

AN ORDINANCE
**TO AMEND CHAPTER 545: SUBDIVISION OF LAND, THROUGH THE AMENDMENTS
OF LANGUAGE TO SECTIONS §545-14A(5), §545-42C(5), § 545-42C(7), §545-50,
AND §545-15**

**SPONSOR: MAYOR STOCKS, CHAIR
FROM: PLAN COMMISSION WITH POSITIVE RECOMMENDATION**

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS
FOLLOWS:

SECTION 1. Section § 545-14A(5), Final Plat Procedure, is hereby amended to read as follows:

(5) The final plat shall be recorded with the Dodge or Jefferson County Register of Deeds only after certificates of the Wisconsin Department of Administration, of the Common Council, of the surveyor, and those certificates required by § 236.21, Wis. Stats., are placed on the face of the plat. The developer shall record the final plat with the proper County Register of Deeds within 12 months after the date of the last approval of the plat and within 36 months after the first approval. All required fees, **including parkland dedication fees in lieu of land dedication**, shall be due and payable prior to the proper City officials' signing of the approved final plat except for utility impact, **parkland dedication**, and **park recreation facilities improvement** impact fees, which shall be paid prior to issuance of any building permits. Failure to record any plat within the required timeframes shall be deemed withdrawn, and a new certification is required.

SECTION 2. Section § 545-42C(5) and Section § 545-42C(7), Dedication and Improvement of Public Parks and Other Public Sites – Fee Revenue Administration, is hereby amended to read as follows:

(5) The fees imposed under Subsections **A and B** above shall be paid in full by the subdivider, developer, or owner of record of the land development ~~unless expressly excepted under this section at the time of issuing a full building permit by the office of the Building Safety and Zoning Division Inspector for any new construction, final land division or plat approval. If the total amount of impact fees due for a development shall be more than \$75,000, a developer may defer payment of the impact fees for a period of four years from the date of issuing the building permit or until six months before the municipality incurs the costs to construct, expand, or improve the public facilities related to the development for which the fee was imposed, whichever is earlier. If the developer elects to defer payment under this paragraph, the developer shall maintain in force a bond or irrevocable letter of credit in the amount of the unpaid fees executed in the name of the municipality. At the time the municipality collects an impact fee, it shall provide the developer from which it received the fee an accounting of how the fee will be spent.~~ The fees imposed under Subsection **B** above shall be paid in full by the subdivider, developer, or owner of record of the land development at the time of issuing a building permit by the Building Safety and Zoning Division for any new construction.

(7) For all unplat lands requiring a plat and for all land divisions, rezonings, or conditional use permits requiring a certified survey map, no final plat or certified survey map shall be certified approved for recording unless the **requirements for the dedication of parkland dedication fee is and/or a fee in lieu of land dedication are calculated and noticed on the face of** invoiced for collection for the instruments to be recorded ~~for collection~~ under this section. A notation shall be placed upon the face of the plat, **certified survey** map, survey, or other document to be recorded, ~~advising of fees to be imposed the~~ indicating that the **parkland dedication and/or fee in lieu of land dedication requirements** on all buildable lots or developments containing institutional or residential housing units ~~have been~~

satisfied. For all land divisions not requiring a plat or certified survey map, no rezoning permit, conditional use permit, or building permit shall be issued for land development unless the fees imposed under this section are calculated and invoiced for collection.

SECTION 3. Section § 545-50, Definition of Terms, is hereby amended to read as follows:

Certified Survey Map

A map or plan of record of a minor subdivision meeting all the requirements of § 236.34, Wis. Stats. and of this chapter, or used to document, for recording purposes, survey and dedication data relating to single parcels. Certified Survey Maps are also referred to as minor subdivisions.

Minor Subdivision

The division of a lot or parcel of land for the purpose of transfer of ownership or building development where the act of division ~~creates four or fewer parcels, lots, or building sites, any one of which is 35 acres or less in area. A minor subdivision of a lot or parcel shall occur not more than once in five years.~~:

- A. Creates four or fewer parcels, lots, or building sites, any one of which is 35 acres or less in area by division or by successive divisions of any part of the original parcel within a period of five years; or
- B. Creates not more than 12 parcels, inclusive of lots or outlots, on land that is zoned for multi-family residential development; or
- C. Creates not more than 8 parcels, inclusive of lots or outlots, on land that is zoned for commercial or industrial development.

