

10. GLOSSARY

Glossary

Accessory Structure

A use or detached structure subordinate to the principal use of a structure, land, or water and located on the same lot or parcel, and serving a purpose customarily incidental to the principal use or the principal structure (e.g. a tool shed on a residential lot; a guardhouse on an industrial lot).

Accessory Use

See “Use, Accessory.”

Active Park

A park that has high impact uses (i.e. softball, volleyball, soccer, tennis, or basketball). Examples of active parks in the Village are Crawford Park and Cliffside Park.

Approving Authorities

Each governmental body having authority to approve or reject a preliminary or final plat. Approving authorities are set forth in Section 236.10 of the Wisconsin Statutes (the Statutes that govern the subdivision, or platting, of land). The Village of Caledonia is an approving authority for subdivisions within the Village.

Arterial Road

Serves as a connection between major centers of activity and tends to be the highest traffic volume corridors. The arterials give priority to the through movement rather than access to the abutting lands. Access is restricted or combined to reduce impediments to the through movement. This occurs where reasonable local access is available. These routes tend to 1 mile apart in developed areas.

Building

Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery, or materials.

Certified Survey Map

A map, prepared in accordance with Section 236.34 of the Wisconsin Statutes and the Village Subdivision Ordinance, for the purpose of creating a “minor land division,” or used to document for recording purposes survey and dedication data relating to single parcels.

Collector Road

Give equal weight to both the through movement and abutting lands access. Collectors also support and feed into the arterial system. It collects and distributes traffic into the commercial areas and residential neighborhoods.

Common Open Space

See Open Space

Community Park

Larger in size than a neighborhood park and serves an area of 1/2 to 3 uninterrupted miles; varies from 30 to 50 acres in size; focuses on meeting the recreational needs of several neighborhoods or large sections of the community as well as preserving unique landscapes and Open Space. Examples of community parks in the Village are Gorney Park, Crawford Park and Cliffside Park.

Comprehensive Plan

The extensively developed plan, also called a master plan, adopted by the Plan Commission and certified to the Town Board pursuant to Section 62.23 of the Wisconsin Statutes, or a Comprehensive Plan adopted by the

Town Board pursuant to Section 66.1001 of the Wisconsin Statutes (also see “Smart Growth”). Components of a comprehensive plan include, but are not limited to, a land use, transportation system, park and open space, sanitary sewer, public water supply, and stormwater management system elements, and neighborhood development plans. Devices for the implementation of such plans include zoning, official mapping, land division control, and capital improvement programs.

Conditional Use Permit

See “Use, Conditional.”

Condominium

A form of ownership combining individual unit ownership with shared use and ownership of common property or facilities, established in accordance with Chapter 703 of the Wisconsin Statutes. Common areas and facilities are owned by all members of the condominium association on a proportional, undivided basis. A condominium is a legal form of ownership, and not a specific building type or style.

Conservation Subdivision

A form of development in which dwelling units are concentrated and/or clustered in specific areas in order to allow other portions of the development site to be preserved for common open space, including restoration and management of historic, agricultural, or environmentally sensitive features.

Deed Restriction

A restriction on the use of a property set forth in the deed.

Developer's Agreement

An agreement entered into by and between the Village and a subdivider whereby the

Village and subdivider agree as to the design, construction, and installation of required public improvements; the payment for such public improvements; dedication of land; management of common open space, other matters related to subdivisions and other land development.

District, Basic Use

A part or parts of Racine County for which the regulations of the zoning ordinance governing the use and location of land and buildings are uniform (such as the Residential, Business, and Industrial District classifications).

District, Overlay

A zoning designation that modifies the underlying basic use zoning district requirements in a specific manner.

Dwelling

A structure or portion thereof which is used exclusively for human habitation.

Dwelling Unit

One or more rooms designed, occupied, or intended to be occupied as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit.

