



# Intergovernmental Cooperation



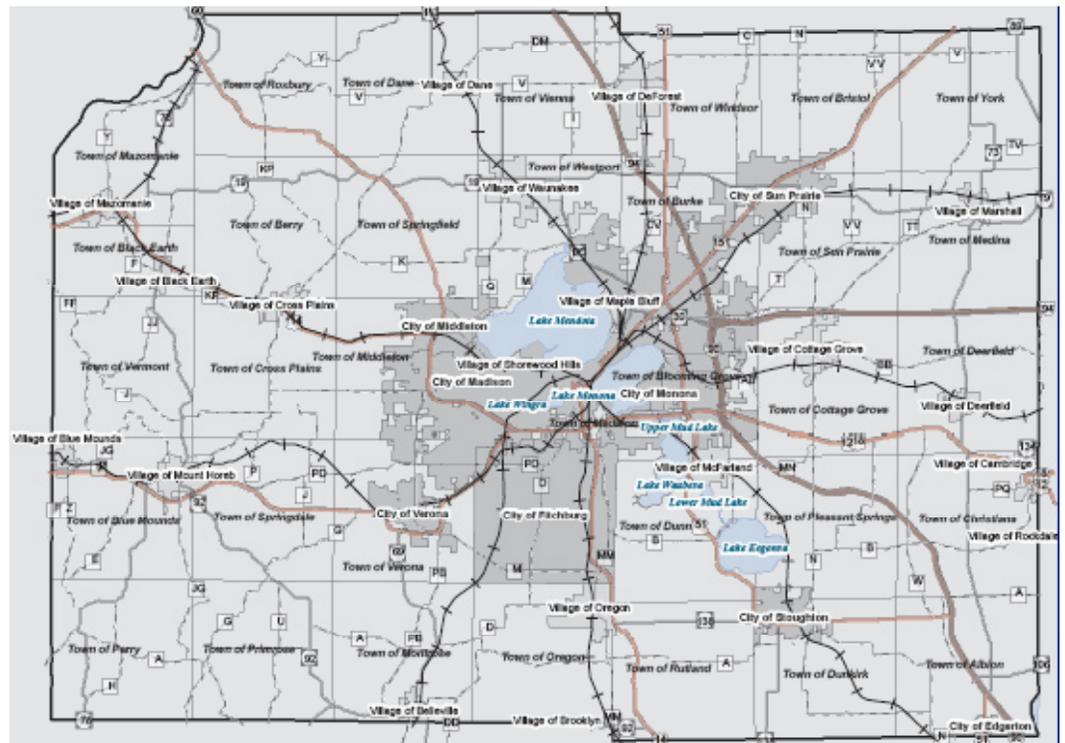
## Introduction

This section of the comprehensive plan analyzes the existing relationships between the City of Fitchburg and surrounding cities, villages and townships, school districts, special purpose districts, Dane County, State agencies, and the Federal government. The section also describes existing relationships and agreements with other units of government and identifies both existing and potential conflicts.

## Existing Relationships and Agreements

The City of Fitchburg is one of 61 municipalities within Dane County, Wisconsin. The City of Fitchburg is bordered by one city and one village: the City of Madison to the north and the Village of Oregon to the south. The City of Fitchburg is also bordered by 6 townships: the Town of Madison, the Town of Verona, the Town of Dunn, the Town of Oregon, the Town of Blooming Grove and the southwest corner with the Town of Montrose.

**Figure 12 - 1: Municipalities within Dane County**



Source: Dane County Comprehensive Plan, 2007

## Municipalities

Several communities bordering or near Fitchburg have grown rapidly. These include the City of Verona, the City of Madison and the Village of Oregon. Between 2000

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and 2005, the City of Verona had the highest growth rate (29.1%) of all the cities in Dane County (Community Analysis and Planning Division) . Other communities, such as the Town of Dunn, have been growing at a much slower rate. Within the region near Fitchburg, issues related to growth and development including jurisdictional boundaries, developmental buffers, traffic and the extension of city services are common. The City of Fitchburg has been able to address issues through on-going discussions with its neighbors and by entering into cooperative plans and intergovernmental agreements.



Areas within the Town of Verona have been annexed by both the City of Verona and the City of Madison at a considerably high rate during the past decade (Town of Verona) . In 2006, Fitchburg completed its only annexation of land; this being a 5-acre piece from the Town of Verona near Nesbitt Rd. In the Town of Verona's 2000 Community Survey, town residents identified annexation of land by the Cities of Madison and Verona as one of their top five issues for the town. To address issues raised by these annexations, the City of Fitchburg has had on-going discussions with the Town of Verona. However, on-going discussions are not equivalent to formal intergovernmental agreements; the City of Fitchburg, the City of Verona and/or the Town of Verona may have different views on how the Town of Verona should be developed. These differing opinions may lead to potential conflicts in the future.