Multi-Family Development

“Multi-Family Residential Development” means development specified in Wis. Stat. Section 101.971 containing apartment buildings, rowhouses, townhouses, condominiums, or modular homes (defined in Wis. Stat. Section 101.971(6) and does not mean mobile or manufactured homes defined in Wis. Stat. Section 101.91(2) and (10)), that do not exceed 60 feet in height or 6 stories that consist of 3 or more attached dwelling units in which the initial construction began on or after January 1, 1993. Such developments do not include facilities licensed under Chapter 50 of the Statutes, such as adult family homes, community-based residential facilities, nursing homes, and residential care apartment complexes.

Subdivision

The division of a lot or parcel of land for the purpose of transfer of ownership or of building development where:

- A. The act of division creates five or more parcels or building sites of 35 acres each or less in area by division or by successive divisions of any part of the original property within a period of five years; or
- B. ~~The act of division creates five or more parcels or building sites of 35 acres each or less in area by successive divisions within a period of five years.~~ In accordance with Wis. Stat. Section 236.34(1)(ar), the word “subdivision” does not include a division of land that creates not more than 12 parcels, lots, or outlots, on land that is zoned for multi-family residential development; or
- C. In accordance with Wis. Stat. Section 236.34(1)(ar), the word “subdivision” does not include a division of land that creates not more than 8 parcels, lots, or outlots, on land that is zoned for commercial or industrial development.

SECTION 4. Section § 545-15, Minor Subdivisions (Certified Survey Maps), is hereby amended to read as follows:

No person, firm or corporation shall divide any land located within the corporate limits of the City of Watertown that shall result in a minor subdivision as defined by this chapter without first filing an application and a certified survey map for approval by the Plan Commission (and the Common Council when dedication of land is involved) and subsequently recording said map with the Dodge or Jefferson County Register of Deeds. The certified survey map shall comply fully with § 236.34, Wis. Stats. and with all applicable requirements of this chapter.

A. Procedure.

- (1) Before filing an application for approval of a certified survey, the subdivider shall follow the preapplication consultation procedures outlined in § 545-11.

B. Expanded use of certified survey maps.

- (1) In accordance with Wis. Stat. Section 236.34(1)(ar), a certified survey map may also be used for dividing land into more than four parcels under the following conditions:
 - (a) The division includes not more than 12 parcels if the land being divided is zoned for multi-family development as defined by this chapter.
 - (b) The division includes not more than 8 parcels if the land is zoned for commercial or industrial development.
- (2) This section does not apply to land lying outside the City boundaries but within the extraterritorial plat review jurisdiction of the City.

B.C. Certified survey map requirements.

- (1) The certified survey map shall be prepared by a professional land surveyor and shall comply with the provisions of § 236.34, Wis. Stats., and of this chapter.
- (2) The certificate of approval shall be placed on the face of the map.
- (3) When a dedication of land is required, the Common Council resolution accepting the dedication and approving the map shall be placed on the face of the map.
- (4) The applicant shall comply with the provisions of § 545-4 (General requirements) and Article III (Required Improvements and Design Standards) of this chapter.
- (5) Where streets or other areas are dedicated to the public, the certified survey map shall contain an owner's and a mortgagee's certificate that are in substantially the same form as required by § 236.21(2)(a), Wis. Stats.

C.D. Plan Commission action. Within 90 days, the Plan Commission shall, or where there is dedication of land, the Common Council shall approve, approve conditionally, or reject the certified survey map. The reason for conditional approval or for rejection shall be recorded in the minutes, and a letter detailing the action taken shall be sent to the applicant. Before an approved certified survey map is recorded, the applicant must pay to the City or other unit of government any accrued real estate taxes and special assessments owing on any land dedicated by the survey and to the Dodge or Jefferson County Treasurer any delinquent taxes on the dedicated land. Upon recording by the developer, two copies of the recorded document shall be furnished to the City.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 6. This ordinance shall take effect and be in force the day after its passage and publication.

Adopted July 15, 2025

Signed - Megan Dunneisen- City Clerk

Approved July 15, 2025

Signed – Robert Stocks- Mayor

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