

TOWN OF MIDDLETON LAND USE PLAN

**ADOPTED BY THE TOWN BOARD AND PLAN
COMMISSION ON MARCH 24, 1994**

TOWN OF MIDDLETON LAND USE PLAN

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1. INTRODUCTION

The Town of Middleton Land Use Plan is a policy document setting forth guidelines for development in the Town of Middleton over the next ten-year planning period (1994 - 2003). The Land Use Plan is a policy document and guideline expressing the goals and objectives of Town residents and property owners.

The primary objectives of the plan are to preserve the territorial integrity of the Town, foster responsible development, preserve and protect environmentally sensitive sites and features, retain and incorporate existing cultural and historic features, and provide a sound foundation for long-range growth management.

Much of the background information contained in this plan was assembled in 1990 as part of a planning process involving the University of Wisconsin - Madison Land Information and Computer Graphics Facility, the Dane County Regional Planning Commission, and many residents of the Town of Middleton.

The goals and policies identified in Section 3 were prepared and refined jointly by the Middleton Plan Commission and the Town Board during a series of planning workshops between 1992 and 1994.

2. BACKGROUND DESCRIPTION

2.A. General Description

The Town of Middleton is located in west central Dane County. The Town is bordered by the Cities of Madison and Middleton on the east, the Town of Springfield on the north, The Town of Cross Plains on the west, and the Town of Verona on the south. The Village of Cross Plains is located approximately two miles to the west.

Large sections of the eastern half of the original township have been annexed by the Cities of Madison and Middleton (as shown in Exhibit A). The current Town area is approximately 22 square miles.

The terrain of the Town of Middleton consists of gently rolling farmland and wooded hillsides. The eastern portion of the Town is relatively flat or rolling hills formed by glacial ground moraines, outwash plains, and glacial lake bottoms. Most of the better agricultural soils are in the central basin areas.

The steeper and more hilly western portions of the Town consist of end or terminal moraine materials deposited by the continental glaciers. A small part of the western portion of the Town extends into the nonglaciaded "driftless area."

The Town straddles the watershed divides for Black Earth Creek, the Yahara River, and the Sugar River. These watersheds are depicted in Exhibit B.

Upper Black Earth Creek, which is a protected watershed and trout stream, traverses the Town. The Upper Black Earth Creek watershed contains many of the most environmentally sensitive sites in the Town. This area has been the subject of extensive preservation and conservation efforts over the last two decades.

The predominate existing land uses in the Town of Middleton are low density residential developments and transitional agricultural uses. Approximately 10 percent of the total land area is wooded open space.

Most of the recent residential development has been in large-lot single-family home subdivisions with lots averaging one acre or more in size. All of the residential subdivisions are on private septic systems and wells. The primary subdivision areas are Hickory Woods, Enchanted Valley, Pheasant Point-Prairie Vista, Noll Valley, Applewood Hill, and Cherrywood.

2.B. Demographic Profile

Population Trends and Projections

The Town of Middleton has experienced steady population growth over the past two and a half decades, in spite of losses of land area due to annexations by the Cities of Madison and Middleton. There has been a continuous demand for lots in the Town due to the attractiveness of the landscape, the availability of large single-family lots, education and recreational opportunities, comparatively lower taxes, and the proximity to employment centers.

Between 1980 and 1990, the Town was the fastest growing town in Dane County in terms of both absolute population growth and percentage of growth. Since 1990, the Wisconsin Department of Administration estimates that the Town population has increased by approximately 180 persons or 4.88 percent.

During the next 20 years, the Wisconsin Department of Administration projects that the Town of Middleton will grow at a more rapid rate than both Dane County and the State of Wisconsin. The Town of Middleton is projected to have a total population of 5,228 by the year 2015.

Table 1 Historic Population Growth (1970 to 1990)

	1970	1980	% Change 1970-1980	1990	% Change 1980-1990
Town of Middleton	2,028	2,598	28.1	3,628	39.6
City of Madison	171,809	170,616	-.7	190,766	11.8
City of Middleton	8,246	11,848	43.7	13,785	16.3
Village of Cross Plains	1,478	2,156	45.9	2,362	9.6
Town of Springfield	1,947	2,379	22.2	2,650	11.4
Town of Cross Plains	995	1,003	.8	1,206	20.2
Town of Verona	2,235	2,259	1.1	2,137	-5.4
Dane County	290,272	323,545	11.5	367,085	13.5

Source: U.S. Census, 1960 - 1990

Table 2 Recent Population Growth Estimates (1990 to 1993)

	1990	1993	% Change 1990-1993
Town of Middleton	3,628	3,805	4.88
City of Madison	190,766	196,053	2.77
City of Middleton	13,785	14,534	5.43
Village of Cross Plains	2,362	2,658	12.53
Town of Springfield	2,650	2,778	4.83
Town of Cross Plains	1,206	1,281	6.22
Town of Verona	2,137	2,223	4.02
Dane County	367,085	383,420	4.45

Source: Wisconsin Department of Administration, 1993.

Table 3 Population Projections (1990 to 2015)

	1990	1995	2000	2005	2010	2015
Town of Middleton	3,628	4,001	4,344	4,666	4,942	5,228
City of Madison	190,766	200,892	209,523	217,012	223,739	229,453
City of Middleton	13,785	14,916	16,003	17,012	17,882	18,757
Village of Cross Plains	2,362	2,639	2,877	3,102	3,294	3,496
Town of Springfield	2,650	2,830	2,996	3,147	3,280	3,406
Town of Cross Plains	1,206	1,276	1,339	1,395	1,445	1,490
Town of Verona	2,137	2,232	2,302	2,359	2,412	2,449
Dane County	363,658	393,236	416,088	436,346	454,699	471,823
State of Wisconsin	4,891,769	5,124,971	5,287,825	5,409,536	5,512,313	5,603,528

Source: Wisconsin Department of Administration

Household Characteristics

According to the U.S. Census, there were 1,132 occupied households in the Town of Middleton in 1990. There was an average of 3.17 persons per household living in these dwelling units. This was considerably higher than the Dane County average of 2.46 persons per household.

In 1990, 92 percent of the 1,039 households were owner-occupied; the remaining 8 percent of households were occupied by renters. By comparison, in Dane County as a whole, 55 percent of the households were owner-occupied.

In 1990, the median housing value for owner-occupied houses in the Town of Middleton was \$124,900, which was the highest median value for unincorporated areas in Dane County and was exceeded only by the Villages of Shorewood Hills and Maple Bluff among the incorporated municipalities. The median housing value for Dane County, as a whole, was \$78,400.

Married couple families occupied 952 households, or 84 percent of the households in 1990. The remaining households were either single-parent households, persons living alone, or nonfamily households.

Age Profile and Median Age

In 1990, the median age in the Town of Middleton, was 34.4 years. This figure was higher than both the median age for Dane County, which was 30.8 years, and the median age for the State of Wisconsin, which was 32.9 years.

Table 4 Age Profile - 1990

Age	Town of Middleton		Dane County		State of Wisconsin	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	333	9.2	25,701	7.0	360,635	7.4
5 - 17	837	23.1	57,641	15.7	930,099	19.0
18 - 24	199	5.5	57,770	15.7	506,809	10.4
25 - 44	1,414	39.0	133,350	36.4	1,551,895	31.7
45 - 64	647	17.8	58,856	16.0	891,386	18.2
65+	198	5.4	33,767	9.2	650,945	13.3
Total	3,628	100	367,085	100	4,891,769	100

Source: U.S. Census, 1990.

Household Income

Household income levels in the Town of Middleton are among the highest in Dane County. The median household income for the Town of Middleton was \$58,442 in 1989. The only municipalities in Dane County with higher median household incomes were the Villages of Shorewood Hills and Maple Bluff. The median household income in Dane County for the same reporting period was \$32,703.

The per capita income for the Town of Middleton in 1989 was \$23,739, compared to a \$15,532 per capita income for all persons residing in Dane County.

Labor Force

In 1990, the total labor force in the Town of Middleton was 1,968. Approximately 57.7 percent of the labor force was male and 42.3 percent female. The majority of occupations were managerial and professional. In 1990, 45 individuals, or approximately 2.9 percent of the labor force, were employed in agricultural and/or agricultural-related occupations.

According to the 1990 Census, approximately 48.3 percent of the population in the Town of Middleton over 25 years of age completed college and 94.3 percent completed high school. This was the highest average level of education attainment among unincorporated municipalities in Dane County and was exceeded only by the Villages of Shorewood Hills and Maple Bluff among incorporated municipalities.

2.C. Land Use Inventory and Analysis

Existing Land Uses

A comprehensive land use inventory was conducted by the Town of Middleton in 1990. The information was mapped by the University of Wisconsin - Madison, Land Information and Computer Graphics Facility. The findings of the 1990 Land Use Inventory appear in Exhibit C.

The 1990 data has been revised to reflect changes that have occurred through September of 1993. The updated land use data is depicted in Table 5 on the following page and the Existing Land Use Map on page 10.