Although currently the City of Fitchburg has successfully addressed growth and development issues with most of its neighbors, the City's goals and objectives concerning growth and preservation could, in the future, become a potential source of conflict between the Town of Dunn, the Town of Verona and the Town of Oregon. However, the City of Fitchburg's on-going discussions and intergovernmental agreement demonstrates the City's ability to work with its neighbors to reduce conflict. The City of Fitchburg has also entered into a number of successful relationships and agreements with its neighbors involving city services including schools, public transportation, utilities, and public safety services.



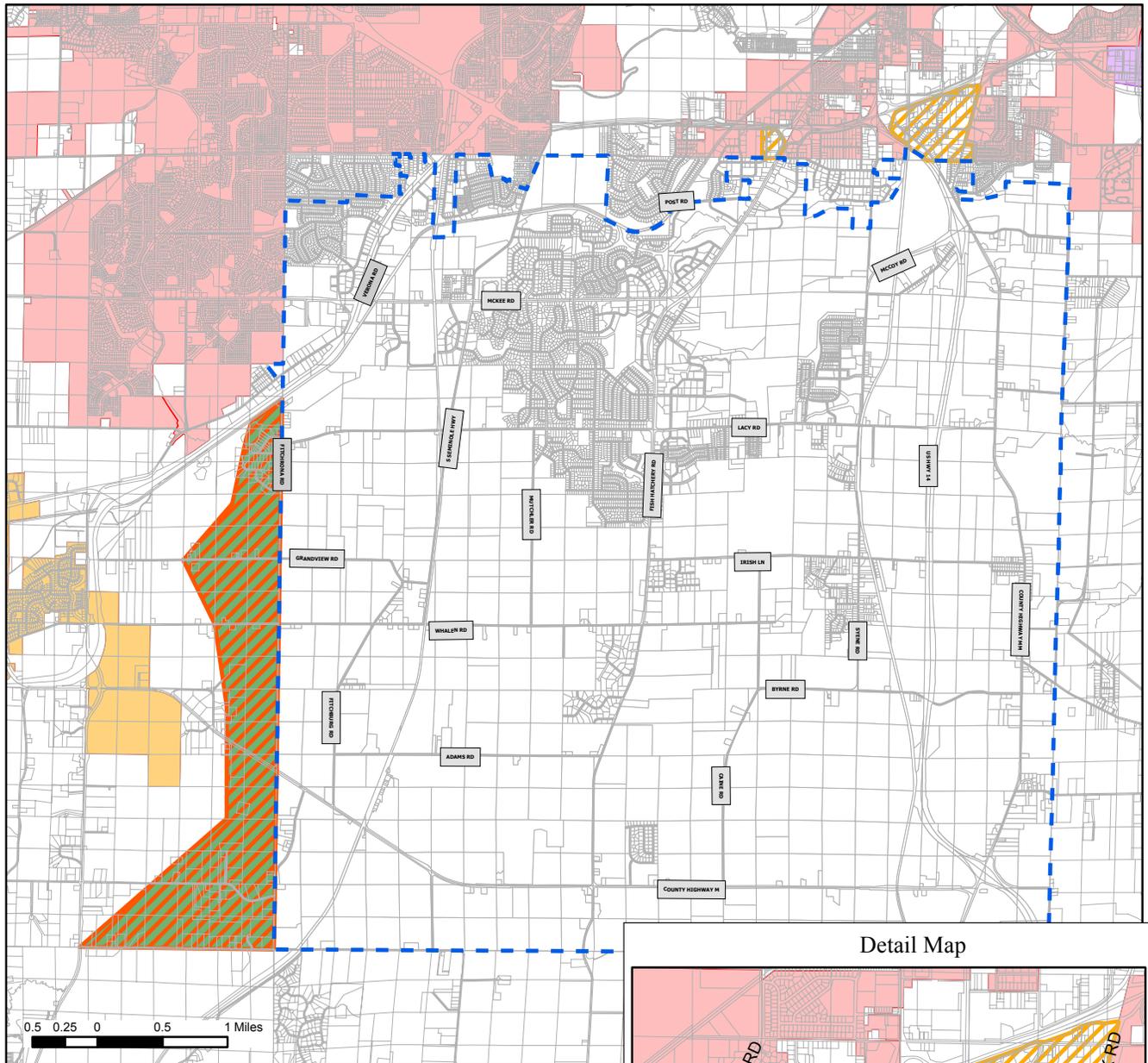
## Extraterritorial Jurisdiction

### *Town of Verona*

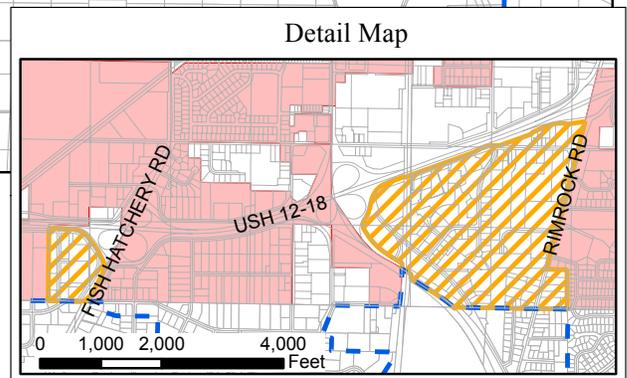
The City of Fitchburg has exercised its right to use extra-territorial land division review jurisdiction and land use over portions of the Town of Verona (Figure 12 - 2). The City of Fitchburg's main concern for exercising this right came from a proposed neighborhood plan that was being developed in the Town of Verona adjacent to the City of Fitchburg. The development proposed at the border in the Town of Verona was inconsistent with the City of Fitchburg's land use growth strategy. The City of Fitchburg established a future urban development boundary out 50-plus years. A small portion along the border with the Town of Verona is proposed to be developed, with the remainder of Fitchburg maintaining its rural character. In addition, development in the Town of Verona along the border of Fitchburg would raise a number of issues from traffic generation, lack of mixed use, and the ability of a landowner to develop either on rural or urban services. The City of Fitchburg felt that development of this magnitude would be premature and cause undue service requirements or other pressure on the municipality or other

Figure 12 - 2

# EXTRATERRITORIAL LAND DIVISION REVIEW JURISDICTION AND LAND USE MAP



(Equidistant Boundaries as Described in Wisconsin Statute 66.0105 and Assumes that the Cities of Madison and Verona are Exercising Their Extraterritorial Zoning)



## Legend

- City Limits
- 1.5 Mile Extraterritorial Boundary
- 1.5 Mile Extraterritorial Boundary
- Town of Verona ETJ Land Use: Agriculture / Rural Residential
- City of Madison
- City of Monona
