

# **Dane County Farmland Preservation Plan**

**As recommended for county board introduction by the  
Farmland Preservation Plan Subcommittee  
July 23, 2012**



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## CHAPTER 1: BACKGROUND AND INTRODUCTION

### Dane County Farmland Preservation Plan

Dane County has participated in the Wisconsin Farmland Preservation Program under Chapter 91, Wisconsin Statutes, since the program's inception in 1978. Twenty-nine towns have adopted Dane County's exclusive agricultural zoning ordinance, which was last certified by the state Land and Water Conservation Board in 2002. Twenty nine towns have adopted the county's exclusive agricultural zoning, generating approximately \$1.2 million in state income tax relief annually for participating farmers.

The Dane County Farmland Preservation Plan is intended to meet the following purposes:

- Meet all requirements for a Farmland Preservation Plan under s.91.38, Wisconsin Statutes;
- Maintain eligibility for benefits available to farmers under the Wisconsin Working Lands program, such as farmland preservation tax credits;
- Serve as the basis for farmland preservation zoning, conservation easement, grant and special designation application support and other policy decisions related to farmland preservation in Dane County.

### Dane County Comprehensive Plan

The Dane County Board of Supervisors adopted the *Dane County Comprehensive Plan* in 2007 under s.66.1001 of Wisconsin statutes to guide land use and other decisions over the next 20 years. The plan includes the county's overarching policies related to land use, economic development, agricultural, natural and cultural resources, housing, community facilities, transportation and intergovernmental relations. Chapter 82, Dane County Code, adopts the *Dane County Comprehensive Plan*, and also incorporates the following plans as integral components:

- town comprehensive plans;
- city and village comprehensive plans;
- the *Dane County Parks and Open Space Plan*;
- the *Dane County Water Quality Plan*;
- regional transportation plans;
- the *Dane County Farmland Preservation Plan*, and;
- the *City of Fitchburg Farmland Preservation Plan*.

### Other Relevant Plans

The following plans, each adopted by different entities, also relate to farmland and open space preservation and agricultural activities:

- *Dane County Land Use and Transportation Plan (Capital Area Regional Planning Commission)*;
- *Dane County Water Quality Plan (Capital Area Regional Planning Commission)*;
- *Dane County Regional Transportation Plan (Madison Transportation Organization)*;
- *Dane County Parks and Open Space Plan (Dane County Parks Commission)*;
- *Dane County Solid Waste and Recycling Plan (Dane County Board of Supervisors)and*;
- *Dane County Farmland Preservation Plan (Dane County Board of Supervisors)*.

## CHAPTER 2: AGRICULTURAL INVENTORY & TRENDS

### Agricultural Inventory

#### Overview of Dane County Agriculture

As of 2010, Dane County had 571,779 acres of land in agricultural use, representing 72% of the total land area of the county. That year, 2,568 identified agricultural operations produced over 15 different crops. Corn (194,839 acres), hay (74,570 acres) soybean (70,393 acres), and wheat (7,743 acres) were among the predominate crops in land area.<sup>1</sup> In 2010, Dane County had the 2<sup>nd</sup> largest cattle herd (146,000 head) in the state, including 51,000 dairy cows, which produced a total of 1.7 billion pounds of milk that year.<sup>2</sup> Dane County also maintains significant livestock numbers of chickens, hogs and pheasants.



According to the US Census of Agriculture, Dane County continues to lead the state in total market value of agricultural products. In 2007, Dane County products sold for over \$470 million, the highest for any county in Wisconsin, and in the top 2% for agricultural counties nationwide. 2007 was a particularly good year for dairy, grain and cattle products, due to historically high commodity prices. Those three sectors accounted for 77% of the total value of products sold that year. In contrast, in 2002, dairy and corn prices were lower, and as a result, Dane County farmers earned much less, (\$288 million), with dairy, grain and cattle accounting for approximately 69% of that smaller total.<sup>3</sup>

Perhaps in response to the volatility of traditional commodity prices, Dane County farmers have learned to diversify. In 2007, Dane County was in the top 25% of U.S. counties in market value of twelve different commodity groups, including specialty crops such as Christmas trees, sheep, goats, horses and horticulture. Meanwhile, the traditional Dane County cash crop staple, tobacco, continued to decline due to decreased demand.

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<sup>1</sup> Capital Area Regional Planning Commission, *Dane County Land Use Inventory 2010*

<sup>2</sup> Dane County University of Wisconsin Extension, *Dane County Agriculture Statistics 2010*.

<sup>3</sup> US Department of Agriculture National Agricultural Statistics Service, *Census of Agriculture, 2007, 2002*.



**Table 1: Market Value of Agricultural Products Sold, 2007<sup>4</sup>**

Item	Quantity	State Rank	US Rank	US Percentile
MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD (\$1,000)				
Total value of agricultural products sold	470,593	1	63	98.0%
Value of crops including nursery and greenhouse	134,406	1	212	93.1%
Value of livestock, poultry, and their products	336,187	1	62	98.0%

While economically robust, Dane County's agriculture faces significant challenges. Competition with urban, suburban and other uses threatens the agricultural land base. Between 2010 and 2030, the Wisconsin Department of Administration estimates that the Madison Metropolitan Area will add 105,000 more people, more than anywhere else in Wisconsin. Conservative estimates suggest that Dane County has lost 37,000 acres of farmland to urban, suburban or rural development between 1980 and 2000. Recent development trends have slowed, but could rebound as the real estate market recovers.

In addition, drastic commodity price fluctuations, competition on a global marketplace, capital investment needed for modernization and challenges in transferring farms to a new generation create an uncertain future for farming in Dane County.

### Agricultural Land Uses

#### *Dane County Land Use Inventory*

In 2010, the Capital Area Regional Planning Commission conducted its 5-year update to the Dane County Land Use Inventory. For the first time, the 2010 inventory includes detailed information on agricultural and other rural land uses. Land uses were identified through a combination of field surveys and aerial photography. Map FPP-1 shows the 2010 rural and urban land uses in Dane County.

