

**TOWN OF BUCHANAN  
ORDINANCE NO. 2026-02**

**AN ORDINANCE AMENDING CHAPTER 460 SUBDIVISION OF LAND  
OF THE MUNICIPAL CODE OF THE TOWN OF BUCHANAN**

The Town Board of the Town of Buchanan does hereby ordain as follows:

1. Article IV. Preliminary Plat and Plans and Article V. Final Plat shall be repealed and replaced as shown on **Exhibit A**.


The Town of Buchanan Plan Commission has made a recommendation to the Town of Buchanan Town Board and the Town of Buchanan Town Board hereby finds the proposed amendment to Chapter 460 Subdivision of Land is consistent with its Comprehensive Plan and 2025 Wisconsin Act 68.

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

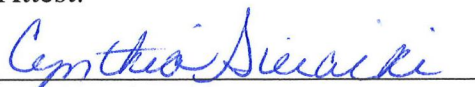
This Ordinance shall take effect upon passage and publication.

Adopted this 17th day of March 2026

**TOWN OF BUCHANAN:**

  
\_\_\_\_\_  
Joseph Coenen  
Town Chairperson

Attest:

  
\_\_\_\_\_  
Cynthia Sieracki  
Town Clerk/Treasurer

## Exhibit A

# Article IV. Preliminary Plat and Plans.

## § 460-18. Application and Approval Process.

- A. Based on input from the Plan Commission at the initial consultation, the subdivider shall prepare a preliminary plat, preliminary or final engineering reports and public improvement plans and a letter of official application for plat review. The subdivider shall submit the required number of copies of the preliminary plat and plans prepared in accordance with this chapter to the Administrator; the submittal deadline will be set by internal policy. An application for plat review shall not be official and complete until all elements required by this chapter are received and deemed satisfactory.
- B. Plans, documents, and data required. The following materials shall be included with submission of the applications to be considered complete and ready for review:
- (1) Preliminary Plat. The preliminary plat shall comply with the technical and design standards and dedication requirements in this chapter.
  - (2) Topographic Survey/Natural Resource Site Plan Inventory Analysis. Survey/Site Plan and analysis of site's sensitive natural areas to include: steep slopes over 12%, wetlands, watercourses, streams, one-hundred-year floodplains, all rights-of-way and easements, woodlands, scenic views, watershed divides and drainageways, fences or stone walls, rock outcrops and existing structures.
  - (3) Public Improvement/Engineering Plans. The subdivider shall file the required sets of engineering reports and plans for the construction of all public improvements required by this chapter and comply with all other Municipal Code requirements; they may be preliminary or final reports and plans. The plan set shall include the following pages and information:
    - (a) Street plans and profiles. The subdivider shall provide a topographical map showing street layout and profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. A cutting-and-filling plan shall fit road and lot design to the topography and avoid cutting and filling more than 50% of the property. All elevations must meet the approval of the Board. The plans shall comply with this chapter, Buchanan Road Specifications and Details and all other applicable Municipal Code requirements.
    - (b) Municipal water and sanitary sewer utility plans and profiles. If not hooking up to municipal water and sanitary sewer a well and sanitary plan that meets the following:
      - i. Community Water Supply. A community water supply shall be required for all residential subdivisions of 20 lots or more. Residential subdivisions of 40 lots or more shall include two wells to serve the development. This may be waived by the Town Board due to location of existing/planned services,

logistical/operational concerns and any other concerns that may be presented.

- ii. Clustered Wastewater Treatment. Clustered wastewater treatment systems shall be required for all residential subdivision of 10 or more lots. This may be waived by the Town Board due to location of existing/planned services, logistical/operational concerns and any other concerns that may be presented.

- (c) Erosion control plan in compliance with Chapter 230 Article VIII Erosion and Sediment Control.
  - (d) Grading plan showing existing contours and proposed grades at all lot corners and intersections and First Floor Elevations of buildings for each lot as well as drainage flow arrows. If ditches are proposed, provide elevations/contours at the top and bottom of ditches at lot corners and intersections
  - (e) Storm sewer plan in compliance with the Town Road Specifications and applicable Town Codes and showing location, pipe size, elevations, inverts and drainage flow arrows and any other information necessary to show compliance.
  - (f) Stormwater Management plan and report in compliance with Chapter 504 Article IV Postconstruction Stormwater Management.
  - (g) Streetlighting Plan if available from the power company.
  - (h) Street Sign Plan to include street name signs and traffic control signs.
  - (i) Landscaping plan. If there are existing trees on site, a tree removal, preservation and protection plan is required with removal, preservation and protection measures indicated and described on the plan.
  - (j) Detail Sheet(s) that comply with this chapter and Buchanan Road Specifications.
  - (k) An itemized Engineers Opinion of Probable Cost for all public improvements with a 20% contingency.
- (4) Reports. The following reports/studies shall be required unless otherwise waived:
- (a) Wetland Delineation
  - (b) Floodplain and Stream Navigability Study
  - (c) Traffic Impact Analysis
  - (d) Soil Report. The subdivider shall provide a soils report, listing the types of soil in the proposed subdivision, their effect on the subdivision and a proposed soil testing and investigation program; this report shall be based on a site investigation. The Town engineer may require borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and the groundwater table.

