



Legislation Details (With Text)

File #: 73608 **Version:** 1 **Name:** Amending the City's ETJ Boundary
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Title: Amending and updating the City of Madison's Extraterritorial Plat Approval Jurisdiction within which the City will continue to review land divisions and subdivision plats.

Sponsors: Satya V. Rhodes-Conway

Indexes:

Code sections:

Attachments: 1. Proposed ETJ Map_08-08-22.pdf, 2. Proposed ETJ Map w/ IGAs and Cooperative Plans.pdf, 3. Proposed ETJ Map w/ Section Numbers.pdf, 4. Staff Memo_10-03-22.pdf, 5. 73608 registered copy.pdf

Date	Ver.	Action By	Action	Result
10/11/2022	1	COMMON COUNCIL	Adopt	Pass
10/3/2022	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/20/2022	1	COMMON COUNCIL	Refer	
9/14/2022	1	Planning Division	Referred for Introduction	

Fiscal Note

No City appropriation required.

Title

Amending and updating the City of Madison's Extraterritorial Plat Approval Jurisdiction within which the City will continue to review land divisions and subdivision plats.

Body

WHEREAS Section 236.10 of Wisconsin Statutes authorize municipalities to exercise plat review outside their boundaries; and

WHEREAS Section 236.02(5) defines "Extraterritorial plat approval jurisdiction" as the unincorporated area within three (3) miles of the corporate limits of a first, second or third class city, or one and a half (1 1/2 miles) of a fourth class city or a village; and

WHEREAS Section 236.10(5) of Wisconsin Statutes permits a municipality to determine by resolution those portions of its statutorily defined extraterritorial area in which it will exercise plat approval controls; and

WHEREAS there have been changes in the boundaries of the City of Madison and neighboring municipalities since the last resolution to establish the extraterritorial jurisdiction of the City of Madison in May 2002; and

WHEREAS since the last resolution establishing the City's extraterritorial jurisdiction, the City has entered into an intergovernmental agreement with the Town of Cottage Grove and into cooperative plans with the City of Fitchburg and the Towns of Middleton, Blooming Grove, and Burke, said agreement and plans establishing

where the City will review development, and in the case of Middleton and Burke, establish future City boundaries; and

WHEREAS the City is a city of the second class according to the State of Wisconsin and may therefore exercise extraterritorial review of subdivisions and land divisions up to three (3) miles from its current boundaries; and

WHEREAS the City seeks to exercise its extraterritorial jurisdiction to ensure that development in areas identified on the map is compatible with adjacent development patterns and maintains the general land development pattern of the area in question, considering lot sizes, traffic generation, access, noise and visual features, and to ensure that the proposed subdivision or land division and the resulting development shall not demonstrably adversely affect the City's ability to provide public services, install public improvements or accomplish future annexations.

NOW THEREFORE BE IT RESOLVED that the City of Madison shall exercise its extraterritorial plat approval jurisdiction outside its boundaries and within those areas allowed by State Statutes and as shown on the attached maps(s), including over unincorporated lands located wholly or in part, in the following sections and quarter sections of the following townships:

A. Town of Burke (T8N, R10E):

- All of Section 7, except the fractional NW 1/4 of the NE 1/4, the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4;
- All of Sections 8 and 9;
- The West 1/2 of Section 10;
- The South 1/2 of Section 13, except in those areas planned to attach to the City of Sun Prairie;
- The NE 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of Section 14;
- The West 1/2 of Section 15;
- The East 1/2 and the NW 1/4 of the NW 1/4 of Section 16;
- All of Sections 17, 18 and 19;
- The North 1/2 of the NE 1/4 of Section 20;
- The NE 1/4 of Section 21;
- The SE 1/4 of the SE 1/4 of Section 22;
- All of Sections 23, 25, and 26;
- All of Section 24, except land in the NW 1/4 of the NW 1/4 planned to attach to the City of Sun Prairie;
- The West 1/2 of the NW 1/4 of Section 28; and
- All of Sections 34, 35 and 36.

B. Town of Blooming Grove (T7N, R10E):

- The East 1/2 of the SE 1/4 of Section 2;
- The North 1/2 of Section 4;
- The NE 1/4 of Section 5;
- The East 1/2 of the SE 1/4 of Section 11;
- The West 1/2 of the SW 1/4 of Section 12;
- The NW 1/4 of the NW 1/4 of Section 13;
- The NE 1/4 of the NE 1/4 of Section 14;
- The East 1/2 of the SE 1/4 of Section 15;
- The East 1/2 of the NE 1/4 of Section 16;
- The West 1/2 of the SE 1/4 of Section 21;
- The SE 1/4 of the SW 1/4 of Section 23;
- The NE 1/4 and SW 1/4 of Section 26;

- The South 1/2 of Section 29;
- The South 1/2 of Section 30;
- The South 1/2 of Section 31;
- The SE 1/4 of the NW 1/4, the SE 1/4 of the NE 1/4, and all of the South 1/2 of Section 32;
- The NW 1/4 of Section 35; and
- The NW 1/4 of Section 36.