- City of Verona
- Village of Oregon



Prepared by:  
City of Fitchburg Planning Department  
(09/08/08)  
Source data:  
City of Fitchburg Planning Department  
(Extraterritorial Boundaries)  
Dane County Land Information Office

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landowners in the area. Extra-territorial review allows the City of Fitchburg to better provide services in a manner consistent with its land use goals and objectives.

The City of Fitchburg reviews the Town Verona Extra-territorial Jurisdiction (ETJ) area with the same policies as the area outside the urban service area of Fitchburg. The Rural Residential Development Criteria (Appendix B) provides a point system which manages rural development that is appropriate to community standards, preservation of agricultural land and limiting sprawl. A landowner may be permitted to create one lot for every 35 acres, utilizing 1979 as the base year as long as the house is sited in accordance with the Rural Residential Development Criteria and developed in accord with City policies. The land shall be deed restricted to prohibit more than one dwelling unit or non-farm for every 35 acres.

If an intergovernmental boundary agreement is established in the future, areas may be designated for development, which would supersede the City of Fitchburg's policy on land divisions in the ETJ area of the Town of Verona.

### *Town of Madison*

The City of Fitchburg has exercised its right to use extra-territorial land division review jurisdiction and land use over portions of the Town of Madison (Figure 12 - 2) as were agreed upon in the intergovernmental agreement. Annexation of the Town of Madison by the City of Madison caused considerable legal disputes without significant long-term public benefit. To resolve these disputes, the City of Fitchburg, the City of Madison and the Town of Madison have entered into an intergovernmental agreement relating to the dissolution of the Town of Madison (Appendix C). The agreement specifies the time of dissolution, 2022 or earlier, the jurisdictional transfers of the town territory to either the City of Madison or the City of Fitchburg, and land exchanges between these two cities. These land exchanges will hopefully reduce confusion over the jurisdictional boundaries between the City of Madison and the City of Fitchburg and will make it easier to provide city services.