Table 5 Town of Middleton Existing Land Uses

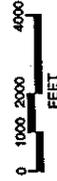
Land Use		Acres
I.	Residential	
	a. Subdivision developed	705
	b. Subdivision undeveloped	310
	c. Scattered rural (0-5 acres) developed	540
	d. Scattered rural (0-5 acres) undeveloped	175
	e. Hobby farm (5-15 acres) developed	480
	f. Hobby farm (5-15 acres) undeveloped	205
	g. Farmhouse	185
	Subtotal	2,600
II.	Commercial	
	a. Retail	70
	b. Service	61
	Subtotal	131
III.	Industrial	
	a. Manufacturing, assembly, wholesale, and storage	60
	b. Extraction surface mining	98
	c. Landfill (Refuse Hideaway)	41
	d. Other (T.V. towers, etc.)	0
	Subtotal	199
IV.	Agriculture	
	a. Traditional agriculture	7,344
	b. Horticultural agriculture	502
	c. Research agriculture	0
	d. Agriculture forest	1,481
	Subtotal	9,327
V.	Parks and Recreation	
	a. Town park, Recreation	88
	b. Town park, Conservancy	26
	c. Private recreation facility (golf, skiing, horseback riding)	470
	Subtotal	584
VI.	Public, Quasi-Public	
	a. School	128
	b. Church and cemetery	15
	c. Hospital and health care	10
	d. Utility land, substation, and power line	4
	e. Town Hall and Town land	29
	Subtotal	186
VII.	Transportation	
	a. Roads and Railroad ROW	488
VIII	Other	
	a. Inside municipality	125
	Total	13,515

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Source: Town of Middleton Land Use Inventory, 1993

Existing Land Uses

-  Agricultural: Traditional, Forest
-  Agricultural: Research
-  Residential: Farm House
-  Residential: Hobby Farm
-  Residential: Scattered Rural
-  Residential: Subdivision
-  Commercial
-  Town Park
-  Private Recreation Facility
-  Public and Quasi-Public
-  Utility



TOWN OF MIDDLETON



TOWN OF CROSS PLAINS

Single-Family Residential Development 1981-1992

Nearly all construction in the Town of Middleton over the past decade has been single-family homes. Between 1981 and 1992, 508 single-family residential building permits were issued.

An average of 42.3 single-family residential building permits were issued per year. The greatest number of permits issued in a single year was in 1987, when 72 permits were issued.

No permits for two-family or multifamily dwellings were issued between 1981 and 1992.

Table 6 Residential Building Permits

Year	Single-Family	Two-Family	Multifamily	Total Permits
1981	22	0	0	22
1982	11	0	0	11
1983	39	0	0	39
1984	35	0	0	35
1985	39	0	0	39
1986	68	0	0	68
1987	72	0	0	72
1988	59	0	0	59
1989	48	0	0	48
1990	42	0	0	42
1991	30	0	0	30
1992	43	0	0	43
1993	n.a.	n.a.	n.a.	n.a.
Total	508	0	0	508
Average	42.3	0	0	42.3

Source: "Regional Trends," Dane County Regional Planning Commission, 1993

Land Divisions 1983-1992

In the last ten years, 255 lots were created in the Town of Middleton. Certified survey lots accounted for 169 of the lots. The remaining 86 new lots were in platted subdivisions.

Table 7 Lots Created 1983 - 1992

Year	Certified Survey Lots	Subdivision Lots	Total Lots Created
1983	11	0	11
1984	32	0	32
1985	24	14	38
1986	7	26	33
1987	25	0	25
1988	14	40	54
1989	4	1	5
1990	11	0	11
1991	28	0	28
1992	13	5	18
1993	n.a.	n.a.	n.a.
Total	169	86	255
Average	16.9	8.6	25.5

Source: "Regional Trends," Dane County Regional Planning Commission, 1993

Subdivisions

As of November 30, 1993, there were 27 subdivisions in the Town of Middleton, containing 874 lots. Eighty-five percent of the lots have been developed. There are approximately 153 undeveloped lots, the majority of which have been purchased but not yet developed.

Table 8 Town of Middleton Subdivisions

Subdivision	# Lots	# Developed	% Developed	# Vacant
Thunder Valley	6	2	33%	4
Enchanted Valley Estates	71	66	93%	5
Enchanted Valley Estates 1st Addition	42	35	83%	7
Delwood Hills	20	19	95%	1
Hillcrest Estates	11	10	91%	1
Swiss Valley Estates	12	12	100%	0
Pine Manor Estates	12	11	92%	1
Hickory Woods	38	35	92%	3
Hickory Woods 1st, 2nd, & 3rd Additions	98	94	96%	4
Deer Run East	10	8	80%	2
Long View Heights	9	9	100%	0
Pheasant Point Replat	15	6	40%	9
Prairie Vista	55	34	62%	21
Moraine View	28	2	7%	26
Cherrywood Park	76	73	96%	3
Cherrywood View	65	64	98%	1
Cherrywood 1st Addition	63	59	94%	4
Cherrywood Estates	50	47	94%	3
Pioneer Place	16	16	100%	0
Brassington Plat	21	17	81%	4
Sauk Woods	4	4	100%	0
Malmaison	29	24	83%	5
Valley View Woods	17	17	100%	0
Hickory Hill	15	14	93%	1
Applewood Hill	41	40	98%	1
Moraine Highland	16	0	0%	16
Noll Valley	34	22	65%	12
Total	874	740	85%	134

Source: Dane County Surveyors Office.

2.D. Transportation Facilities

The road and highway system serving the Town of Middleton is characterized by regional highways overlaying a predominantly sectional grid system consisting of rural town roads following section and half-section lines. Curvilinear subdivision streets, with access onto the section roads, serve individual subdivisions.

The Town of Middleton currently maintains approximately 59.0 miles of town roads. Only 0.35 miles are unpaved (Source: Town of Middleton Road and Culvert Inventory, 1990, Mayo Corporation.)

Functional Highway Classifications

Principal Arterials and Regional Highways

Principal arterials are access-restricted highways serving regional transportation needs. The two principal arterials serving the Town of Middleton are the West Beltline (U.S. Highway 12/14) and U.S. Highway 14.

The West Beltline, which has been improved to a freeway south of the interchange with U.S. Highway 14, encircles the southern and western edges of the Madison area. Until recently, the West Beltline marked the western edge of urban development. In the last decade, urban development has "jumped" the West Beltline. Currently there are only small pockets of "Town islands" fronting on the West Beltline corridor.

With the proposed construction of the Middleton Bypass section of U.S. Highway 12, the freeway will be extended north to Schneider Road. New interchanges will be constructed at Airport Road and Schneider Road. The U.S. Highway 14 interchange will be reconstructed.

U.S. Highway 14 crosses the Town of Middleton in a generally east-west direction. Highway 14 is a four-lane road, east of Pleasant View Road. West of Pleasant View Road the highway narrows to two lanes. The Regional Transportation Plan for Dane County, prepared by the Dane Country Regional Planning Commission, forecasts that Highway 14 will reach full volume to capacity ratios prior to the year 2010 and will need to be improved to a divided expressway between Pleasant View Road and the Village of Cross Plains. The improvements will be staged, depending on the need for anticipated improvements.

Major Collectors

Major collectors are important county and town roads that link residential areas to the regional highway system and to employment and commercial centers. The Regional Transportation Plan identifies Mineral Point Road (C.T.H. S), Airport Road, C.T.H. M, and Pleasant View Road as major collectors. High Point Road is identified as an urban collector.

These roads generally require driveway access limitations to maintain traffic flow. In some cases, development plans and subdivision layouts may need to anticipate that the rights-of-way for major collectors may require future widening for additional traffic lanes and paved shoulders for bicycle use.

Minor Collectors

Minor collectors are town roads with relatively high traffic volumes. The Regional Transportation Plan identifies Old Sauk Road and Timber Lane, between Old Sauk Road and Mineral Point Road, as minor collectors. Additional roads that may potentially be upgraded to minor collector status include the remainder of Timber Lane, Mid-Town Road, and Pioneer Road.

Arterial and Collector Road Traffic Volumes

The traffic volumes on most arterials and major collectors are provided biannually by the Wisconsin Department of Transportation. In some cases, more detailed traffic counts may be available from the Dane County Highway Department.

Table 9 Traffic Volumes

Highway/Street	Location	Average Daily Traffic Volume
	(ADT)	
West Beltline	N. of Mineral Point Road	32,060
West Beltline	N. of Greenway Boulevard	20,250
U.S.H. 14	E. of Pleasant View	13,830
U.S.H. 14	W. of Pleasant View	9,120
U.S.H. 14	E. of Cross Plains	8,690
Mineral Point Road	W. of West Beltline	11,800
Mineral Point Road	E. of Pine Bluff	5,110
C.T.H. M	S. of Mid-Town Road	7,840
Old Sauk Road	W. of Pleasant View	1,260
Airport Road	W. of U.S. Highway 12	5,070
Pioneer Road	S. of Mineral Point Road	1,220
Timber Lane	N. of Mineral Point Road	600

Source: Wisconsin Department of Transportation, 1992

Local Town Road System

There are approximately 47.7 miles of nonclassified local town roads within the Town of Middleton. Most of the local roads are either rural roads originally constructed as farm-to-market roads or new public streets in new residential subdivisions.

2.E. Community Facilities

Town Hall

In 1993, the Town of Middleton constructed a new Town Hall on Old Sauk Road west of Pioneer Road. The Town Hall contains a garage, meeting rooms, record storage, and restrooms. The Town Hall has sufficient space to house law enforcement services. The new Town Hall replaces the former Town Hall that was located on Mineral Point Road east of the Beltline Highway.

The Town Hall is adjacent to the Central Town Park.

Sanitary Districts

There are two sanitary districts in the Town of Middleton.

