



Wisconsin Department of Agriculture, Trade & Consumer Protection
 Division of Agricultural Resource Management
 P.O. Box 8911
 Madison, WI 53708-8911
 (608) 224-4604

Farmland Preservation Plan Certification Application

COUNTY: Dane **DATE SUBMITTED:** 10/3/2022 **NAME OF AREA TO BE CERTIFIED:** Dane County

The above-named county hereby requests certification, under s. 91.16, Wis. Stats., of the attached county farmland preservation plan (or plan amendment).

PART A: Enclosed Materials

In support of its plan certification request, the county submits *all* of the following materials:

1. The farmland preservation plan (or plan amendment) to be certified, including plan text and maps. Each map is clearly correlated with the plan text that applies to that map. All intended farmland preservation areas are clearly identified and mapped.
2. The spatial location data used to create each farmland preservation map.
3. Cited portions of the county comprehensive plan, if any (or a website link to that plan).
4. A *cover document*, signed by the county planning director or chief elected official, that does all of the following:
 - a. Concisely summarizes the farmland preservation plan (or plan amendment), including key changes from the county's last certified plan. The summary describes the extent and location of lands added to or removed from farmland preservation areas identified in the last certified plan, and explains why those lands were added or removed.
 - b. Concisely summarizes the relationship between the farmland preservation plan and county and local comprehensive plans, if any. The summary identifies key related portions of the comprehensive plan.
 - c. Concisely summarizes the steps (and timeline) by which the county developed the farmland preservation plan. The summary briefly describes the public hearing process, notice to other government units, input by other government units, and the process of county approval. It indicates which steps are completed, and which steps are planned but not yet completed.
 - d. Concisely summarizes key unresolved issues between the county and other government units, if any.
 - e. Lists all *certified* farmland preservation zoning ordinances (county and local) that are *currently in effect* in the county, and briefly describes any plans to update those ordinances. (Include exclusive agricultural zoning ordinances certified under the Farmland Preservation Law as it existed before July 1, 2009).
 - f. Identifies the primary contact person for correspondence related to the certification of the farmland preservation plan.
5. If the Farmland Preservation Plan supersedes inconsistencies in the County Comprehensive Plan, the Farmland Preservation Plan and the Comprehensive Plan both include language clarifying this and the proposed language to be added to the Comprehensive Plan is submitted along with the Farmland Preservation Plan.

PART B: CERTIFICATION

The county corporation counsel and the county planning director (or chief elected official) hereby certify that the farmland preservation plan (or plan amendment) attached to this application complies with s. 91.18, Wis. Stats., including the following applicable requirements:¹

	<u>Page Reference²</u>
1. The plan states the county’s policy <i>and goals</i> related to farmland preservation and agricultural development, including the development of enterprises related to agriculture.	8, 11 (Vol. I)
2. The plan identifies, describes and documents other development trends, plans, or needs that may affect farmland preservation and agricultural development in the county, including:	
▪ Population	26 (Vol. II)
▪ Municipal expansion	39 (Vol. II)
▪ Economic growth	36 (Vol. II)
▪ Business development	36 (Vol. II)
▪ Housing	35 (Vol. II)
▪ Utilities	42 (Vol. II)
▪ Transportation	40 (Vol. II)
▪ Communications	43 (Vol. II)
▪ Community facilities and services	43 (Vol. II)
▪ Energy	43 (Vol. II)
▪ Waste management	44 (Vol. II)
▪ Environmental preservation (may include a map of natural resource areas and environmental corridors).	44 (Vol. II); Map FPP10

¹ For a complete farmland preservation plan, the county corporation counsel and county planning director or chief elected official certify that the plan complies with *all of the listed requirements*. For plan *amendment*, they certify that the amendment complies with all of the listed requirements that are *relevant to that amendment*, and that the amendment *does not cause the amended plan to violate any of the listed requirements* (see s. 91.18(2), Wis. Stats.). The farmland preservation plan may comply with listed requirements by incorporating, by reference, required information from other parts of the county’s comprehensive plan.

² Cite the page number(s) in the county farmland preservation plan where the requirement is met. If the citation refers to the county comprehensive plan, cite the page reference followed by “CP.”