- (5) Use statement. A statement of the proposed use of lots stating the type of residential buildings with the number of proposed dwelling units; types of business or industry intended, to reveal the effect of the development of traffic, fire hazards and congestion of population as well as a table listed on the plat summarizing the zoning district dimensional requirements.
  - (6) Zoning changes. If any zoning changes are contemplated or required, an application for rezoning shall be submitted. Rezoning shall be approved prior to preliminary plat approval but may be submitted simultaneously with the preliminary plat submittal; however, it is recommended rezoning approval be obtained prior to preliminary plat submittal.
  - (7) Phases. The Board may approve construction of the subdivision in phases. Any phase shall be designed as to provide all required public improvements to serve any particular phase can function safely and with reasonable efficiency. Phasing shall be shown on the preliminary plat and public improvement/engineering plans and shall be constructed and final platted in phases consistent with the approved construction phasing.
  - (8) Comprehensive Plan. The plat and plans shall be consistent with the Buchanan Comprehensive Plan and the Comprehensive Outdoor Recreation Plan (CORP) and other adopted plans of Buchanan.
  - (9) Additional Plans and Information. Additional plans and information may be required when specific cases warrant it at the request of Buchanan officials and staff.
- C. Subdivider responsibility for preliminary plat referral. The subdivider, immediately following the official application to Buchanan, shall submit the original preliminary plat to the Wisconsin Department of Administration that shall forward two copies to each of the state agencies authorized to object as well as the County and any extraterritorial plat objecting agencies. The Department of Administration shall have the required number of copies made at the subdivider's expense. Within 20 days of the date of receiving copies of the plat, any agency having authority to object shall notify the subdivider, and all other agencies with authority to object, of any objection based upon failure of the plat to comply with the statutes or rules which its examination is authorized to cover. If there is no objection, it shall certify on the face of a copy of the plat and return that copy to the Department of Administration. After each agency and the Department have certified they have no objection or their objections have been satisfied, the Department shall so certify on the face of the plat. If any agency fails to act within 20 days from the date of the receipt of copies of the plat, and the Department fails to act within 30 days of receipt to the original plat, it shall be deemed no objections exist to the plat and, upon demand, it shall be so certified on the face of the plat by the Department.
- D. Referral process for complete preliminary plat applications.
- (1) Plan Commission. Once Buchanan has received all the information required by this chapter and verified it meets all requirements of this chapter it shall notify the subdivider of the Plan Commission agenda it will be placed on. The Administrator shall review the required information and make a recommendation to the Plan Commission. The Plan Commission shall make a recommendation to the Board to

approve, conditionally approve or reject the preliminary plat and attached public improvement/engineering plans.

- (2) Board action. The Clerk shall give notice of the Board's review by listing it as an agenda item in the Board's meeting. After review of the preliminary plat and public improvement/engineering plans, the Board shall, within 90 days of the date the preliminary plat and public improvement/engineering plans were officially filed with Buchanan, approve, approve conditionally or reject the preliminary plat and public improvements/engineering plans. Failure of the Board to act within 90 days of filing shall constitute approval of the preliminary plat and public improvements/engineering plans, unless an objecting agency files an objection or unless the review period is extended by agreement with the subdivider.
  - (3) Effect of preliminary plat and final public improvement/engineering plans/reports; Approval by the Board. Only Board approval of the preliminary plat and final public improvement/engineering plans authorizes the subdivider to make and install all required public improvements according to approved engineering reports, plans and specifications for such improvements on file with Buchanan as approved. If preliminary public improvement or engineering plans are submitted with a preliminary plat, approval of the preliminary plat shall be conditioned upon the submission and Board approval of final public improvement and final engineering plans prior to the construction or installation of any public improvement. Substantial completion of all improvements except the final lift/layer of asphalt shall be completed prior to issuing any occupancy permits. The Board, may in its discretion, require a financial guarantee of up to 120% of estimated public improvement costs to ensure timely completion of public improvements in those instances where public improvements are not completed prior to final plat approval.
  - (4) Expiration of Preliminary Plat. If the final plat is not submitted within 36 months after the last required approval of the preliminary plat, Buchanan may refuse to approve the final plat or may extend the time for submission of the final plat (Wis. Statutes § 236.11(1)(b)) in its discretion. If Buchanan refuses to approve the final plat due to expiration, the subdivider shall submit a new application for preliminary plat in accordance with this chapter.
- E. Public Improvement Alternative. As an alternative to the subdivider designing, bidding, financing and constructing the required public improvements, the subdivider may request, and the Board may agree in its discretion, to enter into a Development Agreement for Buchanan to perform the design, bidding, financing and construction of the required public improvements and specially assess the cost against the property within the proposed CSM or plat with a financial guarantee provided to cover the costs of the required public improvements. The subdivider shall submit a request for this consideration at the time of preliminary plat application. If the Board agrees to take on these responsibilities, a Development Agreement shall be approved as part of preliminary plat approval. This alternative will not require the submission of Public Improvement/Engineering Plans required herein, all other plans, documents and data are required to be submitted as indicated above.

