleasing building site and a proper architectural setting for the buildings contemplated.

(b) Every lot or parcel shall front or abut a public street to promote safe ingress/egress and facilitate the possible development of a public right-of-way that could service additional lots. The required frontage shall be provided through fee ownership, except as provided in section 75.19(8). Lots shall maintain a minimum frontage of 66 feet connecting directly onto a public street at a location where the driveway shall be constructed in compliance with all other applicable local, state, and federal regulations. Cul-de-sac lots shall provide a minimum of 30 feet of frontage on a public street.

(c) Lot width as measured from the building setback line and lot area for residential development shall conform to the requirements of the county zoning ordinance but shall not be less than specified below:

	Type 2 Subdivision (Served by Public Sewer)		Type 1 Subdivision (Not Served by Public Sewer)	
	Area in Sq. Ft.	Width in Ft.	Area in Sq. Ft.	Width in Ft.
Lots located in shoreland areas	10,000	75	20,000	100
Lots not located in shoreland areas	8,000	60	20,000	100

(d) Side lot lines shall be substantially at right angles or radical to street lines.

(e) Corner lots shall have an extra width of 10 feet over the minimum requirement to permit adequate building setbacks from side streets.

(f) In case a parcel is subdivided into smaller parcels, such parcels shall be arranged as to allow the resubdivision of any such parcels into normal lots in accordance with the provisions of this chapter.

(g) Lot lines shall follow political and zoning boundary lines rather than cross them.

(h) Double frontage, of reverse frontage lots, shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 10 feet shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

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

(7) Planned developments. (a) Waiver of requirements and standards. The requirements and standards of this chapter may be waived by the committee for planned developments providing such proposed developments shall be planned as a unit, be appropriate to the site and location, shall be of sufficient size to permit the unified development of the area, shall not conflict with other laws or requirements or with the purpose or intent of this chapter, and is approved by the committee. In addition, continued provision, maintenance and use of open space, recreation areas, services and amenities shall be assured in a manner acceptable to the committee.

(b) Coverage. It is the intent of this section to permit, in addition to other types of planned development, cluster subdivisions and planned unit developments with owner-occupied row housing and with privately-owned common property comprising a major element of the development.

(8) Standards and procedures for ingress/egress access via shared driveway easement. To promote the clustering of residential lots, preservation of farmland, and efficient use of land, the committee may approve exceptions to the frontage requirement of section 75.19(6)(b) where the committee finds that the exception protects the public health, safety, and welfare, but only in towns where the town board has previously voted to adopt policies to allow such exceptions. The zoning and land regulation

committee and town board may approve the creation of lots with access provided by a shared driveway easement, in lieu of fee-title frontage onto a public right-of-way, provided all of the following criteria are met, and carries out the purposes stated in s. 75.19(6)(b):

(a) The committee shall not approve any exception to the frontage requirement of section 75.19(6)(b) without finding that the exception is consistent with applicable town comprehensive plans adopted by the county board, town land/subdivision ordinances, and the Dane County Comprehensive Plan.

(b) The shared driveway easement shall be a minimum of 66 feet wide, and encompass the entire length of the driveway that will service the lot or lots.

(c) No more than four (4) lots, whose principal use is residential, may be served by a shared driveway easement including the lot on which the easement is located. Shared driveway easements shall not be extended to service additional lots.

(d) If two or more lots are proposed to be served by a shared driveway easement, including the lot on which the easement is located, at least one of the lots must have a minimum of 66 feet of frontage connecting directly onto a public street at a location where the driveway shall be constructed. The committee may waive this requirement by granting a variance under s. 75.21.

(e) A legal description of the shared driveway easement must be prepared by a registered land surveyor. The shared driveway easement shall be shown on the Certified Survey Map and include, at a minimum, the data submission requirements of section 75.17(3)(d), (g), (h), and (i). The committee may require that additional data be provided to ensure compliance with the provisions of this section.

