



DANE COUNTY PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison,
Wisconsin 53703

TO: County Board Supervisors
County Executive Joe Parisi
Town Clerks
All Other Interested Parties

FROM: Brian Standing, Senior Planner

SUBJECT: County Board Ordinance Amendment 2022-OA-30
Farmland Preservation Plan Amendment

DATE: November 14, 2022

CC: Todd Violante, Director of Planning & Development
Roger Lane, Zoning Administrator
Karin Thurlow Petersen, County Board Staff

I. SUMMARY

If adopted, 2022 OA-30 would adopt the recently revised *Dane County Farmland Preservation Plan* as part of the *Dane County Comprehensive Plan*. Chapter 91, Wisconsin Statutes require the county to submit a revised plan for re-certification by the Wisconsin Department of Agriculture, Trade and Consumer Protection every 10 years. Dane County's current certification expires on 12/31/2022.

II. BACKGROUND

A. *Ordinance and Plan Amended:* If adopted, 2022 OA-30 would amend Chapter 82, Subchapter II of the Dane County Code of Ordinances to incorporate the revised *Dane County Farmland Preservation Plan* as part of the *Dane County Comprehensive Plan*.

B. *Development.* The Dane County Zoning and Land Regulations (ZLR) committee established a Farmland Preservation Plan (FPP) Steering Committee on February 8, 2022. The Farmland Preservation Plan Steering Committee met eight times between March and September 2022. The FPP Steering Committee reviewed public opinion surveys of farmers, stakeholders and the general public, and heard presentations from the American Farmland Trust, UW Madison Extension, Wisconsin Land and Water and other interested parties. Based on public and stakeholder comment, the FPP Steering Committee voted on September 16, 2022 to recommend the revised plan to the Dane County Board of Supervisors.

C. *ZLR public hearing:* The Zoning and Land Regulation Committee (ZLR) advises the County Board on proposed Comprehensive Plan amendments. The ZLR Committee has scheduled a public hearing on 2022 OA-30 for **November 15, 2022**.

III. DESCRIPTION

A. 2022 OA-30 includes updates and amendments to the 2012 edition of the Farmland Preservation Plan. The plan is intended to meet the 10-year recertification requirements under s. 91.16, Wisconsin Statutes.

- B. Changes from the 2012 certified Dane County Farmland Preservation Plan include:
- New policies and recommendations related to climate change impacts, adaptation and mitigation;
 - New policies and guidelines for alternative energy installations (particularly solar) and mineral extraction operations occurring in Farmland Preservation Areas;
 - Recommendations for a county matching grant program to support town, city, village and nonprofit purchase of agricultural conservation easements (PACE) programs and to leverage federal and state grants;
 - Updates to the Farmland Preservation Plan Map to reflect areas planned for agricultural preservation, non-farm development or resource protection corridor overlays, consistent with the adopted Dane County Comprehensive Plan and its component town, city, village and regional plans.
 - Updated background data and trends analysis related to agricultural production, land use, municipal expansion, commercial activity, and other factors affecting farming, forestry and food production industries in Dane County.

IV. ANALYSIS

A. Consistency with County Comprehensive Plan: The proposed *Dane County Farmland Preservation Plan* will further the adopted comprehensive plan goals related to identifying areas for the long-term preservation of agriculture, limiting development in farming areas, and enhancing economic opportunity for farmers through the twenty-first century and retaining eligibility for farmland preservation tax credits. Proposed farmland preservation, non-farm planning and resource protection areas and detailed implementation policies are entirely consistent with town and other local and regional plans adopted by the county board into the *Dane County Comprehensive Plan*.

B. Farmland Preservation Tax Credit Eligibility: Amendment and successful recertification of the *Dane County Farmland Preservation Plan* will preserve eligibility for farmers in Dane County to receive state farmland preservation tax credits. Under this program, farmers may claim between \$7.50 and \$10 per acre of land in exclusive agricultural zoning each year.

D. Consistency with other provisions of the *Dane County Comprehensive Plan*:

- **Housing:** No significant conflicts found.
- **Transportation:** No significant conflicts found.
- **Utilities and Community Facilities:** No significant conflicts found.
- **Agricultural, Natural & Cultural Resources:** No significant conflicts found.
- **Economic Development:** No significant conflicts found.
- **Land Use:** No significant conflicts found.
- **Intergovernmental Cooperation:** No significant conflicts found.

V. COMMENTS BY OTHER LOCAL GOVERNMENTS OR STATE AGENCIES

Town Governments

No town governments have formally commented on the proposed amendment as of the date of this memo.

City and Village Governments

As of the date of this report, no city or village governments had commented on this amendment.

Other agencies

Department of Agriculture, Trade and Consumer Protection (DATCP)

On November 14, 2022 DATCP certified that the 2022 Dane County Farmland Preservation Plan met the certification standards of Chapter 91, Wisconsin Statutes and certified the plan, contingent on county board adoption, through 12/31/2032.

Capital Area Regional Planning Commission

The Capital Area Regional Planning Commission (CARPC) has statutory responsibility for the Regional Development Plan for the Dane County area. In the past, the Regional Planning Commission has adopted the Dane County Farmland Preservation Plan as part of the Regional Development Plan. CARPC has provided comments and suggested edits related to Urban Service Area planning (see letter dated November 11, 2022). Department of Planning and Development staff concur with CARPC's suggestions, and recommends that ZLR amend the plan as indicated in CARPC's 11/11/2022 letter.