<sup>4</sup> US Department of Agriculture National Agricultural Statistics Service, *Census of Agriculture*, 2007, 2002.

Types of Agricultural Land Uses

In 2010, agricultural uses accounted for 571,779 acres, or 72 percent of the total land area of the county. Corn, soybean and hay were the most extensive cultivated crops, together accounting for 59 percent of all land in agricultural use. Woodlands (including both managed and unmanaged forest) and other open space (including grasslands, set-asides and other non-cultivated, ungrazed lands) together comprised an additional 36 percent. Tobacco, vegetable and fruit crops together accounted for the remaining five percent of agricultural land uses.

**Table 2: Types of agricultural land uses (2010)<sup>5</sup>**

Code	Crop	Acres	Percent
8120	Corn	194,839	34.1%
9300	Other open land	104,213	18.2%
9200	Woodlands	100,573	17.6%
8125	Hay	74,570	13.0%
8121	Soybean	70,393	12.3%
8148	Pasture	15,664	2.7%
8122	Wheat	7,743	1.4%
8128	Other grain farming (barley, rye, milo, oat, wild rice etc..)	1,746	0.3%
8139	All other crop farming	511	0.1%
8124	Dry pea	416	0.1%
8129	Tobacco	416	0.1%
8165	Noncitrus fruit and tree nut farming	312	0.1%
8130	Polyculture/CSA	140	0.0%
8160	Apple orchards	109	0.0%
8166	Other vegetable and melon	48	0.0%
8163	Fruit and tree nut	42	0.0%
8168	Grape vineyard	30	0.0%
8161	Strawberry	9	0.0%
8162	Berry, other than strawberry	5	0.0%
	Total land in agricultural use	571,779	

<sup>5</sup> Capital Area Regional Planning Commission, *Dane County Land Use Inventory 2010*

Types of Farms

In 2010, 2,339 landowners had some kind of active agricultural use on their land. The Land Use Inventory identified 2,568 separate farm operations (some landowners have multiple sites). Identification of farm type is limited to data visible from public roads or discernible from aerial photography. As a result, analysts could not definitively classify almost 48% (1,237) of the farms inventoried. Of the remaining farms, dairy, beef and horse farms predominated, together accounting for 80% of the identifiable farm types. Farms with multiple crops accounted for 331 of all farm operations.

**Table 3: Types of farm operations (2010)<sup>6</sup>**

Code	Crop	Operations	Percent of total
8119	All other farm related (not elsewhere coded or undetectable)	1,237	48.2%
8141	Dairy cattle and milk production	378	14.7%
8142	Beef cattle ranching and farming, including feedlots	359	14.0%
8147	Horses (does not include single family residential with horses)	338	13.2%
8191	Nursery and tree production	134	5.2%
8190	Greenhouse, nursery and floriculture production	36	1.4%
8145	Sheep farming	19	0.7%
8144	Hog and pig farming	13	0.5%
8149	All other animal production	13	0.5%
8143	Goat farming	9	0.4%
8153	Apiculture	7	0.3%
8140	Cattle ranching and farming	6	0.2%
8146	Fur-bearing animal and rabbit production	5	0.2%
8192	Certified tree farm-sustainable forestry	5	0.2%
8150	Chicken egg production	4	0.2%
8181	Aquaculture – fish	2	0.1%
8151	Poultry and egg production	1	0.0%
8159	Other poultry production	1	0.0%
8180	Aquaculture – plants	1	0.0%
	TOTAL ALL FARM OPERATIONS	2,568	

Key Agricultural ResourcesLand and Soil ResourcesLand Evaluation & Site Assessment:

Land Evaluation (Map FPP-2) is a component of the Dane County Land Evaluation Site Assessment (LESA) system and rates the soil-based qualities of a site for agricultural use. The factors used to determine agricultural Land Evaluation were developed by the Natural Resources Conservation Service (NRCS) with cooperation from the Dane County Land Conservation Department. The ratings were based on information from Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition, published by the Soil and Water Conservation Society (1996).

<sup>6</sup> Capital Area Regional Planning Commission, *Dane County Land Use Inventory 2010*



Three factors were used to determine a numeric LE rating:

- prime farmland (10%)
- soil productivity for corn (45%)
- land capability class (45%)

The ratings were separated into one of eight agricultural groups (with arbitrary divisions) – with the soils in Group I as the best soils for agriculture, and Group VIII the poorest soils for agriculture.

### *Surface Water Resources*

Four major river basins flow through Dane County: Lower Wisconsin; Grant-Platte-Sugar-Pecatonica; Upper Rock; and Lower Rock. Water conditions, challenges and trends differ from basin to basin, depending on the underlying landscape, proportion of urban, agricultural and natural land uses, and ground and surface water hydrology. Map FPP-3 shows Dane County's major water resources, while Map FPP-4 shows:

- Outstanding Resource Waters (ORW) Exceptional Resource Waters as determined by the Wisconsin Department of Natural Resources under NR 102, Wisconsin Administrative Code, and;
- Impaired Waters under s.303(d) of the federal Clean Water Act.



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Insert FPP-1 2010 Land Use Map (front).

Insert FPP-1 2010 Land Use Map (back).

Insert FPP-2 LESA map (front).

Insert FPP-2 LESA map (back).



Insert FPP-3 Water Resources Map (front).

Insert FPP-3 Water Resources Map (back).

Insert FPP-4: ORW, ERW & Impaired Waterways Map (front).