Page Reference

3. The plan identifies, describes and documents all of the following:	
▪ Agricultural uses of land in the county at the time that the farmland preservation plan is adopted, including key agricultural specialties, if any (include maps where appropriate).	7 (Vol.II); Maps FPP-1; FPP-7
▪ Key agricultural resources, including available land, soil, and water resources.	10 (Vol.II); Maps FPP-2; FPP-3; FPP- 10
▪ Key infrastructure for agriculture, including key processing, storage, transportation and supply facilities.	13 (Vol.II); Map FPP-6
▪ Significant trends in the county related to agricultural land use, agricultural production, enterprises related to agriculture, and the conversion of agricultural lands to other uses.	27, 29 (Vol.II); Map FPP-8
▪ Anticipated changes in the nature, scope, location, and focus of agricultural production, processing, supply and distribution.	29, (Vol.II)
▪ Actions that the county will take to preserve farmland and promote agricultural development.	10- (Vol.I)
▪ Key land use issues related to preserving farmland and promoting agricultural development, and plans for addressing those issues.	8- (Vol.I); 27- (Vol.II)
▪ Policies, goals, strategies and proposed actions to increase housing density in areas other than farmland preservation areas.	28- (Vol.I)
4. The plan meets the following requirements for the designation of farmland preservation areas:	
▪ Clearly identifies <i>farmland preservation areas</i> that the county plans to preserve for agricultural use and agriculture-related uses. (These may include undeveloped natural resource and open space areas but may not include any area that is planned for nonagricultural development within 15 years after the date on which the plan is adopted).	yes (MAP FPP-11)
▪ Describes the rationale used to identify the farmland preservation areas and explains how the rationale was used to map plan areas. (The rationale may include criteria such as soil type; topography; agricultural productivity; current agricultural use; agricultural related infrastructure; and proximity to incorporated areas, major arterials, and rural subdivisions).	13 (Vol.I)
▪ Includes maps that clearly delineate the farmland preservation areas, so that a reader can easily determine whether a parcel is within an identified area (see “MAP AND SPATIAL LOCATION DATA INSTRUCTIONS”).	yes
▪ Clearly correlates the maps with plan text to describe the type of land uses planned for each farmland preservation area on a map. There are no material inconsistencies within the plan, such as inconsistencies within the plan text, between the plan text and maps, or between maps.	yes

- Identifies programs and other actions that the county and local governments within the county may use to preserve the farmland preservation areas.

yes

PART C: CONSISTENCY BETWEEN THE FARMLAND PLAN AND THE COUNTY COMPREHENSIVE PLAN

If the County has a Comprehensive Plan, the County must include the Farmland Preservation Plan in its Comprehensive Plan under s. 91.10(2), Wis. Stats. The County should treat the Farmland Preservation Plan and the Comprehensive Plan as the same document rather than two separate plans. Because the Farmland Preservation Plan is part of the Comprehensive Plan, the entire document must be internally consistent.

If there are inconsistencies, the County may clarify that the Farmland Preservation Plan supersedes the Comprehensive Plan and any and all inconsistencies between the two shall be resolved in favor of the Farmland Preservation Plan. The County must include a statement in both the Comprehensive Plan and the Farmland Preservation Plan declaring that the Farmland Preservation Plan supersedes the Comprehensive Plan so that a person referring to either plan will be aware of each plan's relationship to the other. If inconsistencies appear in the maps, then the legends in both maps should include a note explaining that the Farmland Preservation Plan supersedes any inconsistencies with the Comprehensive Plan. If inconsistencies appear in the text, then the appropriate language should be added to the text where the inconsistencies are present.

To complete certification of the Farmland Preservation Plan, the County board must officially adopt the language in both the Farmland Preservation Plan and the existing Comprehensive Plan stating that, in the event of any specific inconsistency between them, the Farmland Preservation Plan takes precedence. The County should ensure that this clarifying language appears in the Farmland Preservation Plan that is submitted to the department. In addition, the County should submit the proposed amended pages from the Comprehensive Plan with the appropriate clarifying language.

Once the department approves the Farmland Preservation Plan for certification, the County board must adopt both the Farmland Preservation Plan in the form certified as well as the proposed language in the Comprehensive Plan clarifying the resolution of inconsistencies. Following adoption, the County must send documentation to the department that the Farmland Preservation Plan was adopted in the form certified and that the County also adopted the clarifying language in the Comprehensive Plan.

If the County does not take this step to clarify and resolve inconsistencies, the department will compare the Farmland Preservation Plan with the County Comprehensive Plan for consistency. In the event inconsistencies are found, the County will need to reconcile these inconsistencies either by changing the Farmland Preservation Plan or the Comprehensive Plan.

Signatures: I have reviewed the attached county farmland preservation plan (or plan amendment), and certify that it meets the applicable requirements for certification as listed above:

Signed and certified this _____ day of _____, _____

By: _____,
County Corporation Counsel

Signed and certified this _____ day of _____, _____

By: _____

County Planning Director or County Chief Elected Official (circle one)