

**VILLAGE OF GREENVILLE
ORDINANCE 4-24
AMENDMENT TO CHAPTER 270 SUBDIVISION CONTROL ORDINANCE**

WHEREAS, the Village of Greenville periodically amends the Subdivision Control Ordinance to address concerns and issues; and

WHEREAS, the Village of Greenville Ad Hoc Development Committee suggested amendments; and

WHEREAS, the Village of Greenville Village Board recently adopted a Subdivision Improvement Policy in which the Subdivision Control Ordinance should reference; and

WHEREAS, the Greenville Planning Commission held a public hearing on the proposed amendments on May 8, 2024; and

WHEREAS, The Greenville Planning Commission has made a recommendation to the Village of Greenville Village Board and the Village of Greenville Village Board hereby finds the proposed amendments are consistent with its Comprehensive Plan.

THEREFORE, BE IT ORDAINED, The Village Board of the Village of Greenville, Outagamie County does hereby ordain as follows:

- 1) 1. Chapter 270 Subdivision Control of the Village of Greenville Municipal Code shall be amended as follows:
 - A. Section 270-10 is amended to add *{add definition of Subdivision Improvement Policy}*:
SUBDIVISION IMPROVEMENT POLICY
The document adopted by the Greenville Village Board on March 13, 2024, as amended from time to time, determining the local roadway construction method and parameters for a development agreement for a plat or certified survey map.
 - B. Section 270-13 A. (6) shall be repealed and replaced as follows *{replace Town with Village}*:
The subdivider shall provide a financial guarantee in the amount of 120% of the estimated cost of final pavement for all streets in the form of an irrevocable letter of credit or escrow account for the benefit of the Village and in the name of the Village for a term of two years, to be installed by the subdivider, based on a schedule approved by the Public Works Director. The financial guarantee shall be submitted prior to issuance of building permits.
 - C. Section 270-13 A. (7) shall be repealed and replaced as follows *{replace Town with Village}*:
The subdivider shall guarantee all public improvements against defects due to faulty materials or workmanship which appear within a period of 14 months (warranty period) after acceptance by the Village. The Owner/Subdivider shall pay the full cost of necessary replacement or repair of defects and provide the Village with financial security in the form of an irrevocable letter of credit or escrow deposit to ensure timely replacement or repair in an amount of 10 percent of the estimated total costs of all completed improvements. The guarantee shall be submitted prior to issuance of building permits.

D. Section 270-13 B. shall be repealed and replaced as follows *{reference Development Agreement}*:
As an alternative to the substantial completion of all required public improvements and conditions above, and in the sole discretion of the Board, the subdivider enters into a public improvement agreement (Development Agreement) that all required public improvements be substantially completed in accordance with the Development Agreement approval and provides financial security for the benefit of Greenville to ensure required public improvements will be substantially completed within two years of final plat approval.

E. Section 270-36 D. shall be amended and numbered to add the following *{add common notes}*:
(6) Grading Statement: All grading and final grades for the construction of any public or private improvement shall conform to the surface water drainage plan as approved by Greenville.

(7) Drainage Easement Restrictions. The following uses, structures and activities are prohibited in any easement or outlot used for drainage: filling, grading and excavating except for the construction of public streets, utility crossings and drainage improvements and facilities; construction or placement of any building or structure, including fences; the cultivation of crops, fruits or vegetables; the planting of trees or shrubs; the dumping or depositing of ashes, waste, compost, temporary fill, or materials of any kind or nature; the storage of vehicles, equipment, materials, or personal property of any kind. These restrictions may be enforced by any lot owner, homeowners' association or Greenville by proceedings in law or equity against any person violating or attempting to violate the restriction.

(8) Drainage Maintenance Easement. Greenville shall have an unqualified right to enter upon any easement or outlot used for drainage for inspection and to maintain and repair all drainageways, drainage facilities and drainage improvements. Greenville may equally assess all lots for maintenance and repair and Greenville administrative costs. The purchase of any lot constitutes a waiver of objection to assessment and agreement to pay assessments which will be placed on the annual tax bill as a special assessment.

(9) Stormwater Assessment Statement: Lots within this subdivision shall be subject to assessments on an annual basis for operation and maintenance of detention pond area and the purchase of any lot constitutes a waiver of objection and agreement to pay said annual assessments which shall be placed upon the annual tax bill as a special assessment.

(10) Street Lighting Statement: Lots within this subdivision on an equal basis shall be subject to assessments on an annual basis for the operation and maintenance of street lights and the purchase of any lot constitutes a waiver of objection and agreement to pay said annual assessment which shall be placed upon the annual tax bill as a special assessment.