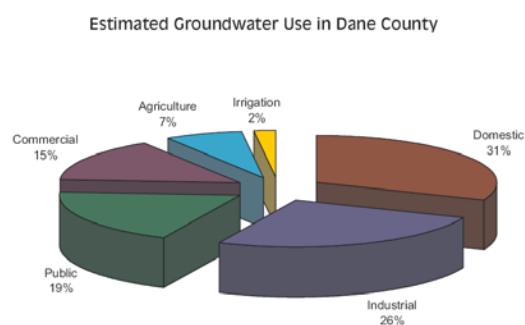
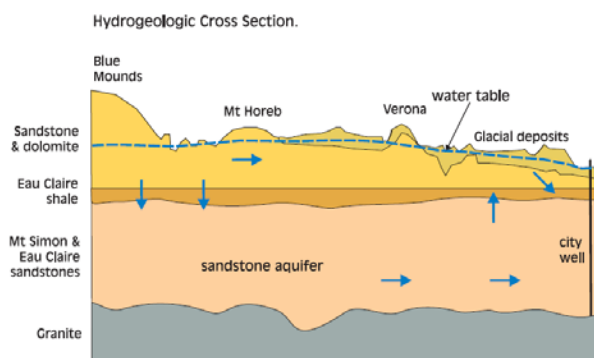
Insert FPP-4: ORW, ERW & Impaired Waterways Map (back).

Significant issues common to most surface waters in Dane County include<sup>7,8</sup>:

- Agricultural nonpoint runoff, including cropland soil erosion and pollution from barnyard runoff;
- Urban nonpoint runoff related to replacement of permeable soils with impervious surfaces, and;
- Nutrient (especially phosphorus) loading to surface waters.

### *Groundwater Resources*

Two distinct groundwater sources supply nearly all of Dane County's domestic, commercial and industrial water demands. Shallow sandstone aquifers serve private domestic wells in rural areas, while the deep Mt. Simon aquifer serves municipal wells. Most groundwater in Dane County is replenished from precipitation falling within county boundaries. Groundwater also contributes to baseflow of many Dane County streams, and is an important input to wetlands and lakes as well.



Pressures and concerns on Dane County groundwater include:<sup>9,10</sup>

- Lowering of groundwater tables due to high capacity well withdrawal;
- Municipal discharges, particularly redirection of groundwater to surface water as part of the wastewater treatment process;
- Nitrate/bacteriological contamination of private wells from over-fertilization and over-concentration of private onsite wastewater treatment systems, and;
- Residue pollutants resulting from historic land use practices.

<sup>7</sup> Dane County Land and Water Resources Department, Office of Lakes and Watersheds (annual), *State of the Waters Report* [[http://danedocs.countyofdane.com/webdocs/pdf/lwrld/lakes/State\\_of\\_Waters.pdf](http://danedocs.countyofdane.com/webdocs/pdf/lwrld/lakes/State_of_Waters.pdf)].

<sup>8</sup> Capital Area Regional Planning Commission, *Dane County Water Quality Plan*, 2005

<sup>9</sup> Dane County Land and Water Resources Department, Office of Lakes and Watersheds (annual), *State of the Waters Report* [[http://danedocs.countyofdane.com/webdocs/pdf/lwrld/lakes/State\\_of\\_Waters.pdf](http://danedocs.countyofdane.com/webdocs/pdf/lwrld/lakes/State_of_Waters.pdf)].

<sup>10</sup> Capital Area Regional Planning Commission, *Dane County Water Quality Plan*, 2005

*Infrastructure For Agriculture*

Map FPP-5 shows the location of major agriculture-related facilities in Dane County. The 2010 Dane County Land Use Inventory identified 268 locations that provided equipment, supplies, processing, wholesaling, product storage or other services directly to the agricultural sector.

**Table 4: Agriculture-related uses<sup>11</sup>**

Code	Type	Locations
<b>Manufacturing and Processing</b>		
2111	Meat packing – manufacturing	3
2870	Agricultural chemicals – manufacturing	11
<b>Wholesaling</b>		
5146	Meat and Meat products – wholesale	5
5147	Fruits and vegetables (fresh) – wholesale	2
5152	Grain – wholesale	2
5182	Farm machinery and equipment – wholesale	3
<b>Farm-Related Retail</b>		
5252	Farm equipment – retail	19
5969	Other farm and garden supplies retail not elsewhere coded	63
<b>Financial Services</b>		
6122	Agricultural business and personal credit services	23
<b>Warehousing and Storage</b>		
6371	Farm products warehousing and storage (excluding stockyards)	9
8113	Grain elevators	69
<b>Veterinary and Animal Husbandry Services</b>		
8221	Veterinarian Services	35
8222	Animal hospital services	5
8229	Other animal husbandry services not elsewhere coded	19
<b>TOTAL AGRICULTURE-RELATED LOCATIONS</b>		<b>268</b>

Community Manure Digester (“Cow Power”) Project

In 2010, the Town of Vienna community manure digester began operation. Developed with funding from Dane County, the State of Wisconsin and private investors, this facility processes manure from three participating dairy farms. The digester reduces nutrient management costs for participating farmers who would otherwise have to landspread their manure. Each year, the digester keeps 68,000 pounds of phosphorus out of surface and ground water resources, while producing 2 megawatts of electricity, which is sold to Alliant Energy. By reducing land spreading of untreated manure, the project also significantly reduces nuisance odors and greenhouse gas emissions. In November of 2010, Dane County announced plans for a second public/private community digester in the Town of Springfield.

<sup>11</sup> Capital Area Regional Planning Commission, *Dane County Land Use Inventory 2010*



### Transportation

Map FPP-6 shows the location of roads, railroads and airports in Dane County.

### *Capital, Institutional and Educational Support for Agriculture*

#### Dane County University of Wisconsin Extension

Under Chapter 59.87 of the Wisconsin Statutes, Dane County University of Wisconsin Extension serves as the official community outreach arm of the University of Wisconsin. Dane County Agriculture Agents provide agriculture research information to farmers and others to:

- Improve crops and soils management;
- Build management skills in dairy and livestock producers;
- Supply commercial and home horticulture information;
- Provide water quality and natural resources education, and;
- Improve farm financial management skills.<sup>12</sup>



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<sup>12</sup> University of Wisconsin Extension of Dane County (2011) [<http://dane.uwex.edu/>]

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Insert FPP-5 Agricultural Facilities Map (front).

Insert FPP-5 Agricultural Facilities Map (back).

