

## 18.04.046 - Procedure—Certified survey map.

## (a) Minor subdivisions (Certified Survey Map) Procedure.

- (1) Application. For all subdivisions classified as minor subdivisions under this chapter, the subdivider shall file an application for certified survey map approval with the secretary of the plan commission, along with thirty copies of the certified survey map, the required review fee, and all data required by this section. A certified survey map shall not be approved prior to plan commission review of the site assessment checklist, unless such checklist requirement is waived. The certified survey map shall be filed at least ten days prior to the date of the plan commission meeting at which an action or recommendation is expected, to allow adequate time for review and recommendation by appropriate agencies, staff, commissions, and consultants.
- (2) Plan Commission Action for Certified Survey Maps with No Public Land Dedication or within Extraterritorial Jurisdiction. The plan commission shall, no longer than sixty days from the date submitted, approve, conditionally approve or reject those certified survey maps which do not include a public land dedication, are within the city's extraterritorial jurisdiction, or both. Conditions of approval or reasons for rejection shall be stated in writing. The time period within which plan commission action is required shall not commence until the city has received all maps, plans, drawings, application fees, and related data necessary for review of the latest version of the certified survey map as outlined herein. Such review period may be extended by written agreement of the subdivider. If the plan commission fails to act within sixty days, the period of time has not been extended by agreement, and no unsatisfied objections have been filed within that period, the certified survey map shall be deemed approved, and upon demand, a certificate to that effect shall be made on the face of the certified survey map.
- (3) Plan Commission Recommendation for Certified Survey Maps including Public Land Dedication and within City Limits. For a certified survey map that includes the dedication of public lands and is within the city's corporate limits, the plan commission shall recommend to the city council approval, conditional approval, or rejection within a timeframe that allows city council action per subsection (4) below.
- (4) City Council Action for Certified Survey Maps including Public Land Dedication and within City Limits. Where a certified survey map includes the dedication of public lands and is within the city's corporate limits, the city council shall within sixty days from the date of a complete submittal, approve, conditionally approve or reject the certified survey map, following a plan commission recommendation. Such review period may be extended by written agreement of the subdivider. In all cases, the time period within which city council approval is required shall not commence until the city has received all maps, plans, drawings, application fees, and

related data necessary for review of the latest version of the certified survey map as outlined herein. Conditions of approval or reasons for rejection shall be stated in writing. If the city council fails to act within sixty days, the period of time has not been extended by agreement, and no unsatisfied objections have been filed within that period, the certified survey map shall be deemed approved, and upon demand, a certificate to that effect shall be made on the face of the certified survey map.

- (5) Contract for Improvements. Upon a recommendation by the director of public works, the city council may require the execution of a contract for improvements (development agreement) for a certified survey map involving significant public improvements.
- (6) Recording of Certified Survey Map. The surveyor shall record a copy of the approved certified survey map with the appropriate register of deeds, but only after:
  - (A) Certificates of the city council, surveyors, owner and those other certificates required by Section 236.21 of the Wisconsin Statutes are placed on the face of the certified survey map.
  - (B) Any accrued real estate taxes and special assessments owing on any land dedicated by the survey and to the appropriate county any delinquent taxes on the dedicated land are paid.
  - (C) All conditions of approval which are able to be satisfied prior to certified survey map recording have in fact been satisfied.

Upon recordation by the developer, two copies of the recorded document shall be furnished to the city clerk.

(b) Certified Survey Map Requirements.

- (1) The certified survey map shall be prepared by a registered land surveyor and shall comply with the provisions of Section 236.34, Wisconsin Statutes, and of this chapter.
- (2) The certified survey map shall comply with all design standards, required improvements, and general provisions of this chapter.
- (3) Where streets or other areas are dedicated to the public, the certified survey map shall contain an owner's and a mortgagee's certificate which are substantially the same form as required by Section 236.21(2)(a), Wisconsin Statutes.
- (4) The certificate of approval shall be placed on the face of the map.
- (5) When a dedication of land is required, the city council resolution accepting the dedication and approving the map shall be placed on the face of the map.
- (6) If the certified survey map contains private roads, the following note shall be added to the certified survey map:

NOTICE OF POSSIBLE LIMITATION OF PUBLIC SERVICES:

THIS CERTIFIED SURVEY MAP CONTAINS PRIVATE ROAD(S), AND, AS A RESULT, CERTAIN PUBLIC SERVICES MAY BE LIMITED. THE EXTENT OF THESE LIMITATIONS MAY BE SPELLED OUT IN A DOCUMENT CALLED A CITY/DEVELOPER AGREEMENT OR CONTRACT FOR IMPROVEMENTS; OR, IF THIS IS A CONDOMINIUM PLAT, IN A DOCUMENT CALLED A GENERAL DEVELOPMENT PLAN (GDP), WHICH DIRECTLY RELATES TO THIS CSM AND IS FILED AS A PUBLIC DOCUMENT IN THE OFFICES OF BOTH THE WHITEWATER CITY CLERK AND THE DIRECTOR OF PUBLIC WORKS FOR THE CITY OF WHITEWATER.

(7) Within the M-1 general manufacturing district, all minor subdivisions must be consistent with a detailed plan showing future street alignments and general lot arrangements for all lands under the control of the subdivider. Such a detailed plan may be a component of the city's comprehensive (master) plan, but in any case shall be subject to plan commission approval before action may be taken on the certified survey map.

(c) Reconfigurations and Replats.

- (1) A certified survey map may be used to change the boundaries of lots and outlots within a recorded plat or certified survey map if the reconfiguration does not result in a major subdivision, affect areas previously dedicated to the public, alter any previous restrictions on the recorded plat or certified survey map, or violate other provisions of this chapter. The subdivider shall proceed with such a reconfiguration under the provisions of Section 18.04.046 of this chapter. Reconfiguration by a certified survey map that crosses the boundary of a recorded plat is permitted under Wisconsin Statutes, Section 236.34(1). The subdivider shall proceed with a reconfiguration that crosses the boundaries of a recorded plat under the procedures specified within Wisconsin Statutes, Section 236.34(1).
- (2) When it is proposed to replat all or part of a recorded subdivision under the provisions of Wisconsin Statutes, Section 236.36, the subdivider or person wishing to replat shall vacate or alter the recorded plat as provided in Wisconsin Statutes, Sections 236.40 through 236.44. The subdivider or person wishing to replat shall then proceed as specified in this chapter for preliminary and final plats. The plan commission secretary shall schedule a public hearing before the city plan commission when a replat of lands within the city is filed, and shall cause notices of the proposed replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties within two hundred feet of the exterior boundaries of the proposed replat.

(Ord. 1510 §1(part), 2002).