(f) The shared driveway easement shall constitute a covenant running with the land, and must comply with the following:

1. A shared driveway easement must be set forth in a shared driveway easement agreement. The shared driveway easement agreement must be approved by the town board and the zoning and land regulation committee, and recorded with the Dane County Register of Deeds in compliance with secs. 706.05 and 59.43(2m) of the Wisconsin Statutes.

2. A shared driveway easement agreement must name the affected town and Dane County as co-holders of the easement, with full enforcement rights.

3. A shared driveway easement agreement must contain the following:

- a.** A provision stating that the shared driveway must be maintained to provide adequate access to emergency vehicles, school buses and other equipment, as determined by the town engineer, local fire department and EMS service.
- b.** A provision that addresses the year-round maintenance of the shared driveway, allocates the costs of maintenance among the property owners, their heirs, successors, and assigns, and determines which property owner or owners shall decide when maintenance or repair is necessary.
- c.** A provision authorizing either the town, at its sole discretion, or Dane County to inspect and conduct repair work on the shared driveway, at the expense of the property owners, if such owners fail to adequately maintain the driveway.
- d.** A provision consenting to the dedication of a future town road right-of-way within the shared driveway easement, at any time if the town, in its sole discretion, accepts it.
- e.** A provision requiring that buildings constructed on the parcel(s) be setback from the shared driveway easement as specified in section 10.17(3)(b).
- f.** A provision granting permanent, unimpeded access to the lots served by the shared driveway easement for emergency service responders, utility services, and other access which could be had by a public road.
- g.** A provision prohibiting any modifications to the shared driveway easement agreement without the written preapproval of the town and the Dane County zoning and land regulation committee.
- (g)** The shared driveway shall be constructed according to applicable town driveway construction standards and located entirely within the boundaries of the shared driveway easement.
- (h)** The property owner(s) shall be responsible for all costs associated with the shared driveway easement.
- (i)** Accesses onto public rights-of-way must comply with applicable provisions of town, county, or state access regulations, including intersection improvements or acceleration lanes as determined by the town engineer, Dane County Public Works, Highway and Transportation Department or the Wisconsin Department of Transportation, as appropriate.
- (j)** Gates, fences, or other obstructions on shared driveways are prohibited.

(k) Shared driveway easements shall not be named, and lots accessed by the shared driveway easement must comply with numbering requirements of Chapter 76, Dane County Code, based on their location with respect to the access point of the easement onto a public road.

[History: (1)(t) am. 02/19/76; (6)(b) am., (8) cr., OA 12, 2013-14, pub. 09/24/13.]

75.20 REQUIRED IMPROVEMENTS. All subdivisions shall meet the requirements of this section.

(1) Survey monuments. The subdivider shall install survey monuments in accordance with the requirements of section 236.15 of the Wisconsin Statutes.

(2) Public water supply. If public water service is available, water mains shall be installed so as to provide service to each lot within the subdivision.

(3) Sewage disposal system. **(a)** In Type I subdivisions, provision for private sewage disposal systems shall be as specified by Wis. Admin. Code chapter H65 and the Dane County Sanitary Ordinance, chapter 46.

(b) In Type II subdivisions where public sanitary sewers are available at the time of platting, sanitary sewers shall be provided to each lot within the subdivision.

(c) In Type II subdivisions where public sanitary sewers are not available at the time of platting, provision for private sewage disposal systems shall be as specified by Wis. Admin. Code chapter H65 and the Dane County Sanitary Ordinance, chapter 46. In addition, the sanitary sewers shall be provided to each lot within the subdivision.

(d) For purposes of this chapter, determinations of whether sewer facilities will not be available to the subdivision within a period of two (2) years shall be made by the committee after review of sewer facilities, plans and programs affecting the area in which the subdivision is located.

(4) Grading and surfacing. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the affected town. Where applicable, surfacing is to include asphalt paving.

(5) Storm water drainage facilities. Storm water drainage facilities of a size and design that will adequately accommodate design volumes of flow and which will present no hazard to life or property shall be installed in accordance with