Town of Middleton Sanitary District #5 serves the "town island" located south of the Beltline Highway and east Gammon Road. All of the development in the district is commercial, office, or light industrial.

Town of Middleton Sanitary District #3 is located on Pleasant View Road. Most of the land in the original district has been annexed and is served by the City of Madison.

School District Facilities

The majority of the Town of Middleton is in the Middleton-Cross Plains School District. Smaller areas are in the Verona and Madison Metropolitan School Districts.

There were 4,477 students attending the Middleton-Cross Plains schools in the fall of 1993. Approximately 23 percent of the student population of the district resides in the Town of Middleton.

Town of Middleton elementary students attend one of three elementary schools: West Middleton Elementary, Park Elementary, or Northside Elementary. The only public school facility located in the Town of Middleton is the West Middleton Elementary School, which is located on West Mineral Point Road west of Pioneer Road. A number of Town of Middleton students attend St. Francis Xavier Catholic School, a K-8 parochial grade school in Cross Plains.

Public middle school and high school students attend schools located in the City of Middleton.

Existing schools in the district are at capacity. The Middleton-Cross Plains School District is in the process of reviewing its existing facilities and assessing the need for new facilities. The School Board will hold a referendum in the Fall of 1994 on new construction programs.

Town Parks and Recreational Facilities

The Town of Middleton owns a variety of parks, conservancy lands, greenways, and trail access rights.

In 1990 the Town adopted the Town of Middleton Outdoor Recreation Plan which sets standards for park development, describes existing facilities and recreational opportunities, contains parkland dedication standards, and sets forth priority needs for future park development within the Town. The highest priority projects identified in the Outdoor Recreation Plan include:

- Improvement of Central Town Park as the primary community park.
- Development of Town parks in Enchanted Valley, Hickory Woods, and Cherrywood.
- Identification and posting of bicycle routes.
- Preservation of conservancy parks and greenways.
- Development of a continuous system of connecting hiking and cross-country ski trails.

Central Town Park

Central Town Park is a 26.9-acre community park site located on Old Sauk Road adjacent to the Town Hall. Central Town Park will have a hiking and jogging trail, a wooded picnic area, two tennis courts, a hockey rink, two softball diamonds, a baseball diamond, a soccer field, and an ice skating pond. Restroom facilities are located in the new Town Hall. A large parking lot serves both the park and the Town Hall.

Voss Park, Cherrywood

Voss Park is a 6.3-acre Town park located on the corner of Mineral Point Road and Swoboda Road. The park is currently undeveloped.

"Vicki Ann" Park, Cherrywood

"Vicki Ann" Park is a 1.4-acre Town playground in Cherrywood Subdivision. Improvements include a play structure, benches, and landscaping.

Enchanted Valley Park

Enchanted Valley Park is a 2.96-acre Town park located in the Enchanted Valley Subdivision. Development of this park began in 1988. Improvements include a wooden play structure, a picnic table, a merry-go-round, swings, a volleyball court, a baseball diamond, benches, soccer goals, and some landscaping.

Hickory Woods Park

Hickory Woods Park is a 3.7-acre Town park located in the Second Addition of Hickory Woods. Additional acreage has recently been dedicated for expansion. Improvements include landscaping, play structure, and playfields.

Goth Park

Goth Park is a 19.3-acre Town park located on Old Sauk Road east of the Pheasant Point Subdivision. The property is partially deed restricted for conservancy.

Table 10 Existing Parks

Name/ Location	Voss Park Cherry- wood	Vicki Ann Park Cherry- wood	Enchanted Valley Park	Hickory Woods Park	Central Town Park	Goth Park	Total
Acres	6.3	1.4	2.6	3.7	26.9	19.3	60.56
Parcel #	0708-302- 001-4	0708-301- 4000-8	0708-061- 4899-4	0708-043- 0793-1	0708-202- 8001-9, 0708-202- 8100-9	0708-192- 8070-9	
Hiking/ Ski Trails					+	F	
Play- ground Equip.		+	+	+	F		
Baseball- Softball			+	+	+		
Soccer	F		F	+	F		
Basket- ball			F	F	F		
Tennis Courts					F		
Ice Skating					F		
Picnic Tables			F		F	F	
Shelter			F		F	F	
Volley- ball			+		F		
Water/ Toilets					+(Town Hall)		

+ = Exist Now

F = Planned for future

Source: Outdoor Recreation Plan, Town of Middleton, 1990
Updated February, 1994

Other Publicly-Owned Conservancy Land

The Town owns approximately 40 acres of dedicated nature conservancy lands. Most of the land was acquired as dedications through the subdivision platting process. The majority of the sites are heavily wooded and steep.

Table 11 Existing Nature Conservancy Lands

Location	Parcel #	Acres	Trails Possible	Comments
Applewood Hills	0708-274-6499-9	3.5	Yes	Wooded, with steep areas
Cherrywood	0708-304-4000-5	2.8	Yes	Wooded hillside
Cherrywood	0708-304-0799-0	3.8	Yes	Steep, wooded hillside
Enchanted Valley (to Toepfer Road)	0708-062-0899-1	2.9	Yes	Steep, wooded hillside
Hickory Woods	0708-044-5477-3	7.5	No	Extremely steep, wooded hill
Hickory Woods	0708-044-5001-7	12.1	Yes	Two parcels joined by a strip/south section, steep, wooded
Valley View	0708--322-1100-8	0.5	Yes	Wooded ravine & drainageway
Noll Valley (Oak Savannah)	Outlot #3 0708-312-6303-5	5.0	Yes	Money designated for trails, other uses restricted
Noll Valley (White Oak Woodland)	Outlot #2 0708-312-6202-7	1.3	Yes	Money designated for trails, other uses restricted

Source: Outdoor Recreation Plan, Town of Middleton, 1990
Updated, February, 1994

Paths, Greenways, and Access Rights

The Town owns a small number of paths, greenways, and access rights. As land is platted, the Town has been requiring developers to dedicate land or easements for future trail extensions.

Table 12 Existing Paths, Greenways, and Access Rights

Location	Parcel Number	Description
Enchanted Valley	0708-061-4899-4 0708-062-0899-1	20 ft. wide path between lots 129 and 130 20 ft. wide path between lots 52 and 53 Use: Neighborhood access to park
Enchanted Valley	0708-06104899-1	20 ft. wide path between lots 107 and 106 and lot 94
Cherrywood	0708-301-4000-8	Greenway, possible future use as a path to the school
Cherrywood	Part of 0708-304-3641-2 0708-304-3652--9 0708-304-4520-9	Easement 20 - 25 ft. path between lots 32 and 33, and beside lot 50
Cherrywood	Part of 0708-302-7370-4 0708-302-7436-5 0708-302-7446-3 0708-302-7456-1 0708-302-7466-9	15-20 ft. private easement along the west side of lots 49-54, and lot 70, and on the west side of lot 76 which has since been divided by certified survey into four parcels
Noll Valley		50 ft. wide trail corridor along the east boundary of lots 10, 11, 12, 13, and north boundaries of lots 5, 6, 9, and 10; 6 ft. wide trail easement along the east side of lots 14, 15, 16, and 18

