

**ROCK COUNTY, WISCONSIN**

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**ROCK COUNTY BOARD OF SUPERVISORS**

***Amending 4.1 of the Rock County Code of Ordinances  
(Land Use Management and Zoning, Environmental Management and Board of  
Adjustment, Subchapter 1 –Land Use Management, Part 1 – Land Division and  
Management)***

***SUMMARY OF ORDINANCE AMENDMENT***

*On Thursday, February 26, 2026, the Rock County Board of Supervisors approved Ordinance O-2026-2. The Resolution may be found at <https://www.co.rock.wi.us/residents/recently-passed-resolutions>. Provisions of the Ordinance that were revised are summarized below:*

Section 4.1 of the Rock County Code of Ordinances shall be amended to read as follows (added text appears as underlined; deleted text appears as ~~struck through~~):

**Subchapter 1 – Land Use Management**

**Part 1 – Land Division and Management**

**Subpart 1: Introduction**

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**4.107 Definitions**

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**Major land division (Sub-division)** – A land division requiring a Sub-division Plat, creating five (5) or more new, additional lots of ~~any size~~ 1 1/2 acres each or less concurrently or by successive land division of lots 1 1/2 acres or less within five (5) years of the recordation date of the first lot created (A parent lot subject to a major land division and not included in a Sub-division Plat shall require a Plat of Survey (“POS”) or Certified Survey Map (“CSM”), in accordance with the definition of parent lot as stated in this Sec.)

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**Minor land division** – A land division requiring either a Plat of Survey (“POS”) or a Certified Survey Map (“CSM”), creating any of the following:

(1) One (1) to four (4) new, additional lots with each lot larger than thirty five (35) acres, ~~created concurrently or by successive land division within five (5) years of the recordation date of the first lot created~~— POS required.

(2) One (1) to four (4) new, additional lots with each lot thirty five (35) acres or smaller, ~~created concurrently or by successive land division within five (5) years of the recordation date of the first lot created~~— CSM required.

(3) A public dedication or reservation.

(A parent lot subject to a minor land division shall require a POS or CSM in accordance with the definition of parent lot as stated in this Sec.)

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### Subpart 3: Land Division Procedure

#### 4.110 Overview

(1) Classification. Land divisions are classified in this Ordinance as follows:

(a) Minor land division – A land division requiring either a Plat of Survey (“POS”) or a Certified Survey Map (“CSM”), creating any of the following:

1. One (1) to four (4) new, additional lots with each lot larger than thirty five (35) acres, ~~created concurrently or by successive land division within five (5) years of the recordation date of the first lot created~~— POS required;
2. One (1) to four (4) new, additional lots with each lot thirty five (35) acres or smaller, ~~created concurrently or by successive land division within five (5) years of the recordation date of the first lot created~~ – CSM required;
3. A public dedication or reservation in accordance with Sec. 38-18. of this Ordinance – CSM required.

(b) Major land division (sub-division) – A land division requiring a Sub-division Plat, creating five (5) or more new, additional lots of ~~any size~~ 1 ½ acres or less concurrently or by successive land division of lots 1 ½ acres or less within five (5) years of the recordation date of the first lot created;

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#### 4.114 Recordation

The final land division approved by the Administrator shall be recorded by the applicant with the Rock County Register of Deeds ~~within twenty four (24) months of Committee approval of the application for preliminary land division and within six (6) months of Administrator approval of the final land division for a CSM, or~~ within thirty six (36) months of Committee approval of the application for preliminary land division and within twelve (12) months of Administrator approval of the final land division for a Sub-division plat or CSM, all in accordance with Sections 236.34 and 236.25, Wisconsin Statutes. A final land division approved by the Administrator shall be filed by the applicant with the Rock County Surveyor ~~within twenty four (24) months of~~

Administrator approval of the application for preliminary land division and within six (6) months of Administrator approval of the final land division for a POS.

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## **Subpart 4: Land Division Development Design and Public Dedication and Reservation Requirements**

### **4.116 Standard Development Design**

- (1) Design. All land divisions shall be designed to achieve the intent and purpose of this Ordinance, as stated in 4.103 herein, and shall be appropriately coordinated with and related to existing land uses, future land uses as delineated in applicable comprehensive plans and official maps, the natural landscape, and County, Town, and City/Village (if applicable) zoning ordinances.
- (2) Lots. Lot size, dimension, configuration, orientation, and building setback lines shall be appropriate for the location of the land division and the land use proposed. Lots shall generally be proportionate in length and width ~~and the use of flag lots shall be discouraged. If flag lots are utilized, they shall~~ Flag lots shall be in accordance with (e) of this Sub-sec. Minimum lot size shall be appropriately increased to provide for a building envelope consistent with County, Town, and City/Village (if applicable) zoning ordinances.

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(e) ~~Flag lots shall~~ may be allowed only in special circumstances when various factors render creation of a more proportionate lot, in length and width, unachievable. The “pole” of a flag lot shall not exceed two hundred fifty (250) feet in length unless the Committee determines additional length is needed to avoid significant degradation or depletion of ESA, cultural resources, productive agricultural soils, and/or woodlands or disruption of efficient agricultural operations. When reviewing a proposed flag lot, consideration shall be made for emergency access. The Committee may require driveways be constructed with periodic areas of additional width for vehicles to pass, grading of steep slopes and additional address signs where joint driveways are utilized. The “pole” shall be used exclusively for vehicular access with specified improvements including landscaping, fencing, utilities, mailboxes, and signs also permitted on the “pole”. The “pole” shall maintain a minimum width of fifty (50) feet for the entire length, one hundred (100) feet for all lots without access to a connection to a public sanitary sewer system, and fifty (50) feet for all lots with access to a connection to said system, for the entire length of the “pole”. ~~No “pole” shall be located within two hundred (200) feet of another on the same side of the street unless said “poles” utilize a joint driveway.~~

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## **Subpart 5: Other Development Activity Procedure**

### **4.119 Condominium Instrument**

(1) Application submission requirements. An applicant shall submit an application for condominium instrument to the Administrator. Application information and forms are available at the office of the Administrator and on the Rock County website. The application shall require an application form and fee which reflects the actual cost of performing the review, and a condominium plat prepared in accordance with Sec. 703.11 Wisconsin Statutes. All condominium instruments, to include the condominium plat, shall be submitted by the applicant to the Administrator for review in accordance with Sec. 703.11, Wisconsin Statutes.

(2) Review and action. The application for condominium instrument shall be reviewed in accordance with Sec. 703.115, Wisconsin Statutes ~~and applicable components of 4.112 (3), (4), (5), and (6) of this Ordinance~~. The Administrator shall then take action and approve or deny the application, in accordance with Sec. 703.115, Wisconsin Statutes, within ten (10) business days of receipt of the application by the Administrator, and the Administrator shall notify the applicant of same within the aforementioned time period. If the applicant is not notified by the Administrator within the aforementioned time period, the application shall be deemed approved by the Administrator.

(3) Recordation. The condominium instrument shall be recorded by the applicant with the Rock County Register of Deeds within twelve (12) months of the action of approval of the application for condominium instrument by the Administrator and in accordance with Sections 703.07 and 703.095, Wisconsin Statutes.

II. This amendment shall be effective upon publication.

*Please contact the Rock County Planning Department at 608-757-5587 with any questions regarding these Ordinance Revisions.*

Lisa Tollefson, Rock County Clerk  
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