

IX. Land Use

s. 66.1001(2)(h) Wis. Stats

“The Land Use element is a compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial and other public and private uses. The element shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land-use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 0 years, in 5-year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.”

9.1 Overview

During the planning process, many aspects of land use were analyzed with an eye toward developing a future land use plan that makes sense for the Town of Middleton. Existing land development patterns were considered, along with the existence of any brownfield sites¹. Local real estate forces were considered and used in fashioning the Future Land Use Plan and supporting goals, objectives and policies. Relationships between the Town and the county and neighboring municipalities also played an important role when determining how land in the Town could be developed in the coming years.

The terrain of the Town of Middleton is typified by gently rolling farmland and wooded hillsides. The eastern portion of the Town is relatively flat or comprised of rolling hills formed by glacial moraines, outwash plains and glacial lake bottoms. Most of the prime agricultural soils in the Town are located in the central basin areas. As one travels further west through the Town, the terrain consists of varied topography with steep slopes, ravines and stream bottoms formed by terminal moraine materials deposited by continental glaciers as well as older, unglaciated terrain.

¹ A brownfield is a site consisting of one or more properties that are abandoned or underutilized because of concerns about environmental contamination.

The westernmost portions of the Town lie within what is known as the “driftless area”, a portion of Wisconsin that was not covered by glaciers during the most recent period of glaciation.

The Town straddles the watershed divides for Black Earth Creek, Lake Mendota, and the Sugar River. The upper portion of 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 three decades.

The size of the Township of Middleton has been continually decreasing, due to annexation by the cities of Madison and Middleton. At the time of the 2005 land use inventory by Dane County, the Town covered an area of approximately 10,500 acres which is about 45% of a full, “standard” township of thirty-six square miles or 23,040 acres. The Town’s unimproved acreage (vacant and in agri-business use) totaled 2,635 acres. This unimproved acreage contains land that cannot be developed due to steep slopes, environmentally sensitive areas, areas of geologic historical significance, agribusiness (1,100 acres) and the closed landfill site, as well as areas currently considered vacant. As of 2008, the Town had been further reduced in size to approximately 9,600 acres. The Town of Middleton recognizes that at its current growth rate, average density of development, and requirements for open space provisions, it will reach full build-out capacity soon after the year 2030. The Town is comfortable with this and with its current average density. The Town continues to develop in this way based on its Land Division and Subdivision Ordinances in order to maintain the semi-rural character that is preferred by residents. The Town reserves the Transition Area identified in the 2002 Cooperative Plan between itself and the City of Madison as an area within the Town designated for more dense and varied housing development. See Map H.4 for the location of the Transition Area.

Public Survey Results

The Town of Middleton 2030 Comprehensive Plan Survey asked a number of questions related to land use. Responses to the survey show that Town residents are generally satisfied with the state of the Town, nearly seventy-five percent of respondents indicated that they are satisfied with the Town’s “sense of community”. They consider the Town to be a semi-rural community and wish to keep it that way. Over seventy-six percent of respondents are “very interested” in the preservation of the Town’s natural resources. More specifically, a majority of respondents support the preservation of the following resources:

- Forested areas (87.4% of responses)
- Watersheds (71.3%)
- Wetlands (66.5%)
- Prairies (61.7%)
- Vistas (56.3%)

Other responses to the survey indicated that Town residents consider past Town planning efforts regarding the preservation of natural resources and environmentally sensitive areas to be successful. Over sixty percent of respondents rated those efforts “good”, “very good” or “excellent”. Nearly sixty percent of the respondents indicated they are willing to utilize tax dollars to preserve natural areas. Fifty-six percent of respondents indicated that the existing park system fulfills their needs.

Question 19 of the 2030 Comprehensive Plan Survey asked: “Are there any Land use or Housing Issues or Opportunities that you feel need to be considered in planning for 2030?” Of the seventy-five responses to this question, twenty did not address the question asked. Of those who provided an answer considered to be relevant, thirty-five responses (63.6%) expressed a desire to maintain the semi-rural character of the Town. Other responses included recommendations that the Town maintain green spaces and environmentally sensitive areas and continue to develop and preserve parks and trails.

The remaining twenty relevant responses (3%) expressed concern regarding current conditions. Responses included recommendations that the Town stop further development, utilize smaller lot sizes, create higher housing densities and encourage the development of townhouses and duplexes.

9.2 Goals and Objectives

The following goals and objectives are based in part on responses to the 2007 Comprehensive Plan Survey, previous Town plans and documents, and other sources. Objectives and policies are provided for the future land uses displayed on Map H.4.

Goal 1: Promote a pattern of development that fosters the preservation of the quality of life and the semi-rural character of the Town of Middleton.

Goal 2: Promote a pattern of development that minimizes potential conflicts between incompatible land uses.

Goal 3: Protect and maintain environmentally sensitive areas in their natural state when making land-use decisions.

General Objectives:

1. Consider a planned pattern of growth that promotes the health, safety and general welfare of Town residents and makes efficient use of land, public services and public facilities.

