

Chapter 16.56

OTHER DEVELOPMENTS

Sections:

- 16.56.010 Purpose.**
- 16.56.020 Definitions.**
- 16.56.030 Scope.**
- 16.56.040 Compliance.**
- 16.56.050 Developer's agreement.**
- 16.56.060 Binding effect.**
- 16.56.070 Violation or non-compliance.**

16.56.010 Purpose.

The purpose of this chapter is to govern the terms and conditions of larger developments or improvement of properties in the town, which are not already governed by this title. The Town Board believes it has a vested interest in ensuring quality and viable developments in the township, and wishes to regulate the terms and conditions of any such development, and to meet all of the purposes set forth at Section 16.08.010. (Ord. dated 9/25/03)

16.56.020 Definitions.

A. The definitions at 16.040.010 of the town are incorporated into this chapter.

B. "Development" shall be utilized for all improvements subject to the terms of this chapter, as set forth below.

C. "Public improvements" shall refer to and include any of the following: Public and private streets or sidewalks, surface and storm water drainage facilities, public utilities and grading. (Ord. dated 9/25/03)

16.56.030 Scope.

This chapter shall govern any development, construction or improvement to real estate with a total estimated cost in

excess of five hundred thousand dollars (\$500,000.00) or any development which shall include public improvements as defined herein. However, single-family residences and subdivisions, which are governed by another chapter in this title, are excluded. This chapter shall include and govern, but not be limited to, condominium developments, PUD's, multi-family housing, commercial developments and private recreational developments. (Ord. dated 9/25/03)

16.56.040 Compliance.

No person, firm, association or corporation shall develop or improve any property located within the jurisdictional limits of these regulations which results in a development with a value of more than five hundred thousand dollars (\$500,000.00) without first complying with the terms and conditions of this chapter. (Ord. dated 9/25/03)

16.56.050 Developer's agreement.

Prior to issuance of any building permit or construction, a developer shall prepare and submit, for review by the Town Planning and Zoning Committee n and Town Board a comprehensive developer's agreement, which shall include the following terms and conditions which will address the following topics.

- A. All improvements to the property;
- B. The layout of public and private streets or sidewalks;
- C. Surface and storm-water drainage;
- D. Grading, erosion and silt control;
- E. Landscaping and green space;
- F. Street signs and traffic control signs;
- G. Estimated completion of improvements and dedication of improvement;

H. Guarantees of improvements, including repairs, maintenance and warranties;

I. Financial guarantees for the improvements, including a cash deposit or letter of credit in an amount no less than one hundred twenty-five (125) percent of the estimated cost of such improvements;

J. Building and occupancy permits;

K. Easements, deed restrictions, shared and common area agreements, and any other restrictions on the property;

L. Park and public site dedication;

M. Cost recovery for the town;

N. Insurance;

O. Indemnification and liability; and

P. Any other terms and conditions requested by the town planning and zoning commission, the Town Board, Town Engineer, Town Attorney, Town Building Inspector or other representatives or employees of the town and other approving authorities. (Ord. dated 9/25/03)

appropriate, including bringing the development into compliance, the cost of which may be included as a special assessment on all owners of property in the development. (Ord. dated 9/25/03)

16.56.060 Binding effect.

It is intended that any developer's agreement entered into between developer and the town shall be binding on the developer, its successors in interest, employees, representatives and assigns, including any purchasers of property located within the development. In order to ensure the binding effect, the developer's agreement shall be filed with the register of deeds of the county in which any of the property is situated. (Ord. dated 9/25/03)

16.56.070 Violation or non-compliance.

In the event of any violation or non-compliance with the terms of the developer's agreement, the town shall have the right to enforce the same by such means as it deems