



DANE COUNTY PLANNING & DEVELOPMENT

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TO: County Board Supervisors
County Executive Joe Parisi
Barbara Roesslein, Town of Middleton Clerk
Town of Middleton Supervisors & Planning Commission
All Other Interested Parties

FROM: Curt Kodl, Senior Planner
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SUBJECT: County Board Ordinance Amendment 2020 OA-003
Town of Middleton 2040 Comprehensive Plan (adopted 12/16/2019)
Town of Middleton 2040 Comprehensive Plan Amendment (adopted 5/18/2020)

DATE: June 5, 2020

CC: Todd Violante, AICP, Director of Planning & Development
Roger Lane, Zoning Administrator
Karin Thurlow Petersen, County Board Staff

This memo describes amendments to the Dane County Comprehensive Plan proposed by the Town of Middleton. Under intergovernmental cooperation policies of the Dane County Comprehensive Plan, town plans must be adopted by the county board and signed by the county executive before they can be used to make county zoning decisions. To assist county officials in their decision-making, the Planning Division prepares written information describing any proposed town plan amendments. You may direct any questions to Curt Kodl via email or phone.

I. SUMMARY

On May 18, 2020, the Town of Middleton Board of Supervisors adopted amendments to the *Town of Middleton 2040 Comprehensive Plan*. The Town has requested that the Dane County Board of Supervisors adopt the revised *Town of Middleton 2040 Comprehensive Plan* as an amendment to the *Dane County Comprehensive Plan*.

II. BACKGROUND

Ordinance and Plan Amended: If adopted, 2020 OA-003 would amend Chapter 82, Subchapter II of the Dane County Code of Ordinances to incorporate the amended *Town of Middleton Comprehensive Plan* as part of the *Dane County Comprehensive Plan*. The complete text of the proposed amendment is available online at: <https://dane.legistar.com/LegislationDetail.aspx?ID=4543633&GUID=9CADEA75-62C1-402A-AE52-155A439490F7&Options=Advanced&Search=>

B. *Action required:* The County Board and the County Executive must approve 2020 OA-003 for it to become effective. Town comprehensive plans are adopted as part of the *Dane County Comprehensive Plan* under s.10.255(1)(d), Dane County Code and Intergovernmental Cooperation Policies for Town Governments (pp. 77-78) of the *Dane County Comprehensive Plan*. The *Dane County Comprehensive Plan* is adopted under Chapter 82, Subchapter II, Dane County Code, s. 59.69, Wis. Stats, and s. 66.1001, Wis. Stats.

C. *ZLR public hearing*: The Zoning and Land Regulation Committee (ZLR) advises the County Board on proposed Comprehensive Plan amendments. The ZLR Committee has scheduled a public hearing on 2020 OA-003 for **June 23, 2020**.

D. *Sponsors*: 2020 OA-003 was sponsored by County Board Supervisors Ripp, Bollig, Erickson and Gray on May 22, 2020.

III. DESCRIPTION

- A. 2020 OA-003 would amend the *Dane County Comprehensive Plan* by incorporating amendments to the *Town of Middleton 2040 Comprehensive Plan*, as adopted by the Town of Middleton Board of Supervisors on May 18, 2020. This plan builds upon the town's 2040 comprehensive plans.
- B. The last plan adopted by the County was adopted by the Town on April 6, 2009 (amended in 4/15/2019 by Dane County) this OA is to discuss adoption of the 2040 plan and its most recent amendment.

IV. ANALYSIS

Comparison with current county-adopted town plan:

This plan updates the town's 2009 comprehensive plan, addressing issues that came up during their 2019 plan update. Some text changes are related to updating statistical data and the new zoning ordinance – names of districts and section references. Other changes reflect clarification of policies, and objectives. The 2040 plan removes some language from objectives and policies please see the list below to see a summary of the changes.

Items removed in 2040 plan:

- Encourage residential structures to be sited so as to preserve open fields and exposed ridge lines. The preferred location for structures is adjacent to tree lines and wooded field edges.
- Require that new developments adhere to a no-net-loss standard for quality trees
- New development should be designed to preserve and maintain large, unbroken forested areas and natural corridors. The Town should encourage a network of interconnected natural areas that may serve as natural features and habitat as well as corridors for recreational use.
- Protect scenic viewsheds by discouraging development along exposed hilltops or ridges. Generally, rooflines should not extend above adjacent ridgelines.
- Arrange housing so that homes face away from county, state, and federal highways, unless protected by planting or buffering strips.
- County addendum: New Development (CSM or Plat) in the Town of Middleton is subject to the Town of Middleton Land Division and Subdivision Ordinance and shall have a maximum gross density of 1 Dwelling Unit Per Acre. (this was used in 2010 to address no minimum lot sizes in the Town plan)

Items from 2020 plan amendment:

The 2040 Plan was not originally requested for adoption into the Dane County Comprehensive Plan, but the recent amendment is rectifying that. With this amendment, there is one map change and a small amount of text changes. The amendment is associated with the Vosen/Walser zoning petition (REZONE #11521), which would expand an existing Limited Commercial zoning area by 0.7 acres. On the future land use map (map 9.3) it appears one single proposed parcel was changed from Residential/Agricultural to Commercial and language was added to the plan adding some deference to existing zoning. "Businesses may locate elsewhere as permitted by existing zoning and any other applicable county and town regulations."

B. Consistency with other provisions of the *Dane County Comprehensive Plan*:

1. **Housing**: No significant conflicts found.
2. **Transportation**: No conflicts found.
3. **Utilities and Community Facilities**: No conflicts found.

4. **Agricultural, Natural & Cultural Resources:** No significant conflicts found.
5. **Economic Development:** No conflicts found.
6. **Land Use:** There is no listed minimum lot size in the comprehensive plan for new residential lots. The Town of Middleton controls lot sizes through its land division ordinance. No significant conflicts found.
7. **Intergovernmental Cooperation:** No conflicts found.

VI. COMMENTS BY OTHER LOCAL GOVERNMENTS OR STATE AGENCIES

Governments and agencies

Neither other governments nor any county, state or federal agencies had commented on this amendment.