## Article V. Final Plat

### § 460-19. Application and Approval Process

The subdivider shall file the required number of copies of the final plat within 36 months of the last required approval date of the preliminary plat and a letter of official application for plat review. If the final plat is not submitted within 36 months after the last required approval of the preliminary plat, the Town Board may refuse to approve the final plat or may extend the time for submission of the final plat in its sole discretion pursuant to Wis. Stat. § 236.11(1)(b). The subdivider shall submit to the Administrator a certified abstract or current title commitment at least one week prior to filing the proposed final plat showing title or control by the owner or subdivider of the property within the plat.

- A. Conditions of final plat approval. The proposed final plat shall substantially conform with the preliminary plat and must be submitted within 36 months after the last required approval of the preliminary plat unless extended in writing by the Board. It shall comply with all requirements of this chapter.
- B. Public Improvements. The following conditions shall be met prior to acceptance of public improvements and issuance of occupancy permits by Buchanan:
  - (1) “As built” or record drawings and lien waivers are filed and reviewed by the Town Engineer.
  - (2) All public improvements are inspected by the Town Engineer for conformance with the approved engineering reports, plan and specifications and acceptable engineering practices in the discretion of the Town’s Engineer.
  - (3) The Board accepts the public improvements by written resolution after receiving a formal recommendation from the Town Engineer.
  - (4) The subdivider shall provide a financial guarantee in the amount of up to 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 Town and in the name of the Town for a term of two years, to be installed by the subdivider, based on a schedule approved by the Town Engineer. The financial guarantee shall be submitted prior to issuance of occupancy permits.
  - (5) 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 Town. The Owner/Subdivider shall pay the full cost of necessary replacement or repair of defects and provide the Town 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 occupancy permits.
  - (6) Subdivider shall pay in full all current review and inspection fees prior to issuance of occupancy permits.
- C. Subdivider responsibility for final plat referral. The subdivider shall transmit copies of the final plat to objecting agencies as required for preliminary plats. The objecting agencies shall, within 20 days of the date of receiving their copies of the final plat, notify the subdivider and all other approving and objecting agencies of any objections in the same manner noted for preliminary plats of this chapter. If the original of the final plat has been filed with another approving authority, the subdivider may file a true copy of such plat in

lieu of the original. However, before approval of the Board will be inscribed on the original of the final plat, the surveyor or subdivider shall certify the respects in which the original of the final plat differs from the true copy, and all modifications must first be approved. If not taken care of during the preliminary plat approval process, the subdivider shall transmit a copy of the final plat to the telephone, power and other utility companies so needed utility connections can be installed in a timely fashion to serve the plat.

D. Referral process for final plat.

- (1) Plan Commission review. Based on their review of the required information, the Plan Commission shall make a recommendation to the Board to approve or reject the final plat.
- (2) Board review. Within 60 days of the date of filing the final plat with the Administrator, the Board shall approve or reject such plat, unless the time is extended by agreement with the subdivider. If the plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons sent to the subdivider.
- (3) Recording of final plat. The Board may not inscribe its approval on the final plat unless it is certified on the face of the plat the copies were forwarded to objecting agencies, as required herein, the date thereof, and no objections have been filed within 20 days or, if filed, have been met. Failure of the Board to act within 60 days of filing, unless the time has been extended and/or unsatisfied objections have been filed, shall be deemed approval of the plat. After the Board approves the final plat it shall execute the certificate inscribed upon the plat attesting to such approval and return the plat to the subdivider for recording with the County Register of Deeds within 10 days after the subdivider submits the plat with the certificates and affidavits required per Statute.

E. Replat procedure. Except when an Assessor's plat is ordered pursuant to Wis. Statutes § 70.27(1), when it is proposed to replat a recorded subdivision, or part thereof, so as to alter areas dedicated to the public, the subdivider or person wishing to replat shall vacate or alter the recorded plat as provided in Wis. Statutes § 236.40-236.45. The subdivider, or person wishing to replat, shall then proceed as specified in this chapter governing the new subdivision application process.