Insert FPP-6 Transportation Infrastructure Map (front)

Insert FPP-6 Transportation Infrastructure Map (back)



### Dane County Land and Water Resource Management Plan

Under the auspices of the *Land and Water Resource Management Plan*, the Dane County Land and Water Resource Department (LWRD) utilizes multiple programs to help implement soil and water conservation initiatives in Dane County. Many LWRD programs provide cost-share, grant or technical assistance directly to Dane County farmers. Significant funding sources for agricultural programs include<sup>13</sup>:

## **DANE COUNTY LAND AND WATER RESOURCE MANAGEMENT PLAN**



AUGUST 2008

#### *Dane County Resources*

- Dane County Land and Water Legacy Fund
- Community Manure Feasibility Study
- Yahara Clean (Capital Lakes Environmental Assessment and Needs)
- Dane County Conservation Fund

#### *State of Wisconsin Resources*

- Lake Mendota Priority Watershed Project
- Land and Water Resource Management Cost-Share Program
- Targeted Runoff Management (TRM) Projects

#### *Federal Resources*

- Conservation Security Program (CSP)
- Conservation Reserve (CRP) and Conservation Reserve Enhancement (CREP) programs
- Wetlands Reserve Program (WRP)
- Farm and Ranch Protection Program (FRPP)
- Environmental Quality Incentive Program (EQIP)
- Wildlife Habitat Incentives Program (WHIP)
- Technical Service Provider (TSP)

### Dane County Economic Development Revolving Loan Fund

The Dane County Economic Development Revolving Loan Fund (ED-RLF) provides financing to businesses that create jobs for low and moderate-income persons. The objectives of the ED-RLF are to:

- Expand or modernize existing or locally owned and managed enterprises.

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<sup>13</sup> Dane County Land and Water Resources Department, Land Conservation Division, *Dane County Land and Water Resource Management Plan*, 2008, [<http://www.countyofdane.com/lwr/landconservation/lwr.asp>].

- Encourage the creation or retention of employment opportunities for low and moderate-income County residents.
- Leverage new private investment in downtown business districts and traditional business districts.
- Assist businesses with high-value added products or services, especially in the agricultural sector.
- Assist dairy farmers with capital improvements resulting in an increase in milk production.<sup>14</sup>

### Institutional Food Market Coalition

Dane County's Institutional Food Market Coalition (IFM) was established in 2006 in an effort to:



- Expand market opportunities for Dane County and regional growers;
- Increase the sales of local Wisconsin food into institutional markets;
- Connect large volume institutional buyers, such as hospitals, universities, nursing homes, prisons, office parks and large businesses with local Wisconsin product, and;
- Identify and resolve obstacles to local sourcing.<sup>15</sup>

### Farmland Preservation Programs

#### *Agricultural Enterprise Areas*

An Agricultural Enterprise Area, or AEA, is an area of contiguous land primarily in agricultural use that has been designated by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) in response to a locally developed petition. Within Agricultural Enterprise Areas, farmers may sign an agreement with the state to keep their property in agricultural use for 15 years. In exchange, farmers are eligible for an additional Farmland Preservation Tax Credit of \$2.50 per acre per year. DATCP designates AEAs through a competitive process. To be eligible for AEA designation, properties must be consistent with the *Dane County Farmland Preservation Plan*, and the county board must pass a resolution in support of the application.

#### *Agricultural Conservation Easement Programs*

Property owners actually own several distinct rights:

- the right to use their property;
- to sell, lease or leave their property to their heirs;
- to borrow money against their property, and
- (subject to reasonable land use regulations) to construct buildings on their property or to mine it.<sup>16</sup>

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<sup>14</sup>Dane County Department of Planning and Development, Economic Development Division, "Economic Development and Commercial Revitalization Funds," [[http://www.countyofdane.com/plandev/planning/loan\\_fund.aspx](http://www.countyofdane.com/plandev/planning/loan_fund.aspx)].

<sup>15</sup> Dane County Department of Planning and Development, Economic Development Division, "Institutional Food Market Coalition," [<http://www.ifmwi.org/default.aspx>].

<sup>16</sup> Farmland Information Center, "Purchase of Agricultural Conservation Easements Fact Sheet," 2005. [http://www.farmlandinfo.org/documents/27751/pace\\_2005.pdf](http://www.farmlandinfo.org/documents/27751/pace_2005.pdf)

Conservation easements are a legal instrument landowners use to select one or more of these rights and sell or transfer them to another party. Under Wisconsin law (s.700.40, Wis. Stats.), conservation easements may be used to retain or protect “*natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, preserving a burial site, or preserving the historical, architectural, archaeological or cultural aspects of real property.*” Conservation easements are recorded with the Register of Deeds, and are a durable property right, like a warranty deed or an access easement. Like other interests in real estate, conservation easements have market value, with prices determined by appraisal and negotiation between buyer and seller.

Agricultural conservation easements are intended to strengthen areas planned and designated as farmland protection areas in a certified county farmland preservation plan. They also support the protection of farmland in Agricultural Enterprise Areas. Land encumbered by an agricultural conservation easement has permanent restrictions placed on its use; these restrictions are designed to ensure that workland is always available for farming. Land with an agricultural conservation easement remains on the property tax rolls and the landowner continues to be responsible for payment of property taxes.

Under an agricultural conservation easement, the landowner continues to:

- Privately own and manage the land
- Farm the land according to a farm conservation plan
- Keep title to the property
- Be eligible for farmland preservation income tax credit (if standards are met for tax credit eligibility)
- Control public access to the land.

#### *Purchase of Agricultural Conservation Easements (PACE)*

Purchase of Agricultural Conservation Easements, or PACE (also known as Purchase of Development Rights, or PDR) programs use public dollars to compensate landowners who voluntarily limit the development potential of some or all of their property.

The Wisconsin Department of Agriculture, Trade and Consumer Protection’s (DATCP) PACE program and the U.S Department of Agriculture’s (USDA) Farm and Ranch Lands Protection Program provide state and federal funding for the purchase of agricultural conservation easements. Cooperating local entities (local governments or non-profit conservation organizations) can apply for grants to cover as much as 50% of the cost of the purchase of the easements. State and local entities (but not the federal government) are co-holders of easements purchased with state and federal funds.