Source: Outdoor Recreation Plan, Town of Middleton, 1990
Updated February, 1994

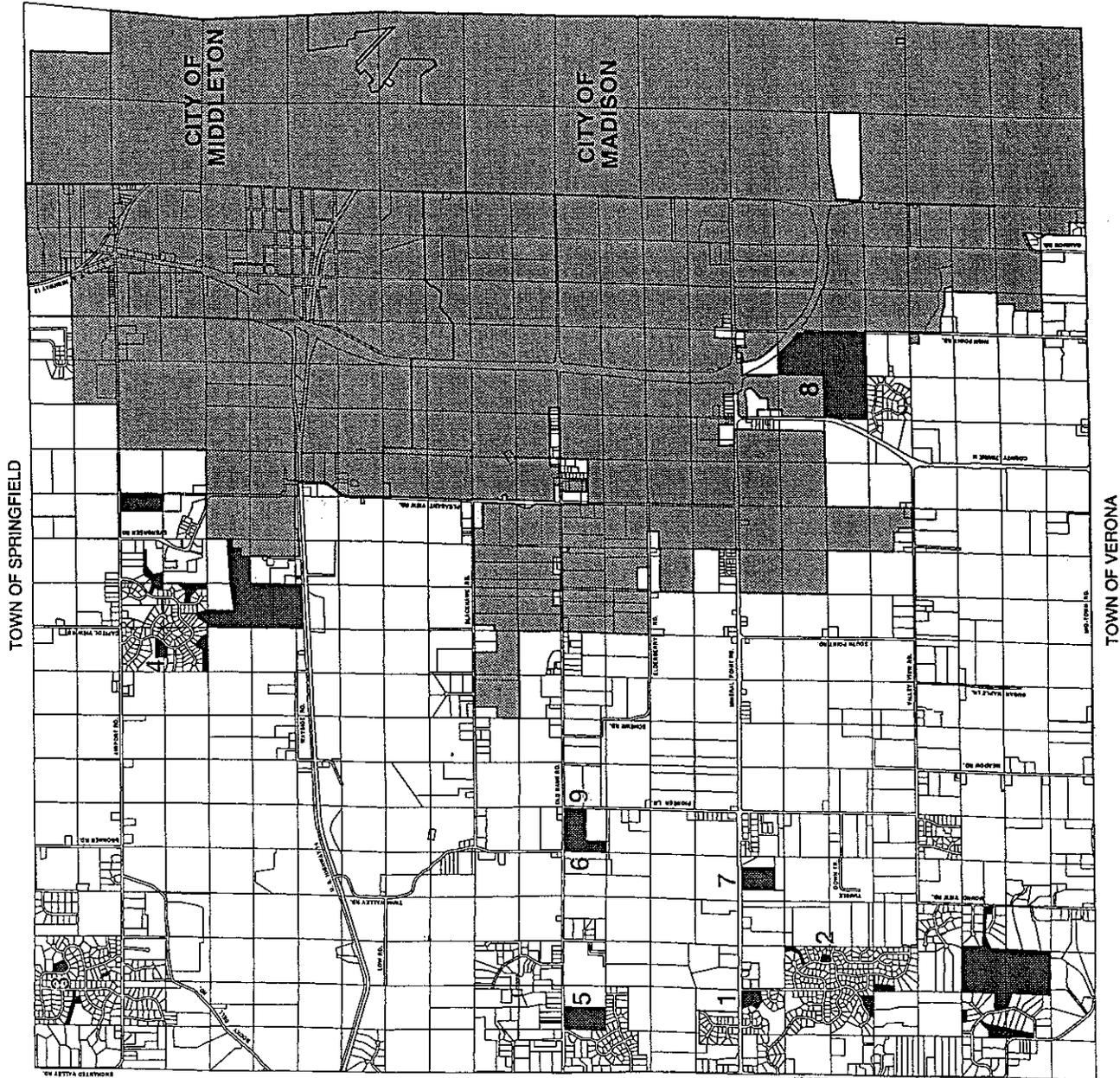
Public/Institutional Facilities

1. Voss Park - Cherrywood
2. Vicki Ann Park - Cherrywood
3. Enchanted Valley Park
4. Hickory Woods Park
5. Goth Park
6. Central Town Park
7. West Middleton Elementary
8. Holy Name Seminary
9. Town Hall

Note: Unnumbered Sites are Conservancy
Lands, Town Parks, or Open Spaces



TOWN OF MIDDLETON



TOWN OF CROSS PLAINS

2.F. Environmental Analysis

Natural Resource Inventory and Evaluation

In 1990 the Town of Middleton commissioned the environmental research team of Dr. James Zimmerman and Kenneth Kailing to prepare a Natural Systems Land Use Feasibility Study for the Town of Middleton. The Zimmerman/Kailing report is a comprehensive analysis of the Town's major ecosystems that has provided an environmental data base for land use planning.

The Zimmerman/Kailing report identifies nine natural resource districts based on environmental and natural characteristics including soils, land form, hydrology, and vegetation. The nine areas include:

1. Upper Black Earth Gateway
2. Glacial Lake Middleton Basin
3. North Fork Pheasant Branch Countryside
4. Western Highlands
5. Driftless Slopes
6. Sugar River Basis
7. Badger Mill Creek Slopes
8. Central Basin
9. South Fork Pheasant Branch Creek Countryside

The Zimmerman/Kailing report includes detailed conservation and land use recommendations and guidelines for each of the resource districts. The report also identifies sensitive natural areas that should be preserved, as shown on the Sensitive Natural Areas Map on the following page and further described in Exhibit D. The data and recommendations in the Zimmerman/Kailing report have provided the environmental data base for the Land Use Plan.

A complete copy of the Zimmerman/Kailing report is included as Exhibit D.

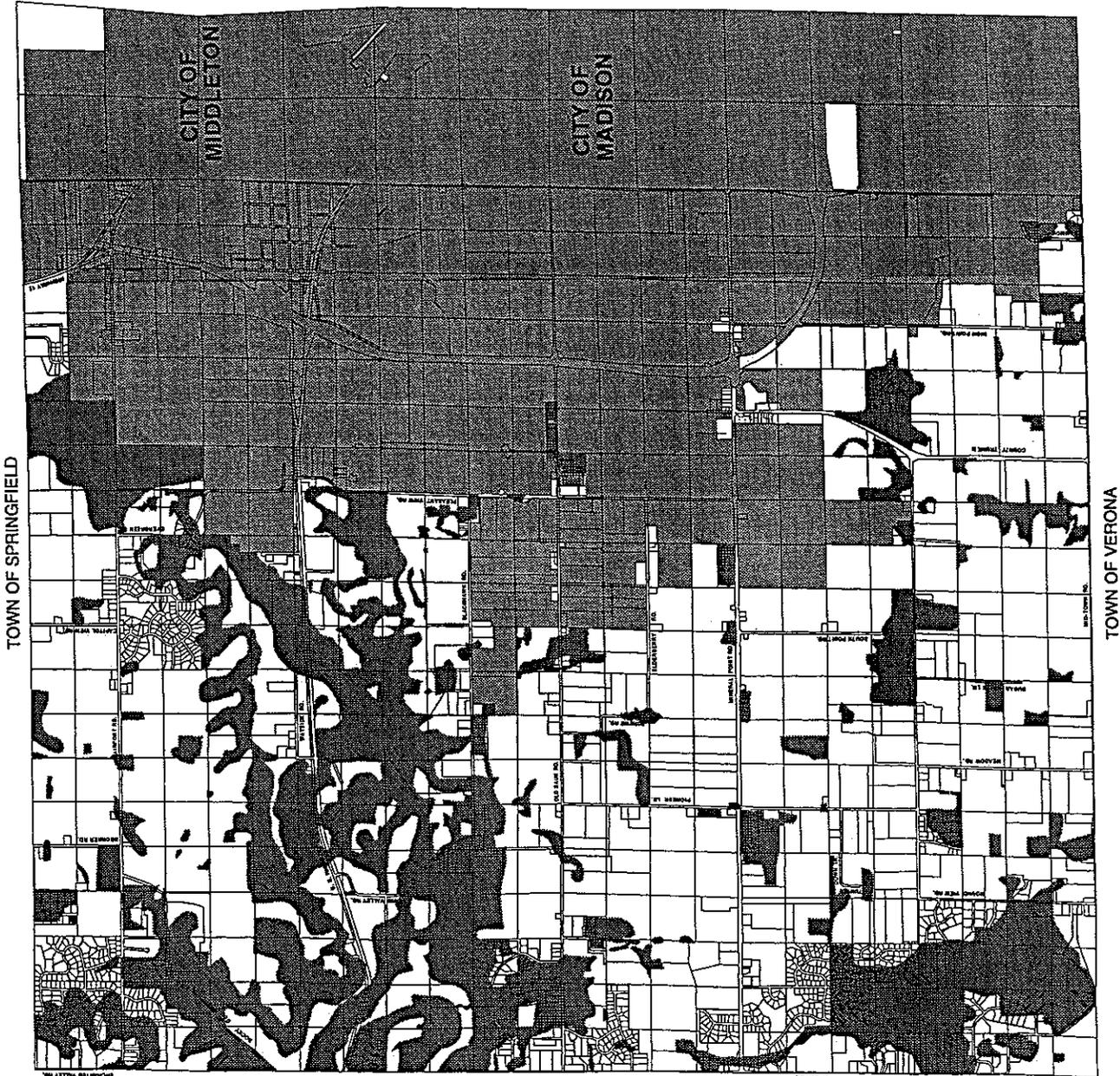
Sensitive Natural Areas

Sensitive Natural Areas

Includes Oak Forests and Savannas,
Mixed Forests, Grasslands, and Wetlands



TOWN OF MIDDLETON



TOWN OF CROSS PLAINS

2.G. Existing Land Use Regulations

The Town of Middleton is influenced by a variety of land use regulations exercised by different jurisdictions. The influence of multiple jurisdictions has historically made planning and plan implementation in the Town more difficult and complex than in most other areas.

Current land use regulations directly affecting the Town of Middleton include the following:

Town of Middleton Land Division and Subdivision Regulations

All subdivisions and certified surveys in the Town of Middleton must conform with the Town's Land Division and Subdivision Code (Section 2 Municipal Ordinances). The Land Division and Subdivision Code sets forth technical requirements for plats and certified surveys, specifies required improvements and design standards, and provides for park and public land dedications.

Dane County Land Division Regulations

All subdivisions and certified surveys must comply with the Dane County Land Division Ordinance. In those instances where the Dane County Land Division Ordinance and the Town of Middleton Land Division and Subdivision Ordinance differ, the applicant must comply with the more restrictive regulation.

Extraterritorial Plat Review Jurisdictions

The City of Madison and the City of Middleton each have three-mile extraterritorial jurisdictions within which the incorporated municipalities have the statutory powers to approve or disapprove all land divisions. The extraterritorial jurisdiction for the Village of Cross Plains extends one-and-one-half miles from the Village's corporate boundaries and extends into the western side of the Town of Middleton.

Where the boundaries of the extraterritorial jurisdictions of incorporated municipalities overlap, the jurisdictional boundaries are divided on a line all points of which are equidistant from the boundaries of each municipality concerned so that not more than one municipality shall exercise extraterritorial power over any area. The Cities of Madison and Middleton have informally used Blackhawk Road extended as the boundary between their respective extraterritorial plat review jurisdictions.

Dane County Zoning, Shoreland & Floodplain Management, and Soil Erosion Control Regulations

All proposed development in the Town of Middleton must comply with the Dane County Code of Ordinances including Zoning (Chapter 10), Shoreland and Floodplain Management (Chapter 11), and Soil Erosion Control (Chapter 14).