Environmental Corridor

A generic term that includes “Primary Environmental Corridors,” “Secondary Environmental Corridors,” and “Isolated Natural Resource Areas.”

Final Plat

A map prepared in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and the County and Town subdivision ordinances for the purpose of creating a subdivision.

Floodplains

Those lands, and the stream channels, subject to inundation by the 100-year recurrence interval flood or, where such data are not available, the maximum flood of record.

Frontage

The total dimension of a lot abutting a public street measured along the street line.

Homeowners Association

An association combining individual home ownership with shared use, ownership, maintenance, and responsibility for common property or facilities, including private open space, within a land division.

Isolated Natural Resource Area

An area containing significant remnant natural resources, such as woodlands, wetlands, prairies, and important plant and wildlife habitat. Isolated natural resources are between five and 100 acres in area and are at least 200 feet in width, and are delineated and mapped by SEWRPC.

Land Division

A generic term that includes both subdivisions and minor land divisions.

Local Road

Provide access to abutting lands as a primary function.

Lot

A parcel of land having frontage on a public street, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet lot width, lot frontage, lot area, setback, yard, parking and other requirements of the Racine County Zoning Ordinance.

Lot, Flag

A lot where access to the public street system is by a narrow strip of land, easement, or private right-of-way. Flag lots generally are not considered to conform to sound planning principles.

Mini-Park

Smallest park classification servicing an area of 1/4 to 1/2 uninterrupted miles; addresses limited or isolated recreation needs such as concentrated or limited populations, isolated development areas, unique recreation opportunities, landscaped public area in industrial/commercial areas, a scenic overlook, or a play area adjacent to downtown village shopping. Examples of mini-parks in the Village are Maple Park, Chapla Park and 32nd Division Memorial Marker and Wayside.

Minor Land Division

A minor land division, also known as a “lot split,” is any division of land that creates no more than four parcels or building sites, any one of which is 35 acres in size or less, or the division of a block, lot, or outlot within a recorded subdivision plat into not more than four parcels or building sites without changing the exterior boundaries of said block, lot, or outlot. A minor land division is created through a “certified survey map.”

Navigable Water

Lake Michigan, all natural inland lakes within Wisconsin, and all rivers, streams, ponds, sloughs, flowages, and other waters within the territorial limits of Wisconsin which are navigable under the laws of this State. The Wisconsin Supreme Court has declared navigable all bodies of water with a bed differentiated from adjacent uplands and with levels of flow sufficient to support navigation

by a recreational craft of the shallowest draft on an annually recurring basis. The Wisconsin Department of Natural Resources determines if a stream or other body of water is navigable. Lands adjacent to navigable waters are subject to shoreland regulations set forth in Chapter NR 115 of the Wisconsin Administrative Code.

Neighborhood Park

Basic unit of a park system servicing an area of 1/4 to 1/2 uninterrupted miles; varies from 5 to 10 acres in size; acts as the recreation and social focus of a neighborhood; can be developed with both active and passive activities to help create a sense of place by bringing together the unique character of the site within the neighborhood. Example of a neighborhood park in the Village is Crawford Park.

Nonconforming Lot

A lot, the area, dimensions, or location of which was lawful prior to the adoption or amendment of the zoning ordinance, but which fails by reason of such adoption or amendment to conform to the present requirements of the zoning ordinance. Nonconforming lots may also be referred to as substandard lots.

Nonconforming Structure

A building or structure lawfully existing at the time of adoption of the zoning ordinance which houses a use which is permitted in the district, but does not comply with all the applicable area, height, yard, and/or parking requirements of the district in which it is located. Nonconforming structures may continue to exist, but usually require a variance or other approval from Racine County to be enlarged or substantially altered.

Nonconforming Use

Any use of land, or land and buildings in combination, lawfully existing at the time of adoption of the zoning ordinance which does not comply with the use regulations for the district in which it is located. Nonconforming uses may continue to exist, but usually require a variance or other approval from Racine County to be enlarged or substantially altered.