C. Town of Cottage Grove (T7N, R11E):

- The fractional West 1/2 and the NW 1/4 of the NE 1/4 of Section 6;
- The fractional West 1/2 and the NW 1/4 of the NE 1/4 of Section 7;
- The fractional West 1/2, the SE 1/4, and the SW 1/4 of the NE 1/4 of Section 18;
- All of Sections 19 and 30; and
- The NW 1/4 of Section 31.

D. Town of Middleton (T7N, R8E):

- All of Sections 13, 14, and 15 except those portions within the City of Middleton.
- South 1/2 of Section 16.
- The East 1/2 of the SE 1/4 of Section 17;
- The East 1/2 of Section 20;
- All of Section 21;
- The West 1/2 of Section 22;
- The South 1/2 of Section 25;
- The West 1/2 of Section 26;
- The South 1/2 of Section 27;
- All of Section 28;
- The East 1/2 of Section 29;
- The NE 1/4 of the NE 1/4, the NE 1/4 of the SE 1/4, and the SE 1/4 of the SE 1/4 of Section 32;
- The North 1/2 of Section 33;
- All of Sections 34 and 35; and
- The NE 1/4 of the NE 1/4 of Section 36

E. Town of Dunn (T6N, R 10E):

- All of Section 5 located west of the ordinary high water mark of Lake Waubesa;
- The NE 1/4 of the SE 1/4 and the NE 1/4 of Section 6; and
- The NE 1/4 of the NW 1/4 of Section 8.

F. Town of Sun Prairie (T8N, R11E):

- The South 1/2 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 19;
- All of Section 30; and
- All of Section 31, except the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4.

G. Town of Verona (T6N, R8E):

- The North 1/2 of Section 2;
- The East 1/2 of Section 3;
- All of Section 4 except the NE 1/4;
- The NE 1/4 of the NW 1/4, the NW 1/4 of the NE 1/4, the NE 1/4 of the NE 1/4, and the SE 1/4 of the NE 1/4 of Section 5;
- The North 1/2 of the NW 1/4 and the NE 1/4 of Section 10;
- The West 1/2 of Section 11;
- The SE 1/4 of the SW 1/4 and the SE 1/4 of Section 12;

- The NW 1/4 of the NE 1/4, the SW 1/4 of the NE 1/4, the NW 1/4 of the SE 1/4 the NW 1/4, and the SW 1/4 of Section 13; and
- The North 1/2 of Section 14.

H. Town of Westport (T8N, T9E, except as noted):

- The South 1/2 of the SE 1/4 of Section 12;
- All of Section 13 except the NW 1/4 of the NW 1/4;
- The SE 1/4 of Section 14;
- The SE 1/4 of the SW 1/4, the SW 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4 of Section 21;
- The SW 1/4 of the NE 1/4, the SE 1/4 of the SE 1/4, the SE 1/4 of the NW 1/4, the SW 1/4, and the SE 1/4 of Section 22;
- All of Section 23 except the NW 1/4 of the NW 1/4;
- The East 1/2 of the Section 24;
- The NW 1/4 of the NW 1/4 of Section 26;
- All of Sections 27, 28 and 33;
- The NE 1/4 of the NE 1/4, the SE 1/4 of the NE 1/4, the SE 1/4 of the SW 1/4, and the SE 1/4 of Section 32;
- Those portions of the Town of Westport located in the NW 1/4 of the NW 1/4 of Section 4, T7N, R9E;
- Those portions of the Town of Westport located in Section 5, T7N, R9E except the NW 1/4 of the NW 1/4; and
- Those portions of the Town of Westport located in the South 1/2 of Section 6, T7N, R9E, except those portions within the City of Middleton.

BE IT FURTHER RESOLVED that the amended and updated City of Madison Extraterritorial Plat Approval Jurisdiction shall take effect on October 31, 2022.

BE IT FURTHER RESOLVED that the Planning Division is hereby authorized to make administrative updates to reflect minor changes to the extraterritorial jurisdiction line, such as when adjacent municipalities or the City of Madison annexes a small number of parcels so as to provide an up-to-date extraterritorial line to promptly and accurately respond to customer inquiries.

BE IT FURTHER RESOLVED that the Planning Division and City Clerk are hereby authorized to record this resolution and the adopted map(s) with the Dane County Register of Deeds as set forth in Section 236.10(5) of Wisconsin Statutes.