Central Urban Service Area Delineation

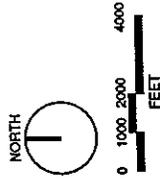
The Madison Metropolitan Sewerage District (MMSD), the Dane County Regional Planning Commission (DCRPC), and the Wisconsin Department of Natural Resources (WDNR) have adopted the Regional Development Guide Dane County, Wisconsin, a copy of which is included as Exhibit E. The Central Urban Service Area delineation, which is a key part of the Regional Development Guide, regulates the areas that may be served by public sanitary sewer. These regulations, in effect, control the extension of public sanitary sewer.

Extensions of public sanitary sewer service beyond the approved Central Urban Service Area boundaries requires amendment of the Regional Development Guide and the Central Urban Service Area boundary.

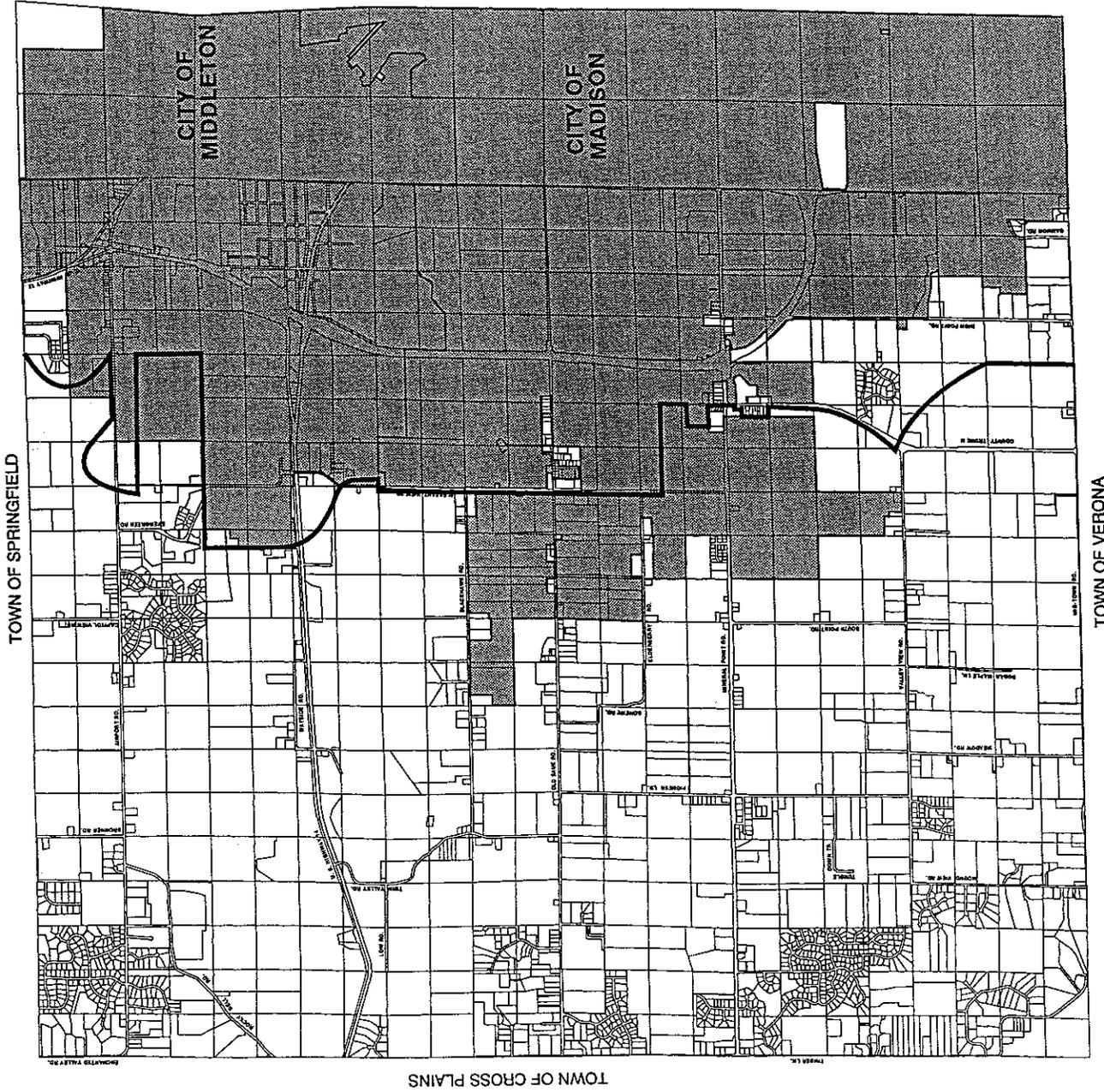
The current Central Urban Service Area boundary is shown on the map on the following page.

Urban Service Area Boundary

 Urban Service Area Boundary
 Urban Service Area Delineated by the
 Dane County Regional Planning Commission



TOWN OF MIDDLETON



3. LAND USE GOALS AND OBJECTIVES

3.A. General Background Findings

1. The Land Use Plan is based on protecting and preserving the "quality of life" in the Town of Middleton.
2. The Land Use Plan recognizes that the Town of Middleton is a unique community with its own character distinct from other communities in Dane County.
3. The Land Use Plan advocates residential development based on the concept of clustering residential development in planned subdivisions adjacent to existing development areas and in sections of the Town that are not environmentally sensitive.
4. The Land Use Plan emphasizes protecting environmentally sensitive natural areas, particularly in the Upper Black Earth Creek Watershed.
5. The Land Use Plan provides interim land use guidelines for those areas in the "Transition Area" adjoining the boundaries of the Cities of Madison and Middleton that may at some point in the future be developed at urban densities.
6. The Land Use Plan recognizes that "traditional agriculture" is no longer viable as the predominant long-term land use for the majority of landowners in the Town of Middleton. Generally, agriculture should be considered as a transitional use, rather than the permanent land use. Parkland, conservancy areas, recreation areas, golf courses, nursery, and other horticultural uses are becoming the principal, viable land uses that may promote permanent or long-term open space.
7. The Land Use Plan provides a basis for implementing corporate boundary agreements between the Town of Middleton and Cities of Madison and Middleton. Such agreements should address the "reasonable need" for urban growth in a phased manner and the stabilization of Town boundaries in order to provide for more efficient and effective growth management.
8. The Land Use Plan recognizes that commercial development opportunities in the Town of Middleton are limited, except for certain Town islands and the convenience-oriented business node at the intersection of Mineral Point Road and Pioneer Road.

9. The Land Use Plan recognizes that certain predominantly open space commercial enterprises, such as golf courses, equestrian centers, specialty farms, landscape and nursery businesses, bed and breakfasts, specialized lodging and residential facilities, and limited home occupations and home offices, may be permitted elsewhere in the Town providing such uses do not adversely impact the residential and rural character of adjoining properties. It is the intent of the Town of Middleton to prepare ordinances that would protect nearby properties from adverse impacts from any commercial activities and preserve the rural character of the Town.

3.B. Land Use Goals and Objectives

Residential Development Goals and Objectives

1. To encourage environmentally responsible development of land suitable for residential development within the Town of Middleton.
2. To establish minimum lot sizes for residential building sites utilizing private septic systems as follows:

- a. Cluster Subdivisions

Lots in platted "cluster" subdivisions should not be less than 20,000 square feet. Lots should be clustered in such a fashion that two (2) acres of permanent open space lands are created for every one (1) acre of land devoted to building lots.

- b. Traditional Subdivisions

Lots in traditional "noncluster" subdivisions should not be less than 65,000 square feet, except that in an existing subdivision the minimum lot size may be smaller than 65,000 square feet to be consistent with the average size of existing lots in such subdivision.

- c. Certified Survey Lots

New lots created by certified survey should not be less than 215,000 square feet, except that owners of 40 acres or more of contiguous lands may create residential lots of not less than 65,000 square feet provided that no more than two such lots be created in any five-year period.

3. To encourage residential developments to provide easements for the potential extension of public services when and if such services are extended to such areas.
4. To encourage residential development to be compatible with surrounding developments and land uses. Measures of compatibility should include lot sizes, traffic generation, access, noise, and visual impacts.
5. To preserve the rural character of the Town of Middleton and minimize the visual impact of residential development by requiring the following design criteria be incorporated insofar as possible:

- a. Residential structures should 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.
 - b. Existing stone rows in good condition, fence lines, and tree lines with mature native vegetation should be preserved.
 - c. Subdivisions and certified surveys should be designed to blend with the natural contours of the land, to improve appearance and to minimize disturbance to the site.
 - d. The preservation of the maximum amount of native vegetation on each site should be encouraged.
6. To require residential development to be set back from the roads and buffered by natural vegetation or plantings.
 7. To encourage compact, well-designed residential development through the use of clustered developments and neighborhoods.
 8. To relate residential development to the natural resources of the Town of Middleton by avoiding the location of development in floodplains, wetlands, and other environmentally sensitive areas.
 9. To encourage the protection of "Sensitive Natural Sites" as identified in Natural Systems Land Use Feasibility Study for the Town of Middleton, Wisconsin, prepared for the Town of Middleton in 1990 by James H. Zimmerman and Kenneth N. Kailing.
 10. To require runoff and erosion control plans for all proposed subdivisions.
 11. To encourage energy conserving design in the development of infrastructure for new residential areas; provided, however, that such design constraints shall not be imposed on the building designs of individual homeowners.
 12. To recognize and preserve the property values of existing housing.
 13. To provide affordable housing that is healthy, safe, convenient, and attractive.