Objecting Agency

An agency empowered to object to a subdivision plat pursuant to Chapter 236 of the Wisconsin Statutes. The Village may not approve any plat upon which an objection has been certified until the objection has been satisfied. The objecting agencies include the Wisconsin Department of Administration, the Wisconsin Department of Commerce, the Wisconsin Department of Transportation, and the Racine County Department of Planning and Development.

Official Map

A document prepared and adopted pursuant to Section 62.23(6) of the Wisconsin Statutes, which shows the location of existing and planned streets, parkways, parks, playgrounds, railway rights-of-way, waterways, and public transit facilities. Generally, a local government that has adopted an official map will require a subdivider to identify planned public improvements on the subdivision plat, and dedicate the land needed for such improvements to the local government.

Open Space

Any site, parcel, lot, area, or outlot of land or water that has been designated, dedicated, reserved, or restricted from further development. Open Space may be privately or publicly owned, but can not be part of

individual residential lots. Open Space is substantially free of structures, but may contain recreational facilities approved by the Village.

Ordinary High Water Mark

The point on the bank or shore of a body of water up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Outlot

A parcel of land, other than a buildable lot or block, so designated on the plat, which is used to convey or reserve parcels of land. Outlots may be created to restrict a lot which is unbuildable due to high groundwater, steep slopes, other physical constraints, or to create common open space. Outlots may also be parcels of land intended to be re-divided into lots or combined with lots or outlots in adjacent land divisions for the purpose of creating buildable lots. An outlot may also be created if a lot fails to meet requirements for a private onsite wastewater treatment system, but which may be buildable if public sewer is extended to the lot or land division.

Parcel

A single piece of land separately owned, either publicly or privately, and capable of being conveyed separately.

Passive Park

A park that has low impact uses (i.e. trails, boating, picnicking, fishing, or natural areas). Examples of passive parks in the Village are Nicholson Wildlife Refuge and 5-1/2 Mile Road Park.

Planned Unit Development (PUD)

A development that is planned, developed, and maintained as a unified project. The PUD must have a minimum size, as specified in the County zoning ordinance, and may consist of one or more buildings and accessory uses and structures.

Plat

A map prepared for the purpose of recording a subdivision so that lots may be sold or otherwise transferred.

Prairies

Open, generally treeless areas which are dominated by native grasses.

Preliminary Plat

A map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration. A preliminary plat precisely describes the location and exterior boundaries of the parcel proposed to be divided, and shows the approximate location of lots, streets, and other improvements.

Primary Environmental Corridor

A concentration of significant natural resources, such as woodlands, wetlands, prairies, and important plant and wildlife habitat. Primary environmental corridors are at least 400 acres in area, at least two miles in length, and at least 200 feet in width, and are delineated and mapped by Southeastern Wisconsin Regional Planning Commission (SEWRPC).

Private Sewage System

A sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same

parcel as the structure. This term also means an alternative sewage system approved by the Wisconsin Department of Commerce, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure. A private sewage system may be owned by the property owner or by a special purpose district. A private sewage system is also referred to as a "private onsite wastewater treatment system," or "POWTS." POWTS are regulated by Chapter Comm 83 of the Wisconsin Administrative Code.

Public Improvement

Any sanitary sewer, storm sewer, open channel, water main, street, park, sidewalk, bicycle or pedestrian way, or other facility for which the Town may ultimately assume the responsibility for maintenance and operation.

Purchase of Development Rights (PDR)

PDR programs are intended to ensure the long-term preservation of agricultural or open space lands. Under a PDR program, the owner of farmland or undeveloped land receives a payment for relinquishing rights to development. Deed restrictions are used to ensure that the lands concerned remain in agricultural or other open use. Such restrictions are attached to the land and remain in effect regardless of future sale or other transfer of the land. PDR programs may be administered and funded by State, County, or local units of government, land trusts, or other private organizations having an interest in preserving agricultural and other open space lands. The amounts paid to landowners under PDR programs are generally based on the difference between the market value of the land for development

and its value solely for agricultural purposes. The primary drawback of PDR programs is the potentially high cost entailed.

