

Title: Amendment to Subdivision Control Ordinance

Effective Date: 5/14/2007

Category: Subdivision/Property

STATE OF WISCONSIN

TOWN OF LAGRANGE

WALWORTH COUNTY

ORDINANCE NO. 2007-004

AN ORDINANCE TO AMEND THE SUBDIVISION CONTROL ORDINANCE ESTABLISHING CRITERIA FOR THE DIVISION OF LAND

WHEREAS it is in the best interests of the public's health, safety and welfare to assure uses of land that will not overburden existing roads; that will assure quality fire and emergency services are available to a growing population; that will prevent overcrowding of land; that will avoid an undue concentration of population; that will facilitate adequate provision of transportation, schools, parks and other governmental services including, but not limited to law enforcement, upkeep of roads, snow plowing and building inspection and that will conserve the value of property and encourage the most appropriate uses of land throughout the Town of LaGrange with a reasonable consideration of the character of the district and its peculiar suitability for particular uses.

Now therefore, after due consideration of the recommendation of the Town Plan Commission and the statements made by the public at a public hearing, the Town Board hereby enacts this Ordinance as follows:

SECTION 1. The Land Division Ordinance of the Town of LaGrange is hereby amended to add the following provisions:

Section 3.03 (D) and 3.06 (H) are added to the Land Division Ordinance and both shall read as follows:

1. Criteria for Agricultural Land Division. The Plan Commission may grant approval of a land division of agricultural lands provided the Commission shall determine that the proposed land division will assist and assure the continuation of the agricultural use.

2. Criteria for Nonagricultural Subdivision or Land Division. In the case of nonagricultural lands, the Plan Commission may recommend approval of a subdivision to the Town Board or may grant approval of a land division provided that the Plan Commission shall determine that the proposed subdivision or land division complies with each of the following three (3) criteria:

a. The proposed subdivision or land division shall either be compatible with adjacent land uses, or shall comply with the land use plan for the parcel in question. The proposed subdivision or land division shall maintain the general land use pattern of the area, unless the land use plan designates the area for transition to another use or other uses.

b. The proposed subdivision or land division shall result in a development pattern which is compatible with surrounding developments and land uses, or with the land use plan. Measures of compatibility may include, though they shall not be limited to, lot sizes, traffic generation, access, noise and physical appearance of the area.

c. The proposed subdivision or land division and the resulting development shall not adversely affect the Town's ability to provide public services or install public improvements.

SECTION 2. SEVERABILITY AND REPEAL.

A. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective as to whether or not one or more provisions may be declared invalid and any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions, other persons or circumstances shall not be affected thereby.

B. All ordinances and parts of ordinances in conflict with this ordinance heretofore enacted by the Town of LaGrange are hereby repealed.

Adopted on motion of Supervisor Callaway, seconded by Supervisor Bromley on the 14th day of May, 2007.

Attest:

Crystal Hoffmann, Town Clerk

Approved:

Frank Taylor, Chairman

Mark Bromley, Supervisor

Donald Sukala, Supervisor

Richard Callaway, Supervisor

Jeff Schramm, Supervisor