(11) Sidewalks. All lots in this subdivision will have sidewalks as specified in the approved engineering plans prepared for this development. Greenville may assess for damage to sidewalks and curb & gutter.

F. Section 270-37 C. shall be amended and numbered to add the following *{add common notes}*:
(6) Grading Statement: All grading and final grades for the construction of any public or private improvement shall conform to the surface water drainage plan as approved by Greenville.

(7) Drainage Easement Restrictions. The following uses, structures and activities are prohibited in any easement or outlot used for drainage: filling, grading and excavating except for the construction of public streets, utility crossings and drainage improvements and facilities; construction or placement of any building or structure, including fences; the cultivation of crops,

fruits or vegetables; the planting of trees or shrubs; the dumping or depositing of ashes, waste, compost, temporary fill, or materials of any kind or nature; the storage of vehicles, equipment, materials, or personal property of any kind. These restrictions may be enforced by any lot owner, homeowners' association or Greenville by proceedings in law or equity against any person violating or attempting to violate the restriction.

(8) Drainage Maintenance Easement. Greenville shall have an unqualified right to enter upon any easement or outlot used for drainage for inspection and to maintain and repair all drainageways, drainage facilities and drainage improvements. Greenville may equally assess all lots for maintenance and repair and Greenville administrative costs. The purchase of any lot constitutes a waiver of objection to assessment and agreement to pay assessments which will be placed on the annual tax bill as a special assessment.

(9) Stormwater Assessment Statement: Lots within this subdivision shall be subject to assessments on an annual basis for operation and maintenance of detention pond area and the purchase of any lot constitutes a waiver of objection and agreement to pay said annual assessments which shall be placed upon the annual tax bill as a special assessment.

(10) Street Lighting Statement: Lots within this subdivision on an equal basis shall be subject to assessments on an annual basis for the operation and maintenance of street lights and the purchase of any lot constitutes a waiver of objection and agreement to pay said annual assessment which shall be placed upon the annual tax bill as a special assessment.

(11) Sidewalks. All lots in this subdivision will have sidewalks as specified in the approved engineering plans prepared for this development. Greenville may assess for damage to sidewalks and curb & gutter.

G. Section 270-39 G. shall be repealed and replaced as follows *{added language to require connection to future developments}*:

Continuation. Streets shall be laid out to provide for possible continuation wherever topographic and other physical conditions permit. All proposed streets shall have a direct connection with, or be continuous and in line with, existing, planned or platted streets with which they are to connect. Proposed streets shall extend to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Board, such extension is unnecessary for the coordination of the layout of the subdivision with existing layout or the most advantageous future development of adjacent tracts. Streets shall be designed, as determined by the Planning Commission or Board, to ensure that adjoining parcels have adequate connection to maximize development. Subdivisions or certified survey maps shall be designed to provide at least one connection to adjoining parcels where future development or subdivision of adjacent property is anticipated.

H. Section 270-39 shall be amended to add H and all other paragraphs will be renumbered to add the following *{added new paragraph for subdivisions over 30 lots to require second street access or emergency access}*:

Street Connectivity. Two or more connections to existing streets shall be provided in any subdivision that contains more than 30 existing or proposed residential lots in a manner that all blocks and parcels in the subdivision meet the requirements of this ordinance. The Planning Commission or Village Board may require local streets to extend to the property boundary where future development or subdivision of adjacent property is anticipated. Where there are more than 30 existing or proposed residential lots a second street, or separate and approved fire lane, shall be provided.