Commercial Development Goals and Objectives

1. To minimize new retail commercial development in predominately residential neighborhoods.
2. To require convenience-oriented retail businesses to locate in the vicinity of the existing commercial cluster near the intersection of Mineral Point Road and Pioneer Road or in predominantly commercial "town islands."
3. To encourage the development of landscape and nursery businesses and other "open space" commercial uses within the Town of Middleton.
4. To ensure that all commercial sites are served by roads suited for commercial usage.
5. To buffer residential neighborhoods and potential residential neighborhoods from adverse impacts associated with proximity to commercial uses, including impacts due to commercial truck traffic, noise, and emissions.
6. To require commercial development sites to contain sufficient land area to provide both a long-term on-site septic treatment system and a backup septic treatment field.

Agricultural Goals and Objectives

1. To permit limited development of agricultural land for low-density residential purposes, providing such development meets the guidelines established by the Town of Middleton Land Use Plan.
2. To encourage landowners and individuals engaged in agriculture, forestry, and related activities to follow soil conservation plans and to utilize soil conservation practices.
3. To require that new development which alters existing surface runoff patterns provide adequate facilities so as not to flood or otherwise impair the current use of agricultural land.
4. To encourage "alternative" agricultural and open space uses, such as commercial nurseries and "specialty farms."

Transportation Goals and Objectives

1. To require all public streets to meet the minimum road standards of the Town of Middleton.

2. To restrict driveway access onto primary arterials and major collectors located within the Town of Middleton.
3. To require, where appropriate, the dedication of easements and rights-of-way for a Town of Middleton trail system for hiking, skiing, and biking to connect residential neighborhoods with municipal parks, schools, and other public facilities at the time of land division.
4. To encourage the design of multiple access points from large subdivisions onto the arterial and collector street system. Particular attention should be afforded to the design of street systems serving the extension of existing subdivisions.
5. To encourage the construction of a collector street system to facilitate a more efficient flow of traffic throughout the Town.
6. To encourage the construction of an additional major north-south arterial highway through the west-central area of the Town that would take pressure off the existing north-south roadways to the west, which are located in more environmentally sensitive areas.
7. To encourage improvements to the existing circulation system that provide for the increased safety of cyclists.
8. To minimize encroachment of utilities and transportation facilities into open space corridors and environmentally sensitive areas:
 - a. Avoiding encroachment when reasonable alternatives are available;
 - b. Selecting routes that minimize environmental impacts where encroachment is necessary, and avoiding natural units;
 - c. Incorporating design considerations that minimize impacts and contribute to compatibility with environmental and open space functions.

Public Services and Facilities Goals and Objectives

1. To provide basic public services, such as adequate police and fire protection; road construction, maintenance, and snow removal; education; and park and recreational facilities.
2. To require new development to pay the full cost of municipal services so that the existing taxpayers are not burdened with inequitable taxes or service costs.

3. To ensure an orderly, compact, well-designed development pattern that would be economical and efficient for the provision of necessary public services.
4. Require payment of impact fees as permitted by state law.

Open Space and Parkland Goals and Objectives

1. To preserve and protect environmentally sensitive natural areas as permanent open space.
2. To encourage linkages between parks and open spaces to provide habitat corridors and pedestrian trails.
3. To provide sufficient parks and recreation facilities for developing subdivision areas in the Town of Middleton.
4. To enhance and improve the Central Town Park adjacent to the Town Hall.
5. To collect parkland fees and/or require parkland dedication and/or trail rights-of-way for all new subdivisions.
7. To explore funding mechanisms to purchase conservancy lands and acquire conservancy easements for environmentally sensitive sites located in the Town of Middleton.

Environmental Protection Goals and Objectives

1. To recognize that the natural environment is an integrated system of interacting land, water, and air resources, and to protect the health and stability of this resource system.
2. To provide a safe, healthful, and visually pleasing environment to enhance the quality of life for all Town residents.
3. To encourage land use patterns and practices that are environmentally sensitive and do not disrupt the natural hydrologic system, including the balance between ground and surface waters.
4. To require that floodplain areas and natural drainageways not be filled or altered in a way that reduces their function.
5. To preserve the role of wetlands as an essential component of the hydraulic system, as well as a valuable wildlife habitat.

6. To require that wetlands not be filled, dredged, or altered in a way that reduces their functions.
7. To incorporate proper stormwater management practices, such as detention, infiltration and wetland restoration, to maintain or increase ground water recharge and avoid increases in runoff.
8. To guide residential development to areas where soils are suitable for such development.
9. To return resource extraction and waste disposal sites to productive uses through final site design and reclamation.
10. To permit recreational activities such as trails in publicly-owned conservancy areas where compatible with wetland and other natural resource protection.
11. To work collectively with surrounding local governments, Dane County, and the State in the protection and preservation of conservation areas.

Intermunicipality Cooperation and Annexation Goals and Policies

1. To achieve corporate boundary agreements between the Town of Middleton and the Cities of Madison and Middleton that stabilize municipal boundaries. The agreement should be predicated on phased corporate boundary expansions based on "reasonable need" for land for urban development.
2. To halt "speculative annexations" of land.
3. To establish a basis for the Town of Middleton to more effectively and efficiently implement growth management regulations.
4. To establish an intermunicipality committee that will monitor joint planning issues and attempt to resolve disputes and arrive at alternatives and compromises when planning guidelines conflict.

4. LAND USE AND DEVELOPMENT PERFORMANCE GUIDELINES

For the purpose of implementing land and development performance guidelines, there are two distinct planning areas, each of which has distinct natural and manmade characteristics and require different performance criteria. The two planning areas are:

Transition Areas (including "Town Islands")

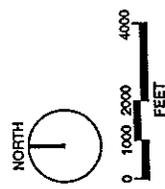
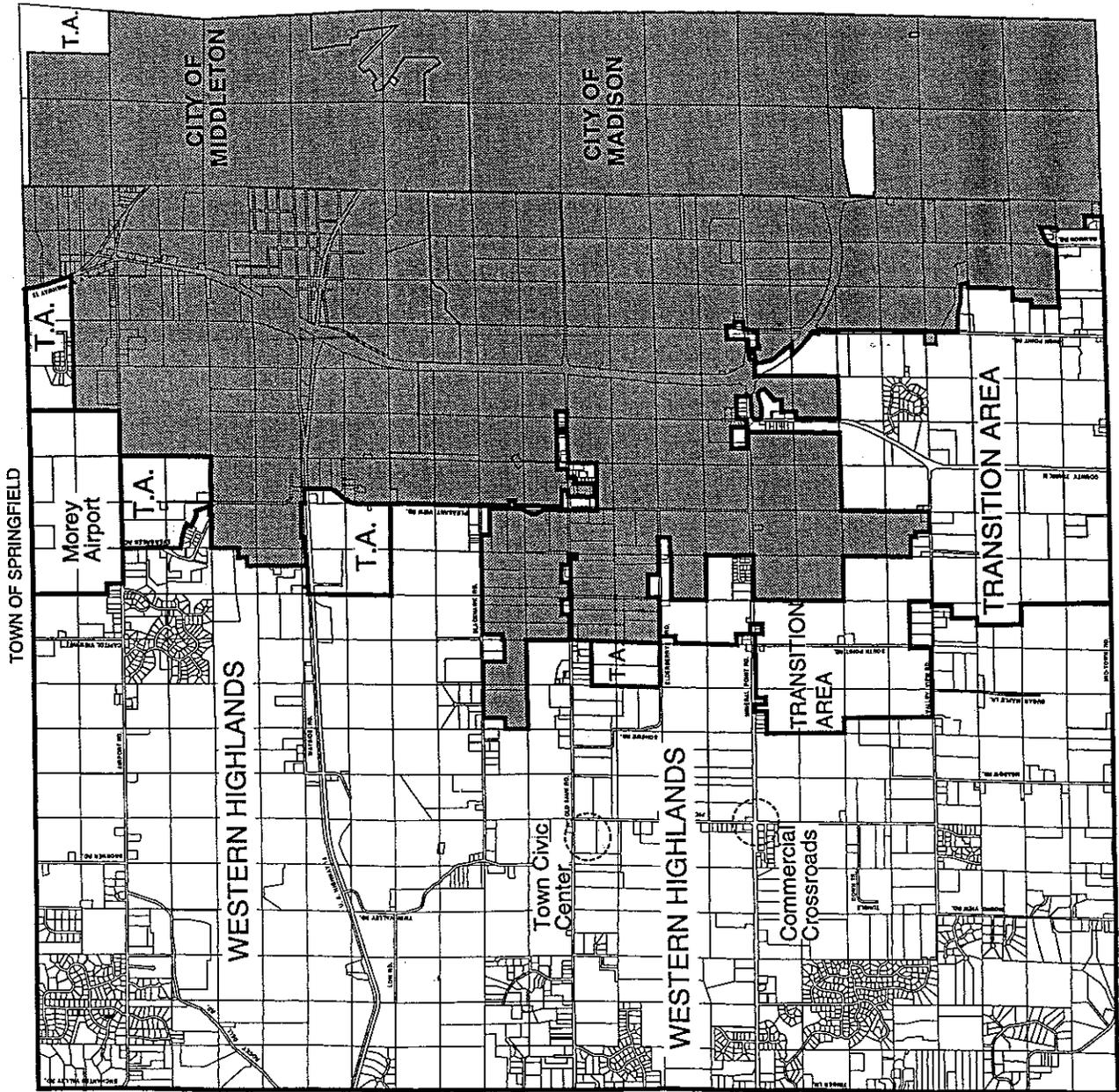
Western Highlands Area

In addition to these two planning areas, Morey Airport constitutes a third distinct land use area. It is anticipated that the airport will remain in the Town of Middleton and will provide a long-term boundary between the urbanizing areas to the east and the predominantly rural areas to the west and north.