2. Rezoning and other land use decisions shall consider the recommendations of this Plan.

Residential Development Objectives

1. Encourage well-designed residential development through the use of clustered subdivisions or similar design methods as well as through traditional lot subdivisions.
2. Preserve the semi-rural character of the Town and minimize the visual impact of residential development.
3. 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.
4. Encourage residential development that preserves environmentally sensitive areas.
5. Require that developers address the effects of stormwater runoff so that new developments will not adversely impact existing commercial uses, residential uses, and natural resource and recreation areas.

Residential Development Policies

1. Encourage the preservation of existing stone rows in good condition, fence lines and tree lines with mature native vegetation as defined by Town Ordinance.
2. 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.
3. Require stormwater runoff and erosion control plans for all proposed subdivisions.
4. Permit the continuation of existing institutional and research and development within the Town limits and, along with mixed use, as permitted residential development uses. Future Land Use Map H.4 groups all existing and proposed institutional, research and development, and mixed use parcels into the residential future land use category as permitted uses. These areas are either existing structures that will be permitted to continue under the residential category, or they are parcels planned for development in areas that will eventually be annexed by the City of Madison according to the 2002 Cooperative Plan.

Commercial Development Objectives

1. Encourage the development of new retail commercial uses in identified commercial corridors.

2. Require landscaped buffers to protect residential neighborhoods and potential residential areas from adverse impacts associated with proximity to commercial uses, including impacts caused by commercial truck traffic, noise and vehicle emissions.
3. Require that developers address the effects of stormwater runoff so that new developments will not adversely impact existing commercial uses, residential uses, and natural resource and recreation areas.

Commercial Development Policies

1. Direct businesses to locate along U.S. Highway 14, Mineral Point Road and within appropriate Town islands.
2. Ensure that all commercial sites are served by adequate roads and other infrastructure.
3. Ensure that all commercial development along U.S. Highway 14 maintains consistency with Wisconsin Department of Transportation plans for the corridor, including issues relating to safety, connectivity, and access. Please see Map H.4.1 for a depiction of future land use of the USH 14 corridor and existing building footprints.

Transportation Objectives

1. Encourage the provision of well-spaced access points from large subdivisions onto the arterial and collector street system. Particular attention should be afforded to the design of the street systems serving the extension of existing subdivisions.

Transportation Development Policies

1. Refer to Section 5: Transportation for further information regarding transportation development objectives and policies.

Environmental Protection Objectives

1. Require environmentally responsible development on land suitable for residential uses.
2. New development should not negatively impact the natural environment or existing property.
3. Promote land uses, densities and regulations that protect the Town's valued resources and recognize existing physical limitations to development (e.g. steep slopes, woodlands, wetlands and water resources, etc.).

Environmental Protection Policies

1. Permit recreational activities such as trails in publicly and private-owned conservancy areas if compatible with wetlands and other natural resource protection.
2. Utilize the 1990 *Natural Systems Land Use Feasibility Study* “Kailing/Zimmerman Report” to identify sensitive natural sites and direct development in a manner that protects these features. The Kailing/Zimmerman report is now over eighteen years old and many of the sensitive areas identified by the report have been developed or are being encroached upon by neighboring development. The Town recognizes that the Kailing/Zimmerman report is dated. Therefore, when making land-use decisions, the recommendations of the Kailing/Zimmerman report should be reviewed in conjunction with current policies and conditions in the Town.
3. Require that new developments adhere to a no-net-loss standard for quality trees.
4. Encourage native plantings or existing quality vegetation to be utilized and maintained in landscaping plans for new and existing developments.
5. Encourage the clustering of lots to provide large open green space areas that better serve as wildlife habitat and accommodate recreational uses. These areas may take the form of unbroken forested areas, prairies, wetlands or other natural features.
6. 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.
7. Identify and protect groundwater recharge areas from inappropriate development.

The Town of Middleton recognizes that it is identified as a “Rural Development and Transitional Area,” in the Dane County Comprehensive Plan, and that this designation has the following standards that accompany it:

- (1) Continue to promote limited, compact, and efficient development;
- (2) Encourage the use of conservation design, Transfer of Development Rights, site planning, design review and other techniques to ensure compatibility with agricultural, natural resource and open space use, and with neighboring communities;
- (3) Develop opportunities and guidelines for limited, multi-family senior housing in

unincorporated Rural Development and Transitional Areas to serve local aging populations, and;

(4) Continue to refer to town plans adopted by the county board for detailed land use policies within Rural Development and Transitional Areas.

The Town of Middleton reserves the “Transition Area” identified in the 2002 City of Madison and Town of Middleton Cooperative Plan as an area designated for more varied and dense development. The Town will consider permitting owner-occupied attached multi-family housing, senior housing, and/or denser detached single family housing in this area.

As a whole, the Town is committed to preserving valuable natural resources and open space, and protecting the semi-rural identity of the area through conservancy development, strong developer open space requirements and protection standards, and the provision of multi-use trails throughout the Town.

9.3 Appendix G: Land Use Background Information

For further information regarding land use, including the future land use map and related discussion, refer to Appendix G.