

**TOWN OF WOODLAND
SITING ORDINANCE**

The Town Board of the Township of Woodland, Sauk County, Wisconsin, does ordain as follows:

Section 1 PURPOSE

The purpose of this ordinance is to ensure improvements constructed in the Town of Woodland are of such a design and located on their respective properties so as to be consistent with the goals set forth in the Town of Woodland Comprehensive Plan and to preserve and maintain the Town's scenic vistas and rural character. This ordinance shall provide a mechanism for the Town to reasonably regulate the placement of buildings, other structures, roads and driveways in the process of site plan application review.

The provisions of this ordinance do not alter the permissible uses, but address the manner in which development occurs and its placement on the landscape.

Section 2 SCOPE

These regulations shall apply to the construction of all new improvements within the Town of Woodland.

The provisions of this ordinance shall not apply to construction of improvements for which a building permit or driveway permit has been issued before the effective date of this ordinance, and plans for such improvements may be modified prior to the final occupancy inspection if in accordance with this ordinance.

Section 3 AUTHORITY

These regulations are adopted under the statutory authority granted pursuant to the Town's adoption of village powers under sec. 60.10(2)(c), 60.22(3), and 61.34 of the Wisconsin Statutes.

Section 4 DEFINITIONS

Unless otherwise specified, the terms indicated below shall have the following meaning:

 "Accessory building" shall mean structures that are subordinate and supplementary to the predominate use of the parcel, be it agricultural, residential, or a combination thereof.

“Designated public roads” shall mean highways as identified on the State Mileage Plat.

“Improvements” shall mean additions to raw land that normally increase its usefulness and value. This definition includes, but is not limited to, dwellings and additions thereto, residential accessory buildings, agricultural buildings, driveways, retaining walls, parking areas, public and private utilities, communication towers, gazebos, swimming pools and green houses. Structures 100 square feet or less are exempt from permit requirements.

“Land disturbing activity” shall mean activity, 1/2 acre or greater, that results in movement of earth, or a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity.

“Project” shall mean the improvements or land disturbing activity for which the applicant seeks a permit.

“Slope” is the vertical rise divided by the horizontal length.

“Town Board” shall mean the Town of Woodland Board.

“Plan Commission” shall mean the Town of Woodland Plan Commission.

Section 5 PERMIT

No person or entity shall commence any land disturbing activity, construct any improvements or install a manufactured dwelling or accessory building, without first submitting an application with the appropriate fee.

Section 6 PROCEDURE

- (1) Applicants are encouraged to submit a rough sketch map of the conceptual idea of the project, approximate location and dimensions to the Plan Commission prior to preparing or submitting an application so that the Plan Commission may provide the applicant with initial comments on the project. Formal approval will not be considered or granted without submitting a complete application and supporting documents package.
- (2) Application and Supporting Documents Package. The person or entity shall submit a completed Siting Application, available from the Town Board, with the current fee and the following required attachments to the Town Board.
- (3) The application shall contain:

- a. the name and post office address of the owner and applicant,
- b. the street address of property covered by the application, and a copy of a recorded certified survey map (if applicable),
- c. a statement of authority from the owner for any agent making application,
- d. a listing of property owners adjacent to property covered by the application.
- e. an existing and proposed site map no smaller than 1 inch = 40 feet scale, and labeled with dimensions, indicating the location and dimensions of all existing:
 - i. parcel(s),
 - ii. structure(s),
 - iii. fences,
 - iv. easements,
 - v. public roadways,
 - vi. driveways,
 - vii. highway accesses,
 - viii. all zoning setbacks including front, side and rear yard and road setbacks,
 - ix. water courses, streams, including intermittent or seasonal streams, rivers, lakes, and wetlands within 500 feet of the property covered by the application.
 - x. septic systems,
 - xi. wells,
 - xii. location and use of any lands and existing structures immediately adjacent to each of the boundaries of the site and extending 300 feet from those boundaries,
 - xiii. all areas with slopes of 20% or greater shall be identified.
- f. a project plan including a statement of the proposed work, land disturbing activity, or improvements and purpose thereof.
- g. the applicant shall submit the following additional plans if applicable:
 - i. plans for retaining walls or like constructions, with details of construction,
 - ii. erosion and sedimentation control plan for construction and post construction.
 - iii. a plan identifying any views obstructed from abutting or adjoining parcels resulting from the proposed project.
- h. a list of all applicable county, state, or federal permits which are required for such work or improvements,