The planning areas are depicted on the Planning Areas Map on the following page.

Planning Areas

TOWN OF MIDDLETON



4.A. Transition Area

The Transition Area is comprised of those lands that will experience the most intense pressure for development at urban densities within the near future. This district includes the "town islands" surrounded by the Cities of Middleton and Madison and areas immediately adjacent to the Cities of Middleton and Madison.

Current land uses in the Transition Area are predominantly interim agriculture and low density residential development. There are several clusters of single-family residences, including Applewood Hill Subdivision. Most of the land within the "town islands" is in commercial use.

While the majority of the undeveloped land in the Transition Area is still being farmed, most of the major landowners are investors who have purchased the land for its development potential.

Most of the Transition Area consists of flat to rolling farmland with relatively few development constraints. The land is generally suitable for development. A substantial portion of the Transition Area, including Applewood Hill Subdivision and the Holy Name Seminary, is already a part of the Central Urban Service Area.

There are several environmentally sensitive areas identified in the Zimmerman - Kailing report prepared in 1990. These areas may require open space preservation to protect their unique natural characteristics. In particular, environmentally sensitive areas within the Transition Area include:

Glacial Lake Middleton - A lowland peat area in Section 3 currently occupied by Morey Airport and portions of the Rolf Quisling property leased to Bruce Company.

Upper Black Earth Creek Wetland Regeneration Area - Low portions of the Upper Black Earth Creek watershed in Section 9 suitable for wetland restoration and water quality protection projects.

Land Use Recommendations - Transition Area

The Transition Area is an area that should ultimately be developed at urban densities as urban pressures in Dane County continue to increase. Such development should be orderly and should not "leap-frog" undeveloped parcels.

Both the Cities of Madison and Middleton have annexed large areas of open land within the past decade. These areas should be developed prior to further annexations in the Transition Area.

The Town of Middleton should discourage "speculative annexations" of large parcels of open land made prior to the time of development. Annexations and the extension of urban services should be coordinated with reasonable forecasts of the market demand for urban development.

During the ten-year time frame of this plan, agricultural use should continue to be the predominant interim land use. Other appropriate interim land uses include specialty agriculture, horticulture, landscape and nursery businesses, golf courses, equestrian centers, and low density rural residential development. All of these uses would provide landowners with a reasonable interim economic return on their land until such time as the area can be developed at urban densities. These uses would also contribute to maintaining the open rural landscape, favored by most Town residents.

Limited rural residential development with private septic systems and wells should be permitted. However, lots should be carefully planned so as not to preclude future development at urban densities. Properly sited rural residences can blend with the rural landscape while providing a source of reasonable economic return for landowners.

Development Performance Guidelines - Transition Area

Residential Development

1. Residential development permitted in the Transition Area prior to the provision of urban services should be planned in such a manner that residences can be efficiently and cost-effectively connected to services when available.
2. Certified survey lots created in the Transition Area should be planned so as not to preclude higher density development at a later date when urban services are available.
3. New lots created by certified survey should not be less than 215,000 square feet, except that owners of 40 acres or more of contiguous lands may create residential lots of not less than 65,000 square feet with the limitation that no more than two such lots be created in any five-year period.
4. Residential development should be set back from road rights-of-way and buffered by existing "natural" vegetation or new plantings.
5. Residential development permitted in the Transition Area should be planned and designed so that such development does not impede continued agricultural land uses.

Commercial Development

New retail commercial development should only occur within the Transition Area adjacent to locations already containing commercial development. These areas include the "town islands" and areas along Mineral Point Road adjacent to Menards.

Circulation

1. Streets serving residential subdivisions or certified survey lots should be designed to provide continuity with the existing street system and with potential future streets serving adjoining parcels.
2. Subdivisions should be designed to have multiple access points onto the arterial and collector street system.
3. Where certified survey lots are created, sufficient right-of-way access to "interior" portions of large land holdings should be reserved.
4. All driveways should be designed with adequate width and materials to allow access by emergency vehicles.
5. Driveway access onto collector and arterial streets should be minimized by the use of "interior" subdivision or neighborhood streets.

Aesthetics and Design

1. Isolated structures should be placed so as to preserve open fields, exposed ridge lines and prominent vistas and views. Preferred building locations are adjacent to tree lines and below the crest of ridge lines and hilltops.
2. Existing stone rows in good condition, fence lines, and tree lines with mature native vegetation should be preserved.
3. Structures should be designed to blend with the natural contours of the land to maintain a pleasing appearance and minimize the disturbance to the site.
4. Structures should be sited to preserve views of the State Capitol.
5. The number and size of commercial signs should be strictly controlled to preserve the aesthetic character of the Town.
6. Off-site commercial advertising (i.e., billboards) should be prohibited.

Environmental Protection

1. Site grading should follow the natural terrain of the landscape and existing drainage patterns.
2. As much as feasible, existing native woodlands should be preserved. Although residential development may be permitted in woodlands, developers should be encouraged to design developments in such a manner so as to preserve mature native vegetation, particularly along the street and highway rights-of-way.
3. Sensitive sites including floodplains, wetlands, and steep slopes with over 20 percent grades should not be developed.
4. Development should be designed and constructed in a manner that protects the quality of ground and surface water.

4.B. Western Highlands Area

The Western Highlands Area is located in the western and central part of the Town. This area is generally considered to be the most scenic portion of the Town. The area includes the terminal moraine, sections of the Town in the nonglaciaded "driftless area," and the Upper Black Earth Creek watershed.

The most significant environmental resource in the area is the Upper Black Earth Creek watershed. The watershed contains numerous wetlands and wetland generation areas that are critical for the protection of water quality in Black Earth Creek. Because of the steep slopes in the watershed and soil conditions, the area is susceptible to soil erosion. Much of the ground cover on the steeper slopes is mixed forest containing oak, locust, and walnut trees.

The terminal moraine, which extends in generally north-south direction, consists of the steeper slopes and woodlands. Various governmental and not-for-profit agencies are attempting to preserve an open space and trail corridor through this area to link with the Ice Age Trail unit near Cross Plains.

The predominant land uses in the Western Highlands are agriculture, woodlands, and low density residential development. While farming remains the predominant land use in portions of the Western Highlands, most of the land is owned by nonfarming investors and the farmland is leased to operators. The high cost of land and taxes in the Town limits the long-range economic viability of these farms as economic units.

The residential subdivisions in the Western Highlands include Hickory Woods, Enchanted Valley Estates, Thunder Valley, Hillcrest Estates, Dellwood, Swiss Valley Estates, Pine Manor Estates, Deer Run Estates, Long View Heights, Prairie Vista, Moraine View, Cherrywood, Cherrywood Park, Cherrywood View, Cherrywood Estates, Noll Valley, Malmaison, and Moraine Highlands. Several neighborhood parks, trails, and conservancy areas are located within or adjacent to subdivisions.

Land Use Recommendations - Western Highlands

The Western Highlands should be planned as a low density single-family residential community. The preferred form of development is the "cluster subdivision" which allows residential development on land suitable for development, but preserves as permanent open space those areas that are environmentally sensitive.

The average overall net development densities should not exceed one unit per one-and-one-half acres, although with clustering there may be smaller lots that would be matched with open space that is preserved by either deed restrictions or dedications.

Significant portions of the Western Highlands have been identified by the Zimmerman - Kailing report as environmentally sensitive areas that should be preserved as open space. These areas include steep slopes, woodlands, aquifer recharge areas, and wetlands. Other areas, which have generally been in agricultural cropland production or pasture, are suitable for low density single-family development.

Because of the planned low density development of the Western Highlands and the distance from existing urban services, it is not anticipated that the Western Highlands will be served by public sanitary sewer or public water supply. Density levels should be maintained at sufficiently low levels to sustain private septic and water systems. All residential lots should be large enough or include adequate easements to provide secondary septic system sites in the event of a failure of the primary septic system. In limited circumstances, it may be feasible to allow limited clustered development on isolated "package plants" or community sewage treatment plants.

The only area in the Western Highlands suitable for further retail commercial development is the small neighborhood service cluster in the vicinity of the intersection of Mineral Point Road and Pioneer Road. Commercial uses in this area should be limited to neighborhood convenience retail sales and services, such as service stations, video store, and a convenience grocery store, oriented to nearby residential clusters. This commercial area should be considered a "hamlet" or "cross-roads" commercial area as opposed to a shopping center or commercial district.

Certain predominantly open space commercial enterprises like golf courses, equestrian centers, specialty farms, landscape and nursery businesses, bed and breakfasts, specialized lodging and residential facilities, and limited home occupations and home offices may be permitted elsewhere in the Western Highlands providing they do not adversely impact the residential or rural character of adjoining properties.

The Town Hall site at the corner of Old Sauk Road and Pioneer Road is the planned Town Civic Center. This site, which includes all of the Town offices, the Town garage, and an adjacent community park, was selected because of its central location. This area should be maintained as the civic and governmental center for the Town of Middleton.