#### *Transfer of Development Rights (TDR)*

Transfer of Development Rights, or TDR, programs are a method to shift residential development from one portion of a community to another, or from one community to another. Local units of government identify sending areas (where development is discouraged) and receiving areas (where development is encouraged). Landowners in sending areas are allocated development rights based on density policies and criteria in town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plan. Plan policies specify the number of potential building sites or nonfarm

development available on a particular property. Landowners seeking to develop in a receiving area must first buy a certain amount of development rights from landowners in a sending area. Once a development right is purchased and transferred, the landowner in the sending area records a conservation easement that prohibits development on all or a portion of his or her property. Landowners who have transferred development rights retain other rights, including the right to farm, manage and keep their land private.

The Dane County Department of Planning and Development maintains model local government resolutions and model comprehensive plan language to accommodate several different TDR program options. These documents are available online at:

[http://www.countyofdane.com/plandev/planning/transfer\\_rights.aspx](http://www.countyofdane.com/plandev/planning/transfer_rights.aspx), or by contacting the Department of Planning and Development.

### Other Resources

The Dane County Office of Jobs and Prosperity maintains an online reference of public and private resources available to farmers and entrepreneurs in biological- and agricultural-related industries. Resources include organizations, financial assistance and technical help related to business attraction and retention, business associations, business development and training, market development and financing and capital. The online database is available at: [http://www.dane-econdev.org/agricultural\\_and\\_bioag\\_enterprise.aspx](http://www.dane-econdev.org/agricultural_and_bioag_enterprise.aspx).

### Key Agricultural Specialties

#### *Economically Significant Commodities*

Table 2 shows the market value of various Dane County crops compared to other counties in Wisconsin and to agricultural counties across the United States.

**Table 5: Economically Significant Crops, 2007**

Item	Quantity	State Rank	US Rank	US Percentile
VALUE OF SALES BY COMMODITY GROUP (\$1,000)				
Other animals and other animal products	<i>Undisclosed</i>	1	2	99.9%
Milk and other dairy products from cows	206,247	3	23	99.1%
Sheep, goats, and their products	711	6	174	94.2%
Grains, oilseeds, dry beans, and dry peas	109,384	1	172	94.1%
Cut Christmas trees and short rotation woody crops	417	12	121	92.9%
Cattle and calves	46,362	3	251	91.8%
Nursery, greenhouse, floriculture, and sod	13,521	6	230	91.5%
Horses, ponies, mules, burros, and donkeys	670	1	340	88.8%
Vegetables, melons, potatoes, and sweet potatoes	3,929	23	389	86.1%
Other crops and hay	3,577	3	472	84.5%
Fruits, tree nuts, and berries	1,111	20	440	83.5%
Hogs and pigs	5,031	6	519	82.2%
Aquaculture	364	12	401	73.2%
Tobacco	2,467	1	123	71.9%



Poultry and eggs	Undisclosed	19	Undisclosed	0.0%
Cotton and cottonseed	0	-	-	0.0%
Source: USDA Census of Agriculture, 2007				

## Livestock

Table 3 shows the top livestock categories in Dane County in 2007, and how Dane County compares to other counties in Wisconsin and to agricultural counties across the United States.

**Table 6: Top Livestock Inventory Items, 2007**

Item	Quantity	State Rank	US Rank	US Percentile
TOP LIVESTOCK INVENTORY ITEMS (number)				
Cattle and calves	145,460	2	63	97.9%
Layers	75,052	9	434	85.6%
Pheasants	26,247	4	27	98.3%
Hogs and pigs	21,977	4	496	83.2%
Broilers and other meat-type chickens	9,962	9	658	73.4%
Source: USDA Census of Agriculture, 2007				





## Specialty Crops



The U.S. Department of Agriculture defines “specialty crops” as “fruits and vegetables, tree nuts, dried fruits and horticulture and nursery crops, including floriculture.”<sup>17</sup> Growers of specialty crops may be eligible for federal and state grant assistance, preferred ranking for Purchase of Agricultural Conservation Easement grants, and other benefits. Map FPP-7 shows the 2010 location of specialty crops in Dane County.



<sup>17</sup> US Department of Agriculture, “USDA Definition of Specialty Crops,” 2004  
<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5082113>



Insert FPP-7 Specialty Crop map (front).

Insert FPP-7 Specialty Crop map (back).

## Trends and Challenges

### Farmland Preservation And Agricultural Development Trends, Plans and Needs

#### Land Use

##### Conversion Of Agricultural Lands To Other Uses

Based on Dane County Land Use Inventory data, two major trends have contributed to the conversion of agricultural land to other uses.

##### Conversion From Crop Or Pasture To “Other Open Lands”

From 1980 to 2000, between 61,000 and 79,000 acres of Dane County land were converted from crop or pasture to other undeveloped lands categories, such as environmental corridors, wetland restoration, vacant/unused, or other open lands.<sup>18</sup> Federal set-aside programs (such as CRP or CREP), platted, but unbuilt subdivisions, and idling of unproductive or environmentally sensitive lands have all contributed to this trend. Except perhaps for vacant platted subdivisions, lands converted to “other open lands” categories retain the potential for agricultural use in the future, and so should not be considered a permanent loss of farmland.<sup>19</sup> Like actively farmed lands, idle or other open lands allow for groundwater infiltration, provide critical wildlife habitat and are generally compatible with neighboring agricultural use. If poorly managed, however, idled or abandoned lands can become sources for invasive species, which can cause infestation problems in nearby crop fields and natural resource areas. In some cases, idled lands can also provide habitat for organisms that help retard weed growth.<sup>20</sup>

Conversion due to rural, suburban or urban development.