The City of Fitchburg reviews land division requests within the Town of Madison ETJ area under Fitchburg's Chapter 15, Land Division Ordinance.

The City of Fitchburg has exercised its extra-territorial right to review zoning for a portion of the Southdale Neighborhood area (Figure 12 - 3). The City is in the process with the Town of Madison of establishing a zoning authority and zoning code for this neighborhood. The Southdale Neighborhood Plan will guide future zoning and development requests.

## Educational Services

The City of Fitchburg is served by a number of public and private schools. The City of Fitchburg is currently served by three public school districts: the Madison Metropolitan School District, the Verona Area School District and the Oregon School District (Figure 12 - 4). The City meets with these school districts on a regular basis to discuss and address issues and concerns related to the educational

Figure 12 - 3

# TOWN OF MADISON EXTRATERRITORIAL ZONING REVIEW JURISDICTION



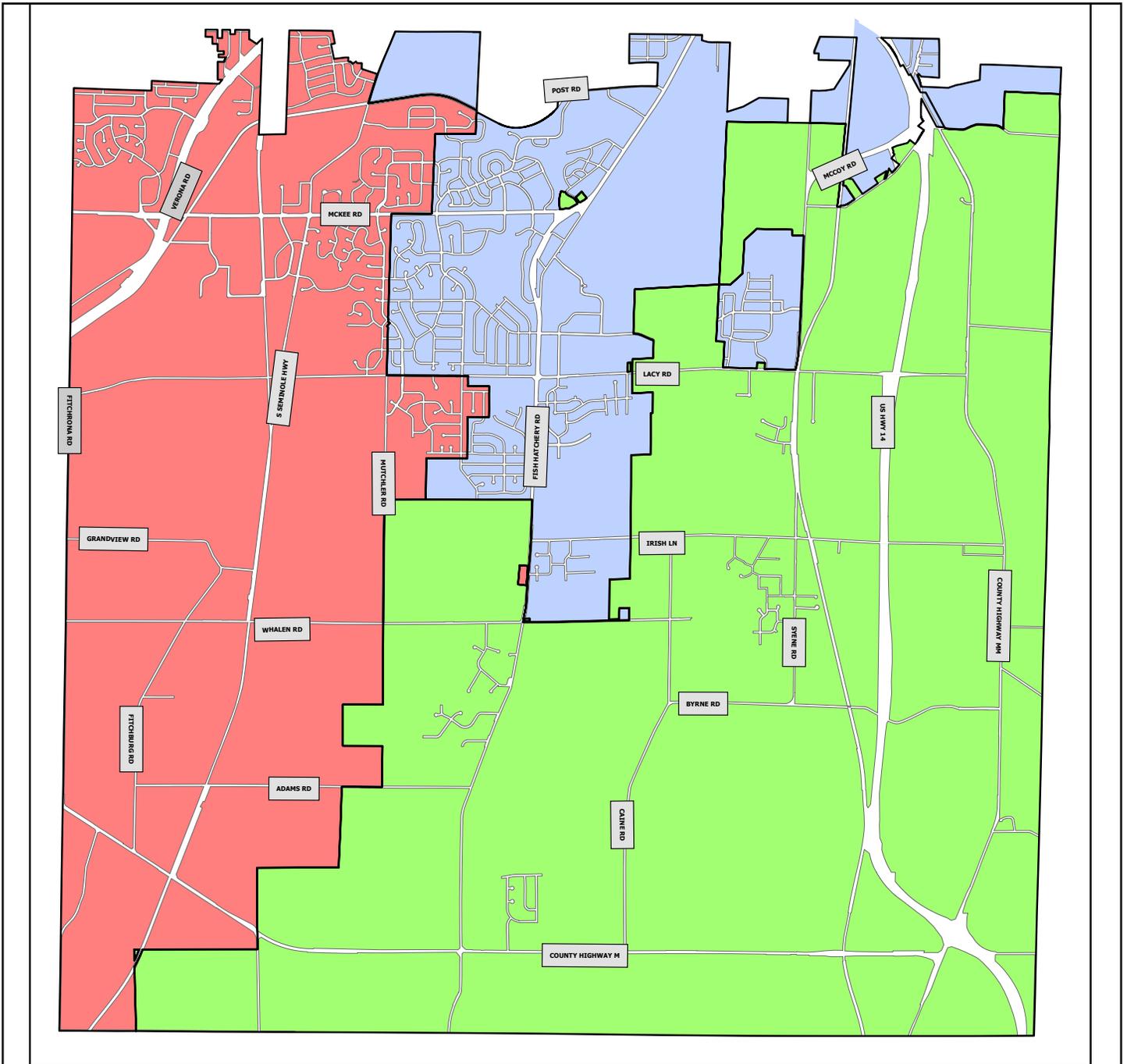
 Extraterritorial Zoning Jurisdiction



Prepared by: Planning/Zoning  
Source: Planning/Zoning &  
Dane County LIO  
Revised: 10/2008