- i. other information or application materials as may be deemed necessary or desirable by the Town.
- (4) No applicant shall be issued a siting permit until the Town approves of all plans set forth in the application, in accordance with the terms of this ordinance.
- (5) The Plan Commission will review the application and issue a determination within 30 days. Application review may include inspecting the site. If the Plan Commission determines that additional materials are necessary to review the application, the applicant will be so notified. The Plan Commission will then make a recommendation to the Town Board.
- (6) After reviewing the application, the Town Board will decide whether to issue the permit, deny the permit or to approve the permit subject to conditions. The actual permit issuance may be carried out by others as directed by the Board.
- (7) Application Fee. A non-refundable application fee of an amount determined by a resolution of the Town Board and specified in the Town's Fee Schedule shall be charged for each application.
- (8) Responsibility For Costs. The applicant will bear all reasonable costs incurred by the Town or its agents to properly review each application and supporting documents package, as specified in the Town's document entitled "Petitioner's/Applicant's Agreement As To Costs With The Town of Woodland." The property owner requesting the permit shall pay all costs for application review, including but not limited to publication, administration, hearing, permit, filing and recording fees, attorney, engineer, forester and surveyor(s) fees.

Section 7 GENERAL PROVISIONS

- (1) All undeveloped construction sites or land divisions identified on a proposed certified survey map shall be reviewed and conditions of approval established to ensure conformity with the purpose and intent of this ordinance.
- (2) Siting Criteria. A project shall be issued a siting permit if the Town Board determines that a project meets all of the following conditions:
 - a. roadways, driveways and utility alignments are located to minimize grading and earthmoving activity, by following existing contours and positioned upon gradual slopes whenever possible, constructed to blend with the existing landscape through alignment with the natural curving contour of the land instead of keeping to straight lines or geometric patterns, are concealed from view through preservation and maintenance of existing vegetation or through planned landscaping that is constant with the natural character of the area.
 - b. the plans provide retaining walls along roadways or associated with structural developments that are stepped and terraced incrementally, avoiding tall flat surfaces that restrict views and slopes steeper than 1:3,

c. structures, land disturbing activities and improvements including, but not limited to, roads, driveways, wastewater disposal systems, and necessary earthmoving to construct project improvements shall be located so as to minimize loss of farmland, engineered and managed to control surface water run-off, optimize the shape and configuration of farmable parcels, and integrate development with existing landscape patterns (existing fields, fencerows, farmsteads and natural features).

d. the siting plan must be in compliance with the driveway ordinance.

e. Setback Requirements Side and Rear Yards-The standards of the applicable zoning district shall apply. Lots adjacent to lands that are currently used for agriculture shall have a minimum 100 foot setback between residences and said lands.

Section 8 EXCEPTIONS

Upon application by the property owner of a site, an exception to the requirements contained in this Ordinance may be granted by the Town if the Board makes all of the following findings:

(1) the parcel or issues presented are unique from other parcels and situations in the Town, and

(2) the land or parcel where the project is located has not been divided since the date of the enactment of this ordinance so as to create the situation requiring an exception under this section.

Section 9 INSPECTION AND MONITORING

As part of the permit issuance, the Town Board or their agent have the authority to enter the property to inspect/monitor the project.

Section 10 AMENDMENTS

A landowner must apply to the Town for an amendment, modification or change to the permit required under this ordinance. The Town shall only grant an amendment, modification or change to the permit that complies with the requirements and conditions of this ordinance.

Section 11 PENALTIES

Any person who violates this ordinance shall forfeit not more than \$1,000.00 for each violation. Any person violating this ordinance shall also pay the costs of prosecution, including reasonable attorney fees. Each day that a violation continues can be considered as a separate violation.

Section 12 VALIDITY

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

This ordinance shall be deemed to be in force from and after its passage, approval, publication and recording, according to law.