PDR programs can provide assurance that farmland will be permanently retained in agriculture or open space use. Landowners receive a potentially substantial cash payment while retaining all other rights to the land, including the right to continue farming. Land included in a PDR program remains on the tax roll and continues to generate property taxes. Since the land remains in private ownership, the public sector does not incur any land management responsibilities.

Sanitary District

Formation of a sanitary district provides landowners outside a city or village an opportunity to form a special-purpose unit of government to provide certain urban services. A town sanitary district has authority to plan, construct, and maintain systems for garbage removal, water supply, sewage disposal, and stormwater drainage. Sanitary districts may be formed by a town board, upon a request from affect landowners, under Section 60.71 of the Wisconsin Statutes. Each district is governed by a commission. At the time a district is established, the town board determines whether commissioners will be appointed by the town board or elected. The town board may choose to appoint itself as the commission.

There are three sanitary districts in the Village of Caledonia: the Caddy Vista district in the north-central part of the Village, and the North Park and Crestview districts in the eastern part of the Village. Each of the districts provides public water and sanitary sewer services, and is governed by an elected commission.

Secondary Environmental Corridor

A concentration of significant natural resources, such as woodlands, wetlands, prairies, and important plant and wildlife habitat. Secondary environmental corridors are at least 100 acres in area and at least one mile in length, except where such corridors serve to link primary environmental corridors, in which case no minimum area or length criteria apply. Secondary environmental corridors are delineated and mapped by SEWRPC.

Setback

See "Yard, Street."

Sewer Service Area

Those areas that are currently served by public sewers, and additional contiguous areas that are planned to be served by public sewers within a 20-year period. Sewers cannot be extended to areas outside the sewer service area identified in an adopted sewer service area plan. In the southeastern part of Wisconsin, sewer service area plans are prepared by SEWRPC and approved by the affected local governments and by the Department of Natural Resources.

Shorelands

Those lands lying within the following distances from the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; and 300 feet from a river or stream, or to the landward side of the floodplain, whichever distance is greater.

Smart Growth

A term often used to refer to the Wisconsin comprehensive planning law, which was enacted by the State Legislature in 1999. The law, which is set forth in Section 66.1001 of the Wisconsin Statutes, expanded the

scope and significance of comprehensive plans. The law is very prescriptive in terms of plan content, requiring nine specific plan elements: issues and opportunities; land use; housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; intergovernmental coordination; and implementation. Beginning on January 1, 2010, any program or action of a county or local unit of government that affects land use, including implementation of zoning and subdivision ordinances, must be consistent with the local comprehensive plan. Moreover, as of that date, zoning must be consistent with the local comprehensive plan.

Street, Arterial

A public street or highway used or intended to be used primarily for fast or heavy through traffic, whose function is to convey traffic between activity centers and municipalities. Arterial streets and highways include freeways, state trunk and county trunk highways, and other heavily traveled streets.

Street, Collector

A public street that conducts and distributes traffic between land access and arterial streets.

Street, Land Access

A public street that carries traffic at a slow speed and provide frontage for access to private lots, and carries traffic having a destination or origin on the street itself.

Structure

Any erection or construction, such as buildings, prefabricated or pre-built buildings, towers, masts, poles, booms, signs, fences, machinery, or equipment.

Subdivider

Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor land division, or replat.

Subdivision

A division of a lot, parcel, or tract of land by the owner thereof or the owner's agent for the purpose of transferring ownership or of building development where the act of division of a parcel of three or more acres creates five or more parcels or building sites by a division or by successive divisions within a period of five years.