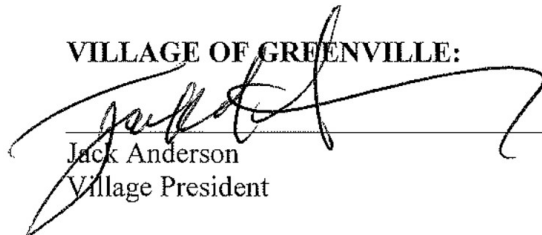
- I. Section 270-39 S. (1) shall be repealed and replaced as follows *{change ROW radius from 60 to 66 ft and curb radius from 48 to 51 ft}*:
Cul-de-sac dimensions. Cul-de-sac streets designed to have one end permanently closed shall not exceed 600 feet in length. All cul-de-sac streets designed to have one end permanently closed shall terminate in a circular turnaround having a minimum right-of-way radius of 66 feet and a minimum inside curb radius of 51 feet. The Planning Commission or Board may require larger sizes for longer cul-de-sac where school bus turnarounds are expected.
- J. Section 270-39 S. (2) shall be repealed and replaced as follows *{change ROW radius from 60 to 66 ft and curb radius from 48 to 51 ft}*:
Temporary dead-ends or cul-de-sac. All temporary dead-ends shall have a maximum length of 600 feet and a temporary cul-de-sac shall have a minimum right-of-way radius of 66 feet and a minimum inside curb radius of 51 feet, except where larger sizes may be needed due to expected school bus turnarounds.
- K. Section 270-39 U. (5) shall be repealed and replaced as follows *{change radius from 60 to 66 ft}*:
Cul-de-sac and bulb radius: minimum of 66 feet radius.
- L. Section 270-42 shall be repealed and replaced as follows *{added reference to Subdivision Improvement Policy}*:
A. The improvements prescribed in this chapter are required as a condition of approval of a subdivision or land division. The required improvements described in this chapter and the Subdivision Improvement Policy shall be installed, furnished and financed at the sole expense of the land divider or subdivider. The cost of such improvements may, at the sole discretion of the Board, be financed through special assessments.
B. Non-specified standards. The following required improvements in this chapter shall be installed in accordance with adopted Greenville Standard Specifications and Details and Subdivision Improvement Policy. Where standards and specifications have not been adopted, the improvements shall be made in accordance with good engineering practices and approved prior to the start of construction by the Engineer.
- M. Section 270-43 A. shall be repealed and replaced as follows *{added reference to Subdivision Improvement Policy}*:
Engineering reports, construction plans and specifications. As required by §270-12B(3), public improvement/engineering plans shall be submitted with the filing of the preliminary plat. Before any construction and before final plat approval, plans for required improvements conforming in all respects with the Standard Specifications and Details, the Subdivision Improvement Policy, and the ordinances of Greenville shall be prepared at the land divider's/subdivider's expense by a professional engineer registered in the State of Wisconsin under said engineer's seal. An Engineers Opinion of Probable Cost (EOPC) of such plans, together with the quantities of construction items and an estimation of costs of the required improvements by categories as required by this chapter, Greenville Standard Specifications and Details, the Subdivision Improvement Policy, and Greenville ordinances for approval of plans and review of costs shall be submitted. The Public Works Director and Engineer shall review such plans and submit a recommendation as required herein. Upon approval, they shall become part of preliminary plat approval. In the event of Board authorization to obtain final plat approval prior to the completion of required improvement, the plans shall also become part of a developer's agreement and financial security instrument as a condition of final plat approval.

- N. Section 270-43 C. (2) shall be repealed and replaced as follows *{added reference to Subdivision Improvement Policy}*:
Construction Completion. Construction of all improvements required by this chapter shall be completed in accordance with the Subdivision Improvement Policy and Development Agreement approved for the plat or certified survey map.
- O. Section 270-44 shall be repealed and replaced as follows *{added reference to Subdivision Improvement Policy}*:
The land divider/subdivider shall design and construct streets, roads and alleys based on the requirements of this chapter, the Standard Specifications and Details, the Subdivision Improvement Policy, and all roadway construction and materials used shall be installed in accordance with the construction methods as listed in the appropriate sections of the "State of Wisconsin Department of Transportation Standard Specifications for Road and Bridge Construction" and its supplements, whichever is more restrictive. The design requirements of this chapter shall apply to all streets and roads proposed for dedication to Greenville, regardless of whether such streets or roads are part of a new subdivision or certified survey map.
- P. Section 270-52 A. shall be repealed and replaced as follows *{replace Town with Village}*:
Pedestrian, bicycle and multi-modal facilities shall be required and be consistent with the comprehensive plan, bicycle and pedestrian plan and other approved plans and the Village Specifications and Details in addition to the requirements below.
- Q. Section 270-52 E. shall be repealed and replaced as follows *{replace Town with Village}*:
Alternatives: The Board may determine pedestrian and bicycle facilities are not required or may require alternative facilities be installed when there is justification from the Village Engineer determining pedestrian and bicycle facilities are not feasible based on physical or environmental circumstances and is consistent with the Comprehensive Plan and Bicycle and Pedestrian Plan. Proposed alternatives shall be consistent with current engineering standards, technical manuals and practices.

If this conflicts with any section within the Village of Greenville Municipal Code, this ordinance shall prevail.

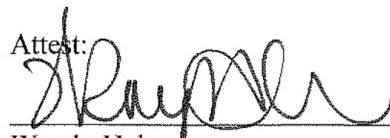
This Ordinance shall take effect upon passage and publication.
Adopted this 8th day of May, 2024.

VILLAGE OF GREENVILLE:



Jack Anderson
Village President

Attest:



Wendy Helgeson
Clerk