

**CITY OF PORT WASHINGTON, WISCONSIN  
ORDINANCE NO. 2019-2**

**Amending the Subdivision Control Ordinance  
Regulating the Division of Land by Certified Survey Map**

**WHEREAS**, prior to April 5, 2018, any division of a lot, parcel, or tract of land within the City of Port Washington or its extraterritorial plat approval jurisdiction by the owner or his agent for the purpose of sale or building development and which resulted in the creation of more than 4 parcels or building sites was considered a subdivision, and subject to the subdivision review and approval process under Wis. Stat. ch. 236 and secs. 18.02.010 and 18.04.000, et seq., Municipal Code (part of the City's Subdivision Control Ordinance), including, but not limited to submission of preliminary and final plats, and all engineering and state approvals as required by law; and

**WHEREAS**, effective April 5, 2018, Section 58 of 2017 Wisconsin Act 243 authorized cities that have established a planning agency to enact an ordinance that specifies a maximum number of parcels that is greater than 4 into which land that is situated in the city and zoned for commercial, multi-family dwelling, industrial or mixed-use development may be divided by certified survey map; and

**WHEREAS**, the City Plan Commission, having previously reviewed all standards required to be considered by the Subdivision Control Ordinance and after due deliberation, has recommended to the Common Council that the Subdivision Control Ordinance relating to the division of land other than by a subdivision plat (i.e., by certified survey map) be amended; and

**WHEREAS**, all notices of said proposed amendment and public hearing thereon have been given as required by law, and such public hearing was held before the Common Council on April 16, 2019; and

**WHEREAS**, the Common Council has determined that such amendment will promote the public health, safety, morals and general welfare of the community, and has directed that the Municipal Code of the City of Port Washington be amended accordingly,

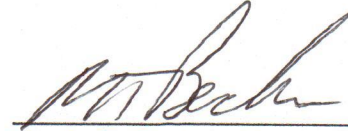
**NOW, THEREFORE**, the Common Council of the City of Port Washington, Wisconsin, do ordain as follows:

**Section 1.** Section 18.02.020 of the Municipal Code of the City of Port Washington, relating to the requirements for the platting of land divisions other than subdivisions, is amended to read as follows:

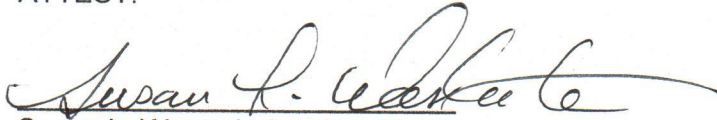
**18.02.020 Platting of Other Land Divisions Required.** Any division of land other than a subdivision within the City or its extraterritorial plat approval jurisdiction (pursuant to sec. 18.02.010), of which a plat has not been approved and recorded, shall be surveyed and a certified survey map of such division approved and recorded as required by Section 18.04.020. Notwithstanding secs. 18.02.010 and 18.03.000 1., such platting may include the division of a lot, parcel, or tract of land that is situated within the City and zoned for Commercial, Multi-Family Dwelling (as defined in Wis. Stat. sec. 101.971(2)), Industrial, or Mixed-Use development by certified survey map, where the act of division creates not more than six (6) parcels.

**Section 2.** This Ordinance shall become effective upon passage and publication.

Passed and approved this 7<sup>th</sup> day of May, 2019

  
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Martin T. Becker, Mayor

ATTEST:

  
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Susan L. Westerbeke, City Clerk