

# DRAFT

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REPEALING A 35 ACRE PER DWELLING UNIT DENSITY REQUIREMENT FOR EXTRATERRITORIAL PLATS PURSUANT TO SECTION 17-5(7) OF THE LAND DIVISION REGULATIONS FOR THE VILLAGE OF FONTANA-ON-GENEVA LAKE.**

The Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

**SECTION 1.**

Section 17-5(7) shall be repealed and recreated to read as follows:

- (7) *Criteria for the division of land within the extraterritorial plat approval jurisdiction of the village.* The following policies shall govern the village in approving division of land within the 1 ½ mile extraterritorial area in order to protect the rural character.
- a. All land divisions within the extraterritorial area shall follow the applicable procedures outlined in subsections 17-5(1)-(6).
  - b. All land divisions within the extraterritorial area shall comply with the recommendations of the village comprehensive plan and shall also comply with the applicable zoning district.
  - c. (Intentionally omitted.)
  - d. The minimum lot size shall be one acre. A smaller lot size may be allowed if also approved by the respective town board.
  - e. All land divisions within the extraterritorial area will be subject to the land reservation or dedication requirements of this chapter. This specifically means the following:
    1. Any waterway or stormwater management area identified on the village comprehensive plan or official map shall be dedicated in conformance with requirements of this chapter.
    2. Any lands falling within the limits of an environmental corridor, as mapped by the village will be required to record a public open space easement specifying that the use shall be consistent with conservancy area zoning in the village zoning ordinance.
  - f. All land divisions within the extraterritorial area shall be consistent with the village's official map.

- g. All land divisions within the extraterritorial area will be required to follow erosion control plans in compliance with this chapter.
- h. All land divisions within the extraterritorial area shall pay the required review fees contained in subsection 17-5(7) of this chapter.
- i. The plan commission may require placement of covenants or deed restrictions deemed necessary and appropriate by the village plan commission to protect the purpose and intent of the village's plans or ordinances. Any such restrictions shall be placed on the face of the certified survey map, preliminary plat, final plat, comprehensive development plan or on surrounding lands from which the lot or lots were created to verify the density standard established herein.

**SECTION 2.**

This Ordinance shall be in full force and effect upon and from its passage, approval, and publication as required by law.

**PASSED AND ADOPTED** by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin this \_\_\_\_ day of \_\_\_\_\_, 2015.

VILLAGE BOARD OF THE VILLAGE  
OF FONTANA-ON-GENEVA LAKE

By: \_\_\_\_\_  
Arvid Petersen, Village President

Attest: \_\_\_\_\_  
Theresa Linneman, Village Clerk