

5.08 Dedications and Reservations

(1) Streets, Drainageways or Other Public Ways.

Wherever a tract of land to be divided or subdivided embraces all or any part of a street, drainage way or other public way which has been designated in the comprehensive plan or component part thereof or on the "Official" map of the Town of Greenville, said public way shall be made a part of the plat and dedicated or reserved or treated by the developer as determined by the Town Planning Commission, in the locations and dimensions indicated on such plan or map and as set forth in this ordinance.

(2) Proposed Parks, School Sites or Other Public Lands.

Wherever a proposed playground, park, school site or other public land, other than streets or drainageways, designated in a Comprehensive Plan, component part thereof or on the "Official" map of the Town of Greenville is embraced, all or in part, in a tract of land to be divided or subdivided, these proposed public lands shall be so designed as to be made an integral part of the plat and may be dedicated but in any case, shall be reserved, for acquisition at undeveloped land costs, by the agency having jurisdiction.

(3) Subdivision and Land Division Dedication Requirements.

In order that adequate open spaces and sites for public uses may be properly located and preserved as the community develops; and in order that the cost of providing the public school, park and recreation sites and facilities necessary to serve the additional families brought into the community, by subdivision or any land division, may be most equitably apportioned on the basis of the additional need created by the subdivision and land division development, the following provisions are established:

- (a) **Dedication of Land.** All land dividers/subdividers shall be required to dedicate developable land to the Town, to provide for school, park, recreation or other governmental service requirements, at a rate of **.06 acres per residential unit.** Such land shall be shown on the Preliminary Plat, Final Plat, or CSM and shall comply with the Town's Comprehensive Plan or component of said Plan, if any exists for the site. Consideration shall be given to the preservation of scenic and historic sites, stands of trees, marshes, ponds, streams, watercourses, watersheds, ravines, woodlands, prairie, wetlands and plant and animal communities. The Town Board shall have sole authority to determine the suitability and adequacy of lands proposed for dedication or the Planning Commission for CSM's. Areas reserved for streets or trails shall not be considered as satisfying land dedication requirements.
- (b) **Access to Dedicated Land.** All dedicated land shall have frontage of at least 100 feet on a public street and shall have unrestricted public access.
- (c) **Utility Extensions.** The land divider/subdivider shall install or provide for installation of water and sanitary sewer lines to the property line of all dedicated land, where such services are to be provided to the adjacent properties.
- (d) **Dedicated Parkland Development.** When parklands are dedicated, the subdivider is required to:
- (1) Properly grade and contour for proper drainage;
 - (2) Provide surface contour suitable for anticipated use of area.
 - (3) Cover areas to be seeded with a minimum of four inches of quality topsoil, seed as specified by the Planning Commission, fertilized with 16-6-6 at a rate of seven pounds per one thousand square feet; and mulched.

(4) Complete the development of parklands as required by this section within 3 years of final plat approval, or as otherwise agreed upon by the Town Board.

(5) If the land divider/subdivider fails to satisfy the requirements of this section, the Town Board may contract for said completion and bill such costs to the subdivider, following written notice to the subdivider of noncompliance. Failure to pay such costs may result in the immediate withholding of all building permits until such costs are paid.

(e) **Unknown Number of Dwelling Units.** Where a plat or certified survey map does not specify the number of dwelling units to be constructed, the land dedication and payment in lieu of land shall be based upon the maximum number of units permitted by the Zoning Ordinance and this Ordinance.

(4) **Proportionate Payment in Lieu of Land Dedication.**

When land dedication is not feasible or compatible with the Comprehensive Plan as determined by the Town Board, any divider of land, with permission of the appropriate Town body (Planning Commission for land divisions and Town Board for subdivisions), shall in lieu of land dedication pay to the Town a fee equivalent to the value of the required dedication. Such fee shall include: **\$480.00 per dwelling unit as proposed or allowed by the subdivision or land division.** All parkland dedication fees are to be held by the Town in a non-lapsing fund. The fee in lieu of land dedication may be annually adjusted by the Town Board, if necessary, by adding to the base amount an accepted land appreciation cost as of January 15th each year.

(5) **Payment of Fees.**

Dedication fees for CSM's and *final plats (3-11-02)*

shall be assessed per lot and be payable upon transfer of ownership or building permit application, whichever comes first. No payment shall be required for a lot, created by the division of land under this ordinance, on which a residential structure already exists, or which is a residual parcel in excess of 4 acres and not intended for immediate sale or other conveyance. Likewise, where a lot or parcel, for which payment has once been made, is further divided for residential purposes, payment shall be required only for the additional lots or parcels created.

(6) Effective Date of Dedication and/or Reservation.

The dedication of land for public purposes such as parks, rights of way, school sites and easements becomes effective at the time of approval and recording of the final plat or CSM.

On sites reserved for eventual public acquisition, no building development is permitted during the time of reservation. Land so reserved shall be shown on the plat of a subdivision or on a certified survey map of other divisions.

(7) All Public Access to the Low Watermark of Navigable Lakes and Streams.

All public access to the low watermark of navigable lakes and streams required by Section 236.16(3), Wisconsin Statutes shall be at least 100 feet wide to provide sufficient areas for turning movements and parking. The locations of such access is subject to approval of the Town Planning Commission.