Between 1980 and 2000, approximately 37,000 acres of Dane County land were converted from agriculture and other undeveloped uses to various types of nonfarm development. This includes 18,000 acres converted to residential land uses, 8,200 to transportation, 7,000 acres to industrial and commercial development, and 3,400 acres to outdoor recreation land uses.<sup>21</sup>



<sup>18</sup> Capital Area Regional Planning Commission, *Dane County Land Use Inventory 1980-2000*.

<sup>19</sup> Jeremy D. Foltz and Alan Turnquist: *The Status of Working Lands in Wisconsin: Current Trends and Future Policies*; PATS Research Report No. 18 October, 2006

<sup>20</sup> Lynn M. Sosnoskie, Edward C. Luschei and Mark A. Fanning: "Field Margin Weed-species Diversity in Relation to Landscape Attributes and Adjacent Land Use." *Weed Science*; March 2007, Vol. 55, No. 2, pp. 129-136.  
<http://www.wssajournals.org/doi/abs/10.1614/WS-06-125?journalCode=wees>

<sup>21</sup> Capital Area Regional Planning Commission, *Farmland Loss In Dane County*, January, 2010,  
[http://danedocs.countyofdane.com/webdocs/PDF/capd/2010\\_postings/FLM\\_1.pdf](http://danedocs.countyofdane.com/webdocs/PDF/capd/2010_postings/FLM_1.pdf)

## Other Urban And Rural Land Use Trends

### *Agricultural Production*

#### Overall Trends

Across Wisconsin, the nature of farming has changed significantly over the past two decades, as farmers react to changing commodity prices, environmental considerations, new technologies and uses for agricultural products and shifts in market demand.

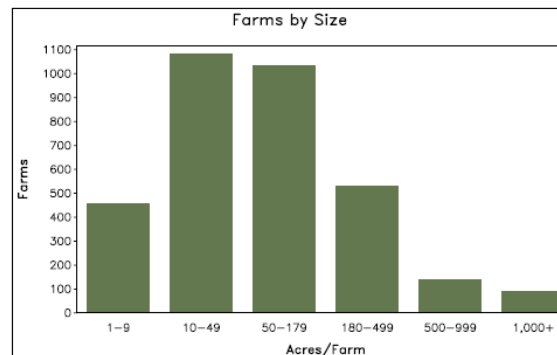
#### Changes To Nature, Scope, Location, And Focus

##### Farm Size

Dane County has seen a trend towards the consolidation of agricultural production to larger operations. At the same time, smaller part time farm operations (farms 15-35 acres) continue to grow as well. In 2007, the average farm size in Dane County was 161 acres.<sup>22</sup>

##### Yields

Producers in general continue to be extremely efficient in their production practices with average yields of corn, soybean, winter wheat, and alfalfa continuing to trend upwards with corn possibly the biggest gainer with average yields increasing an average of 3 bu/a/year over the last 10 years. Dairy cattle and milk production numbers have stabilized, with small increases in the last several years. Dairy farm numbers continues to decline slightly, resulting in larger more productive dairy farms on average.<sup>23</sup>



##### Geographic Distribution

Agricultural production continues to be heavily located in the outer townships of Dane County, with those farms located closest to the greater Madison area facing the greatest pressure from urban growth.



##### Business Structure

Over 98% of all farms in Dane County are owned by individuals, families, family partnerships or family-based corporations. Much of the farmland that is rented is owned by individuals that still reside in Dane County at least part of if not all of the year, versus absentee landowners seen in other parts of the United States.

<sup>22</sup> US Department of Agriculture National Agricultural Statistics Service, *Census of Agriculture*, 2007.

<sup>23</sup> Dane County University of Wisconsin Extension, 2011.

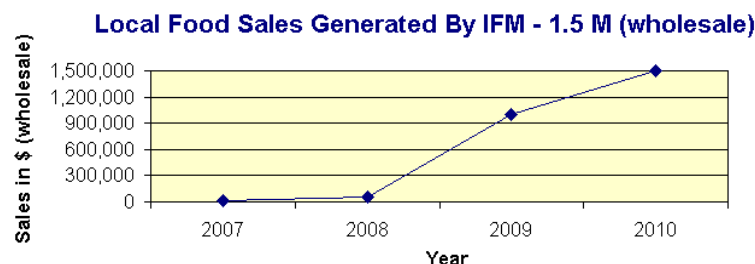
## Products and Markets



Dairy production continues to dominate Dane County farming. Raw milk sales generated \$217 million in total economic activity 2008, while sales for processed dairy products generated another \$334 million. Grain operations were a distant second in terms of sales value.

Dane County has a growing market for small acreage production and direct sales of farm products, including road-side stands, farmers' markets, "pick your own" and

Community Supported Agriculture. In 2008, 246 Dane County farms generated over \$2.5 million in direct-marketing sales. Traditionally based on sales to individual households, the market for locally grown produce has in recent years expanded to include restaurant, grocery and institutional buyers. Between 2007 and 2010, Dane County's Institutional Food Marketing program connected 55 local growers with 18 institutional buyers (including University of Wisconsin, local and state government facilities), generating over \$1.5 million in wholesale sales.<sup>24</sup>



Finally, landscaping, nursery, greenhouse, floriculture and other horticulture products have performed very well in the past 5 to 10 years in Dane County. In 2008, horticultural and related products generated over \$19 million in Dane County.<sup>25</sup>

## Manure Management

Environmental concerns, increasing land rents and conflicts with suburban and rural residential development have significantly affected manure management in Dane County. A recent study found that between 1999 and 2004, farmers close to urbanizing areas increased the distance they hauled manure, and paid higher rents for lands used for manure spreading.<sup>26</sup> Well-publicized fish kills resulting from agricultural runoff resulted in changes to the county's manure storage ordinance, to prohibit winter landspreading and strengthen storage design standards. Dane County has also made substantial investments in manure digester technology (see agricultural infrastructure below).

<sup>24</sup> Dane County Department of Planning & Development, Economic Development Division: Dane County Institutional Food Marketing Coalition 2010 Program Report, 2011.

<sup>25</sup> University of Wisconsin Cooperative Extension: Dane County Agriculture: Value and Economic Impact, 2011.