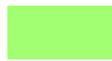


Figure 12 - 4



## Legend

### SCHOOL DISTRICTS

-  Madison
-  Oregon
-  Verona

# SCHOOL DISTRICTS OF THE CITY OF FITCHBURG

Prepared by: Fitchburg Planning Department  
Source Data: Wisconsin Department of Public Instruction  
08/17/07



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services these school districts provide to residents of the City of Fitchburg. The City is also served by a number of public and private higher educational institutions.

The City of Fitchburg is one of the many municipalities that has a cooperative taxing agreement to help support the Madison Area Technical College, a public technical and community college. The college provides curriculum in a number of fields including technical training, liberal arts, sciences, continuing education and adult basic education. The City of Fitchburg is also served by the University of Wisconsin-Madison and several other private colleges, although no formal relationship currently exists between the City of Fitchburg and these educational institutions.

## **Transportation**

The City of Fitchburg has on-going discussions with the Wisconsin Department of Transportation (WIDOT), Dane County, Madison Area Metropolitan Planning Organization / Transportation Planning Board (MPO-TPB), and the surrounding local municipalities concerning maintaining, reconstructing and creating new roads. By cooperating with the WIDOT and MPO-TPB, the City is also able to receive federal funding for transportation improvement projects and participate in the transportation planning for the metro planning area.

To provide bus transit services in various locations throughout the city, the City of Fitchburg contracts with the Madison Metro Transit Service. The City of Fitchburg works closely with Madison Transit Service to ensure that adequate routes at appropriate locations are provided for the residents of Fitchburg. The City of Fitchburg also works with the Dane County Parks and the Wisconsin Department of Natural Resources on the Capital City Trail, Glacial Drumlin Trail, the Military Ridge Trail, and other regional trail projects which travel through the City of Fitchburg into surrounding municipalities.

## **Utilities**

The City of Fitchburg has worked with the County and other municipalities to create a Stormwater Management Plan for Dane County. In conjunction with this plan, the City has worked with Dane County to create and present educational outreach materials that explain the hydrological cycle and how it is impacted by impervious surfaces and pollution within the region.

The City of Fitchburg maintains the sewer main and interceptors within the city's Urban Service Area. The City is part of the Madison Metropolitan Sewerage District (MMSD) which treats and disposes of the City of Fitchburg's sewage through the Nine Springs Treatment Plant.

The City of Fitchburg also works with the Capital Area Regional Planning Commission, which is charged with preparing and adopting a master plan for the physical development of the region and maintaining a continuing area-wide water quality management planning process for Dane County. This commission, along with

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the Wisconsin Department of Natural Resources, is also charged with approving or dismissing applications to extend an Urban Service Area into an area currently outside of an urban service area within Dane County.

## Public Safety

The City of Fitchburg has entered into a number of agreements with surrounding municipalities and Dane County to provide public safety services. Specifically, the City has entered into mutual aid agreements for law enforcement, fire suppression, and hazardous materials services and response.

The City of Fitchburg is a member of the intergovernmental agreement of the Fitchrona EMS, which provides emergency medical services to the Cities of Fitchburg and Verona and the Town of Verona.

## Economic Growth

The City of Fitchburg has worked with several collaborative governmental and non-governmental organizations to promote the region's economic growth including, but not limited to: THRIVE – the Economic Development Enterprise for the Madison Region, Collaboration Council, Seeds of Workforce Change, Forward Wisconsin, Department of Commerce, Department of Workforce Development and the Capital Regional Technology Zone Application. These organizations and efforts identified methods to both grow the regional economy and to maintain a high quality of life within South Central Wisconsin. One effort, the Capital Regional Technology Zone Application, has even worked to create a tax credit zone for Wisconsin technologies locating or expanding in the Madison Metropolitan Area (including Fitchburg). By doing this, they hope to create a more unified and collaborative approach to economic development within the region.

## Dane County, State of Wisconsin, and the Federal Government

The City of Fitchburg works with several Dane County Departments including, but not limited to: Land and Water Resources Department, Dane County Department of Planning and Development and the Dane County Clerks office. The City works with these and other County Departments to coordinate plans, share data, and ensure essential services are provided to residents.