Tot Lot

See Mini-Park

Unnecessary Hardship

The circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with the restrictions governing dimensional standards (such as lot area, lot width, setbacks, yard requirements, or building height) unnecessarily burdensome or unreasonable in light of the zoning ordinance. Unnecessary hardship is present only where, in the absence of a variance, no feasible use can be made of the property.

Use

The purpose or activity for which the land or building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

Use, Accessory

A subordinate use on the same lot which is incidental and customary in connection with the principal use.

Use, Conditional

A use of a special nature as to make impractical their predetermination as a principal use in a district. Conditional uses require approval of a conditional use permit before they can be established. Typical conditional uses are churches and schools in residential zoning districts.

Use, Principal

The main use of land or buildings as distinguished from a subordinate or accessory use. A principal use is specifically authorized as a use-by-right in a particular zoning district and may be operated after securing the necessary building permit. Examples of principal uses include a home in a residential zoning district, a grocery store in a business zoning district, and a barn in an agricultural zoning district.

Utility District

A town board may establish utility districts under Sections 60.23 and 66.0827 of the Wisconsin Statutes to provide public services within the district. The town board governs utility districts. The Village of Caledonia District No. 1 provides public water and sanitary sewer service in the south-central portion of the Village.

Variance

An authorization granted by the Racine County Zoning Board of Adjustment to construct or alter a building or structure in a manner that deviates from the dimensional standards of the zoning ordinance (e.g. a building that does not meet setback requirements or exceeds the maximum height limitation). A variance may not permit the use of a property that is otherwise prohibited by the zoning ordinance. The Board must find that an “unnecessary hardship” exists in order to grant a variance.

Wetland

An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation, and which has soils indicative of wet conditions.

Wisconsin Administrative Code

Regulations, commonly referred to as rules, written and promulgated by State agencies to supplement, implement, or interpret laws enacted by the Wisconsin Legislature. The rules are referred to based on the agency that is responsible for administering the rules. For example, “Comm” refers to rules administered by the Department of Commerce; “NR” refers to rules administered by the Department of Natural Resources, and “Trans” refers to rules administered by the Department of Transportation. Portions of the Administrative Code that particularly affect planning include Comm 83 (requirements for private onsite waste treatment systems); NR 115 (requirements for shoreland areas in town and areas annexed to cities and villages after May 7, 1982); NR 116 (floodplain requirements); NR 117 (requirements for shoreland areas in cities and villages); and Trans 233 (requirements for subdivisions abutting State highways). The Wisconsin Administrative Code is available on the Legislature’s web page at www.legis.state.wi.us/rsb/code/.

Wisconsin Statutes

The body of law enacted by the Wisconsin State Legislature. Portions of the Wisconsin Statutes that particularly affect planning include Chapter 236 (subdivision requirements); Section 62.23 (zoning and master planning requirements for cities and villages, and towns that have adopted village powers); Section 66.1001

(comprehensive planning requirements); and Chapter 59 (zoning requirements for counties). The Wisconsin Statutes are available on the Legislature’s web page at www.legis.state.wi.us/rsb/stats.html.

Woodlands

Upland areas delineated and mapped by the Southeastern Wisconsin Regional Planning Commission that are at least one acre in extent covered by deciduous or coniferous trees.

Yard

An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation. The street and rear yards extend the full width of the lot.

Yard, Rear

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard is opposite the street yard or one of the street yards on a corner lot.

Yard, Side

A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure.

Yard, Street (Setback)

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point

of the foundation of the principal structure. Corner lots have two such yards.

Zoning

A law that regulates the use of private property in the public interest. A zoning ordinance divides a community into districts for the purpose of regulating the use of land and structures; the height, size, and placement of structures; and the density of development. A zoning ordinance typically consists of two parts: a text setting forth regulations that apply to each of the various zoning districts, together with related procedural and administrative requirements; and a map delineating the boundaries of zoning districts.