<sup>26</sup> P.E. Cabot, S.K. Bowen, and P.J. Nowak: "Manure management in urbanizing settings" Journal of Soil and Water Conservation November/December 2004 vol. 59 no. 6 235-243

## Soil and Water Conservation

Over the past 25 years, Dane County farmers have reduced average annual soil erosion from their lands from 10.5 tons per acre per year in 1985 to 3.2 tons per acre per year in 2007, a decline of almost 70%. Farm conservation plans, including installation of cost-shared conservation practices and trends toward no-till farming have contributed to soil erosion reductions.<sup>27</sup>

## Enterprises Related To Agriculture

### Overall Trends

Farming, on-farm “value-added” processing and off-farm food processing industries contributed over:

- \$3 billion in sales;
- 16,000 jobs;
- \$1.2 billion in net income, and;
- \$117 million in local, county and state tax revenue

to the Dane County economy in 2008.<sup>28</sup>



### Changes To Nature, Scope, Location, And Focus

A 2011 University of Wisconsin Extension study looked at relative employment for a wide variety of farm- and food-related industries in Wisconsin and compared them with employment statistics for similar industries around the country.<sup>29</sup>

Researchers then analyzed how these values changed between 2001 and 2009. Based on this data, the study identified a number of food-processing industries (including processed dairy, frozen specialties, spices and meat food products)



<sup>27</sup> Dane County Land and Water Resources Department, Land Conservation Division *Dane County Land and Water Resource Management Plan* (2008), [<http://www.countyofdane.com/lwr/landconservation/lwr.asp>].

<sup>28</sup> Steven Deller and David Williams: *The Economic Impact of Agriculture in Wisconsin Counties*; University of Wisconsin Cooperative Extension, March 2011.

<sup>29</sup> Steven Deller and David Williams: *The Economic Impact of Agriculture in Wisconsin Counties*; University of Wisconsin Cooperative Extension, March 2011

<sup>29</sup> P.E. Cabot, S.K. Bowen, and P.J. Nowak: “Manure management in urbanizing settings” *Journal of Soil and Water Conservation* November/December 2004 vol. 59 no. 6 235-243

<sup>29</sup> Dane County Land and Water Resources Department, Land Conservation Division *Dane County Land and Water Resource Management Plan* (2008), [<http://www.countyofdane.com/lwr/landconservation/lwr.asp>].

<sup>29</sup> Steven Deller and David Williams: *The Economic Impact of Agriculture in Wisconsin Counties*; University of Wisconsin Cooperative Extension, March 2011.

<sup>29</sup> Steven Deller and David Williams: *The Economic Impact of Agriculture in Wisconsin Counties*; University of Wisconsin Cooperative Extension, March 2011

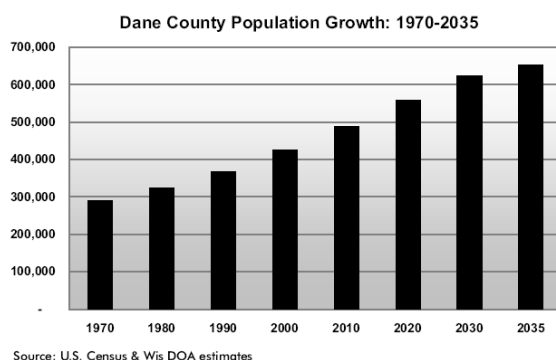


where Wisconsin industries appear to have a strong and growing competitive advantage. The study also identified: historically strong Wisconsin industries that have declined in economic activity in recent years (such as cheese manufacturing); new, emerging industries that have shown significant employment growth, and; industries that have been traditionally relatively weak in Wisconsin and have declined in employment.

**Table 7: Agricultural economic clusters**

	LQ 2009	Change in LQ 2001 to 2009	Percent of Jobs 2009
<b>Potential Cluster</b>			
Dry, condensed, and evaporated dairy products	5.59	1.93	0.07%
Frozen specialty food manufacturing	3.45	1.29	0.18%
Fruit and vegetable canning	3.17	0.06	0.19%
Spice and extract manufacturing	3.07	0.72	0.06%
All other miscellaneous food manufacturing	2.58	0.23	0.06%
Other animal food manufacturing	2.25	0.40	0.07%
Confectionery mfg. from purchased chocolate	1.71	0.52	0.05%
Mixes and dough made from purchased flour	1.69	0.05	0.02%
Animal, except poultry, slaughtering	1.38	0.18	0.19%
Rendering and meat byproduct processing	1.38	0.00	0.01%
<b>Strength Declining</b>			
Cheese manufacturing	14.88	-1.49	0.55%
Creamery butter manufacturing	14.77	-2.80	0.03%
Meat processed from carcasses	4.30	-0.39	0.44%
Mayonnaise, dressing, and sauce manufacturing	2.45	-0.09	0.03%
Frozen fruit and vegetable manufacturing	1.86	-1.96	0.06%
Dog and cat food manufacturing	1.15	-0.07	0.02%
<b>Weakness Growing</b>			
Bottled water manufacturing	0.79	0.06	0.01%
Ice manufacturing	0.67	0.43	0.00%
<b>Weakness Declining</b>			
Commercial bakeries	0.91	-0.13	0.11%
Perishable prepared food manufacturing	0.83	-0.56	0.03%
Fluid milk manufacturing	0.82	-0.26	0.04%
Ice cream and frozen dessert manufacturing	0.75	-0.34	0.01%
Poultry processing	0.60	-0.05	0.13%
Soft drink manufacturing	0.37	-0.17	0.03%

## Other Trends, Plans and Needs

**Figure 1: Dane County Population Growth, 1970-2035**

### Population Growth

From 1970 to 2000, Dane County's growth rate increased each decade. Dane County's population grew by 12% during the 1970's, 14% through the 1980's, and more than 16% during the 1990's. Between the 2000 census and 2010, Dane County's population is estimated to have grown to 489,712, a ten-year growth rate of 14.8%. Based on Wisconsin Department of