The City of Fitchburg has an on-going relationship with many State agencies including, but not limited to: Wisconsin Department of Transportation, Wisconsin Department of Natural Resources, Wisconsin Department of Health and Human Services, and the Wisconsin Department of Agriculture, just to name a few.

The City works closely with these and other state organizations to ensure that the City complies with the State laws and rules that govern how the City and its

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residents conduct business. The City works with these and other State and Federal organizations to help correctly interpret and abide by Federal laws. The City also works with the State and Federal government to secure grants and other funding to help run or implement city programs and services.

### **Existing and Potential Conflicts**

The State comprehensive planning law requires that this Plan identify existing and potential conflicts between the City and other governmental units and describe processes to resolve such conflicts. This planning process has been designed to avoid and minimize potential conflicts, yet some conflicts still exist. The following addresses remaining or potential conflict areas and potential resolution processes.

#### *City of Fitchburg, Town of Verona and City of Verona*

As mentioned above, the City of Fitchburg, Town of Verona and City of Verona have different visions and goals on the development of the eastern portion of the Town of Verona. A logical step in solving these differences is to have regular discussions to better understand each community's interests and identify potential conflict areas. The City is planning to solve any conflicts initially through regular discussions with the Town and City of Verona. However, since the City of Fitchburg is exercising extraterritorial land division review on the Town of Verona, the next logical step would be to create a formal intergovernmental boundary or land use agreement with the Town and City of Verona.

#### *City of Fitchburg and Town of Dunn*

The City of Fitchburg has designated the eastern portion of the City as the future urban growth area for the next 50-plus years, while the Town of Dunn, in its Comprehensive Plan adopted December 2006 and Amended April 21, 2008, has designated its western border as open space and preservation areas, with the land use designations of Agricultural Preservation Area, Environmental and Cultural Resources Protection Area, and Private Conservation Agreements. The City of Fitchburg will need to take Dunn's preservation goals into consideration and work with the officials from the Town of Dunn during the neighborhood planning process to incorporate a blend of development or preservation buffer along the border. In addition, the City of Fitchburg is cognizant of the effects future development could have on the natural resources and will need to communicate with the Town of Dunn officials on the policies Fitchburg establishes to mitigate the detrimental effects.

#### *City of Fitchburg and Town of Oregon*

The City of Fitchburg has designated the southern border with the Town of Oregon as agriculture and open space. The Town of Oregon, as proposed in the adopted Town's Comprehensive Plan April 9, 2007 (Dane County has not approved the Town of Oregon Plan), is proposing agricultural preservation along the border, with majority of the area also termed as Transitional Agriculture. The Town is discouraging unplanned development by guiding new development in the Town to planned development areas. The City of Fitchburg may want to keep open

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communication with the Town of Oregon regarding the preservation of farmland and planned development areas along the border.

### *City of Fitchburg and Village of Oregon*

The City of Fitchburg borders the Village of Oregon in the southeastern corner of the City. The City of Fitchburg is proposing to keep the southeastern corner of the City as agriculture and open space, while the Village of Oregon, as proposed in the adopted Village's Comprehensive Plan July 27, 2008, is planning new neighborhoods in the western portion of the Village that abuts the City of Fitchburg. County Highway D and MM are two major roads that would funnel the traffic from the development into Fitchburg. The City desires to work with the Village of Oregon on ways to control potential commuter traffic through Fitchburg.

In addition, the City of Fitchburg and the Village of Oregon currently co-own the eastern rail corridor. The City of Fitchburg is planning for both freight and passenger rail with potential transit stops in the northern portion of the City. In conversations between City of Fitchburg and Village of Oregon representatives, the Village of Oregon would like to see freight rail to service their Industrial Park or other options, such as a recreation trail. Communication on the use of this corridor will need to continue in order to maximize its potential for both municipalities.

### *City of Fitchburg, Town of Madison and City of Madison*

As stated above, the City of Fitchburg has an intergovernmental agreement established with the Town and City of Madison regarding the dissolution of the Town of Madison by 2022 and is exercising extraterritorial land division and zoning for the ETJ areas in the Town of Madison. The adoption of the Southdale Neighborhood Plan will provide a vision for the area, which will assist in reducing potential conflict.

## Intergovernmental Agreements

Intergovernmental agreements that are adopted after this Plan should become an amendment to the plan and placed or referred to in Appendix C.

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