

Topic: Buffer Zones; Ridgeline Protection; Open Space Preservation; Scenic Resources
Resource Type: Regulations
State: Wisconsin
Jurisdiction Type: Municipal
Municipality: Village of Cross Plains
Year (adopted, written, etc.): 1988
Community Type - applicable to: Suburban; Rural
Title: Village of Cross Plains Hill Development Ordinance
Document Last Updated in Database: May 9, 2017

Abstract

The Village of Cross Plains established the following general regulations to protect the bluffs surrounding the village from development. They prohibit use or disturbance of hillsides and hilltop edges and require hilltop development to limit any land, vegetation, or scenic disturbance.

Resource

Hill Development, Ordinance No. 11-88 **Ordinance Text:**

VILLAGE OF CROSS PLAINS
ORDINANCE NO. 11-88
AN ORDINANCE AMENDING CHAPTER 13
(LAND DIVISION ORDINANCE)
OF THE VILLAGE OF CROSS PLAINS
MUNICIPAL CODE

WHEREAS, the Village of Cross Plains ("Village") is located in the driftless area of Wisconsin and the hills within the Village are a unique and limited natural resource important to the community;

WHEREAS, the Village Plan Commission and Village Board find that the unregulated use of the hillsides and hilltops in the Village poses public health, safety and general welfare concerns to the community including but not limited to: loss of soil stability, soil erosion, runoff, pollution of downstream wetlands and water bodies, deterioration in the quality of Black Earth Creek (a Class A trout stream), increased costs for constructing and maintaining urban services, limitations on emergency vehicle access, destruction of scenic

vistas and a loss of a natural buffer between rural and nonrural areas of the community;
and

WHEREAS, the Village Plan Commission and Village Board have determined that it is necessary to regulate the use of hillsides and hilltops in the Village in order to protect against the concerns listed in the preceding paragraph and to further the purposes set forth in section 62.23(7)(c), Wis. Stats.;

NOW, THEREFORE, pursuant to sections 61.35 and 62.23(7), Wis. Stats., and in accordance with a comprehensive plan, the Village Board of Cross Plains, upon the recommendation of the Plan Commission, does ordain that Chapter 13 of the Village of Cross Plains Municipal Code entitled "Land Division Ordinance," be and hereby is amended as follows:

1. Section 13.02 (11) is created to read as follows:

"13.02 (11) Hill Development.

"No subdivision, land division or certified survey map within the Village of Cross Plains corporate limits and no subdivision within the area of Cross Plains extraterritorial jurisdiction may be approved which would result in or authorize a use or disturbance of land for residential, commercial or industrial purposes on areas defined herein as hillsides or hilltop edges. Development on hilltops, if allowed, shall be restricted so as to minimize the disturbance of land and vegetation and preserve the view shed year-round for areas of lower elevation. For purposes of this provision, the following definitions shall apply:

"(A) Definitions. In this ordinance, the following words have the meanings stated. Drawings to further illustrate these definitions are attached hereto and incorporated herein by reference as Exhibit A.

"1. Hillside means the area of greater than twenty percent (20%) slope lying between the base of the hillside and the top of the hillside.

"2. Twenty percent of slope means a vertical elevation differential of ten (10) feet in fifty (50) horizontal feet, the horizontal distance being measured perpendicular to the slope.

"3. Base of Hillside means the higher elevation end of a twenty percent (20%) slope, where the slope is determined by measurement from an area of lower elevation of slope less than or equal to twenty percent (20%) to an area of higher elevation and of slope greater than twenty percent (20%).

"4. Top of Hillside means the higher elevation end of a twenty percent (20%) slope, where the slope is determined by measurement from an area of higher elevation and of slope less than or equal to twenty percent (20%) to an area of lower elevation and of slope greater than twenty percent (20%).

"5. Hilltop Edge means an area, measured up-slope from the top of hillside and perpendicular to the slope, being 150 horizontal feet in depth.

"6. Hilltop means an area of twenty percent (20%) or less slope, exclusive of the hilltop edge, which lies at an elevation of 900 feet or above, and is contiguous with the hilltop edge.

"7. View Shed means an open view from a lower elevation of the natural topography, features and vegetation of the hillsides, hilltop edge and hilltop undisturbed by man-made structures (except for vegetated screening and/or vegetated earthen berms only within the hilltop), uses or activities except as permitted in this ordinance.

The above and foregoing ordinance was duly adopted by the Village Board of Cross Plains, Wisconsin at a regular meeting held on 10/24, 1988. The vote was 4 in favor, 2 opposed, 1 not voting and _____ Board vacancy.

Public

Hearing Date: 8/22/88

Adopted: 10/24/88

Posted: 11/1/88