Two-to-One Open Space to Development Land Formula

Historically, the primary impediment to low density residential development in the Western Highlands has been opposition from the Cities of Madison and Middleton. The City of Madison has utilized its three-mile extraterritorial plat review jurisdiction to obstruct residential subdivisions in the Town.

Recently there has been some basis for accommodation between the Town of Middleton and the City of Madison based on an "open-space-to-development land ratio" that was used in securing approval of Moraine Highlands Subdivision. This project was accepted by all of the approving agencies (i.e., Town of Middleton, City of Madison, and Dane County), based on a ratio of one acre of cluster residential development for 2 acres of open space preservation.

Based on this precedent, the concept of clustered rural subdivision development within an open space preserve should be the basis for a sustainable development pattern in the Town of Middleton. This approach to development would allow reasonable economic return to landowners, provide sufficient diversity in the type of housing offered in Dane County, and would provide a long-term means of preserving open space corridors.

In cases where the 2-to-1 ratio of open space to development land is implemented, the open space components could be preserved by conservation easements or private deed restriction. In such cases, continued use of the open space component of the land for agricultural purposes should be considered an acceptable means of preserving the open area.

Several very important goals would be accomplished by utilizing this ratio of clustered development to open space.

- A long-range pattern of development could be established that would provide a sustainable high quality residential community on the outskirts of the greater Madison area. The "vision" of the Town of Middleton is to build the foundation for a sustained community of low density residential development that would preserve the natural resources and "rural character" of the area.
- The clustering of homes on the portion of property with the fewest environmental constraints allows for the most sensitive areas to be better protected.
- A substantial amount of public recreational land can be assembled to increase the recreational opportunities in the Town.
- The valuable aesthetic assets and rural character of the Town can be better preserved.

Development Performance Guidelines - Western Highlands Area

Residential Development

1. Residential lots should be clustered in subdivisions in such a fashion that a ratio of two (2) acres of permanent open space lands are created for every one (1) acre of land devoted to building lots.
2. Certified survey lots created in Western Highlands should be planned so as not to preclude the development of future, more efficient cluster subdivisions.
3. New lots created by certified survey should not be less than 215,000 square feet, except that owners of 40 acres or more of contiguous lands may create residential lots of not less than 65,000 square feet provided that no more than two such lots be created in any five-year period.
4. Residential development should be set back from road rights-of-way and buffered by existing "natural" vegetation or new plantings.
5. Where development occurs in existing native woodlands, as much "natural" vegetation as feasible should be preserved, including buffer strips of "natural" vegetation along the roadsides.

Commercial Development

1. Aside from "open space" commercial uses, such as golf courses, equestrian centers, specialty farms, landscape and nursery businesses, bed and breakfasts, specialized lodging and residential facilities, and limited home occupations and offices, the only commercial development in the Western Highlands should be in the vicinity of the intersection of Mineral Point and Pioneer Roads.
2. Commercial development in the Mineral Point and Pioneer Road intersection area should be limited to neighborhood convenience businesses.
3. All commercial structures should be residential in character and style, reflecting traditional architectural styles found in the Town of Middleton.

Town Center

1. Government functions should be located on or near the Town Hall site at the intersection of Old Sauk Road and Pioneer Road.
2. The Community Park adjacent to the Town Hall should be improved as the primary "community park" in the Town of Middleton.

Circulation

1. Streets serving residential subdivisions or clusters of certified survey lots should be designed to provide continuity with the existing street system and with potential future streets serving adjoining parcels.
2. Large subdivisions should be designed to have multiple access points onto the arterial and collector street system.
3. Where certified survey lots are created, sufficient right-of-way access to "interior" portions of large land holdings should be reserved.
4. All driveways should be designed with adequate width and materials to allow access by emergency vehicles.
5. Driveway access onto collector and arterial streets should be minimized by the use of "interior" subdivision or neighborhood streets.
6. As lands are platted for development, easements for pedestrian trails should be dedicated as part of the platting process. Such trails should be planned and designed so that ultimately there will be continuous trail systems linking adjoining plats with parks, schools, and other potential pedestrian destinations.

Aesthetics and Design

1. Isolated structures should be placed so as to preserve open fields, exposed ridge lines, and prominent vistas and views. Preferred building locations are adjacent to tree lines and below the crest of ridge lines and hilltops.
2. Existing stone rows in good condition, fence lines, and tree lines with mature native vegetation should be preserved.
3. Structures should be designed to blend with the natural contours of the land to improve appearance and minimize the disturbance to the site.
4. Structures should be sited to preserve views of the State Capitol.
5. The number and size of commercial signs should be strictly controlled to protect the aesthetic character of the Town.
6. Off-site commercial advertising (i.e., billboards) should be prohibited.

Environmental Protection

1. Site grading should follow the natural terrain of the landscape and existing drainage patterns.
2. As much as feasible, existing native woodlands should be preserved. Although residential development may be permitted in woodlands, developers should be encouraged to design developments in such a manner so as to preserve mature native vegetation, particularly along the street and highway rights-of-way.
3. Sensitive sites including floodplains, wetlands, and steep slopes with over 20 percent grades should not be developed.
4. Development should be designed and constructed in a manner that protects the quality of ground and surface water.

5. IMPLEMENTATION RECOMMENDATIONS

The Land Use Plan is a policy document which sets general goals, objectives, and guidelines for future development. The plan must be implemented by a series of specific actions undertaken by both the public and private sectors. This section identifies specific actions that the Town must undertake to implement the plan.

5.A. Zoning Regulations

Zoning is the primary land use regulation used to control the type and location of development. Currently, the Town of Middleton is regulated by the Dane County Zoning Ordinance. Zoning changes are approved by the Dane County Agricultural, Environment and Land Records Committee subject to review and veto by the Town Board. The Town Plan Commission is advisory to the Town Board.

The Town should use the adopted Land Use Plan as a guideline to review any proposed changes to the Dane County Zoning Ordinance. Amendments that are not in conformance with the plan should be vetoed.

The current Dane County Zoning Ordinance does not provide a zoning district that embraces the cluster subdivision approach and "open space to development land ratio" advocated in this plan. The existing ordinance is also deficient in not providing a specialized neighborhood convenience commercial district comparable to the "cross-roads" commercial cluster proposed for the vicinity of the Mineral Point and Pioneer Road intersection.

The Town and Dane County should jointly prepare amendments to the Dane County Zoning Ordinance that would support the preferred land use pattern in the Town of Middleton.

5.B. Subdivision Regulations

The Town of Middleton lies totally within the three-mile extraterritorial jurisdictions of the Cities of Middleton and Madison. Historically, in the area north of Blackhawk Road, the City of Middleton has exercised extraterritorial jurisdiction over land divisions. South of Blackhawk Road, the City of Madison has exercised its extraterritorial powers. The Blackhawk Road boundary has not been officially agreed to by the Cities of Middleton and Madison, but is serving as an "informal" divide between the two municipal extraterritorial jurisdictions.

In addition, all subdivisions are reviewed by the Dane County Agricultural, Environment, and Land Records Committee for compliance with the Dane County Subdivision Ordinance.

The Town of Middleton also has its own subdivision ordinance. The Town of Middleton Subdivision Ordinance should be amended to reflect the goals and policies of the adopted Town of Middleton Land Use Plan.

The Town of Middleton, the Cities of Madison and Middleton, and Dane County should negotiate a basis for adopting comparable subdivision and land division standards for those areas that are affected by regulations imposed by two or more jurisdictions. The current situation where most landowners are regulated by three separate subdivision regulations creates needless "red tape" and impedes well-planned development.

5.C. Town Architectural and Site Plan Review Code

While Wisconsin towns' abilities to manage growth within their boundaries is shared with other jurisdictions, one of the most effective growth management tools that a town can implement is appearance and site reviews through the building permitting process. The review process can be implemented through the adoption of a Town architectural and site plan review ordinance.

5.D. Open Space and Park Planning

The Town Board should systematically budget funds and pursue matching funds through the WDNR's Stewardship Program for implementation of the recommendations in the Outdoor Recreation Plan of the Town of Middleton.

The Town would likely be eligible and competitive for funds associated with the acquisition and protection of natural resource lands.

The Town should continue to require the dedication of land for parks or fees-in-lieu-of land for new subdivisions in accordance with the Town of Middleton Subdivision Ordinance.

The Town recognizes the significance of the Ice Age Trail. Where feasible, the Ice Age Trail should be integrated in open space corridors preserved through the development process.

5.E. Corporate Boundary Plan

The Town of Middleton should initiate discussions with the Cities of Middleton and Madison to implement a Cooperative Boundary Plan pursuant to the recently adopted Wisconsin Statute Section 66.023. The objective of such an agreement would be to stabilize corporate boundaries and implement a phased sequence of urban expansion based on a justifiable "reasonable need" for land for development in the two incorporated municipalities.

At the present time both the Cities of Madison and Middleton have large areas of vacant developable land within their current corporate limits. These areas should be developed prior to future annexations of land from the Town of Middleton.

5.F. Transferable Development Rights

Transferable Development Rights (TDR) is a land use implementation tool currently being evaluated by Dane County. TDR has been successfully used in some other parts of the country where there is sufficient development pressure to create a market for "development rights." While there are many complexities and uncertainties with the use of TDR, the Town of Middleton supports continued investigation on the feasibility of using the tool to preserve open space and create "market value" of development rights as a means of compensating owners of land preserved as open space.