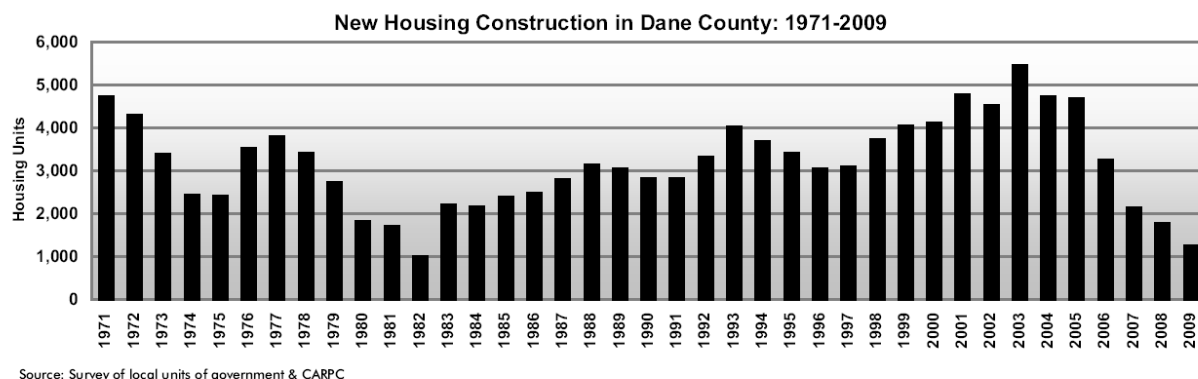
Administration projections, Dane County's rate of growth is projected to gradually level off between 2010 and 2035, with a projected 2035 population of 653,876.<sup>30</sup>

## Housing

Residential development competes for much of the same land base required by agriculture. The same soil, slope and drainage conditions that make for productive farmland also make for ideal building sites. Between 1980 and 2000, residential development accounted for more permanent conversion of Dane County agricultural land (18,000 acres) than any other land use.

Housing construction in Dane County, following national real estate market trends, has shown considerable volatility in recent years. From 1982 to 2003, new housing construction in Dane County followed a generally upward trend. After peaking in 2003 with 5,466 new housing units, permits for new housing construction in Dane County declined, in some cases precipitously, each year until 2009. The number of permits for new homes issued in 2009 (1,260) was the second lowest total since 1970.<sup>31</sup> Meanwhile, permits for additions or reconstruction of existing homes remained relatively steady (at least in some jurisdictions) over the same period.<sup>32</sup>

**Figure 2: Dane County New Housing Construction, 1971-2009**



## Economic Growth and Business Development

As of January, 2011, Dane County had an estimated civilian labor force of 294,052. Dane County unemployment rates had risen from 2.1% at the time of the 2000 census to 5.3% (15,556 unemployed) at the start of 2011. Nevertheless, Dane County appeared to weather the recession better than the state as a whole, which saw its unemployment rate jump from 3.3% to 8.2% over the same period.<sup>33</sup>

In 2011, the Madison Metropolitan Statistical Area, which includes Dane, Columbia and Iowa Counties, employed 337,000 people in nonfarm jobs. State government, education, health, retail trade and professional and business services led all employment sectors, together accounting for

<sup>30</sup> Wisconsin Department of Administration, Demographic Services Center

<sup>31</sup> Capital Area Regional Planning Commission, *Dane County 2009 Regional Trends Report*, [\[http://danedocs.countyofdane.com/webdocs/PDF/capd/2010\\_postings/2009\\_Trends\\_web.pdf\]](http://danedocs.countyofdane.com/webdocs/PDF/capd/2010_postings/2009_Trends_web.pdf)

<sup>32</sup> Permit records, *Dane County Department of Planning and Development* (January, 2010).

<sup>33</sup> Wisconsin Department of Workforce Development, *Worknet Local Area Unemployment Statistics (LAUS)* [\[http://worknet.wisconsin.gov/worknet/dalaus.aspx?menuselection=da\]](http://worknet.wisconsin.gov/worknet/dalaus.aspx?menuselection=da)



48% of the total nonfarm employment in the three-county area. Projected reductions in public sector spending over the next several years could significantly alter the Madison Metropolitan Area and Dane County job market, both through direct reduction of government and education employees and reductions in consultant professional and construction services provided through publicly-funded contracts.

**Table 8: Madison metropolitan area employment by industry (2011)<sup>34</sup>**

<b>Total Nonfarm Wage &amp; Salary Employment</b>	<b>337,000</b>	<b>100.0%</b>
State Government	49,400	14.7%
Education & Health Services	42,600	12.6%
Retail Trade	35,400	10.5%
Professional & Business Services	34,800	10.3%
Local Government	29,600	8.8%
Manufacturing	27,700	8.2%
Leisure & Hospitality	27,700	8.2%
Financial Activities	25,900	7.7%
Other Services, excl. Public	18,900	5.6%
Wholesale Trade	11,800	3.5%
Information	10,800	3.2%
Construction, Mining & Natural Resources	9,500	2.8%
Transportation, Warehousing & Utilities	7,700	2.3%
Federal Government	5,200	1.5%

Dane County's relatively strong economy and favorable labor market presents both opportunities and challenges to Dane County farmers. Proximity to a metropolitan area with a relatively high per capita income has allowed farmers in the region to take advantage of direct-to-market sales of fresh produce and on-farm processed food products. Short commute times and jobs with good pay allow farming households to supplement their income. In 2007, 56% of farmers reported their principal occupation as something other than farming.<sup>35</sup>

On the other hand, higher incomes available from nonfarm work make farming less attractive to young people

entering the workforce. A 2004 report found that although Wisconsin dairy farmers have left the dairying business at a relatively constant rate over the past twenty years, the numbers of new farmers entering into dairying has declined "dramatically." This decline in new farmers is the single largest contributor to statewide declines in dairy farm numbers.<sup>36</sup>

### *Municipal Expansion*

Map FPP-8 shows the growth of Dane County incorporated municipalities between 1980 and 2011. Cities and villages in Dane County annexed a total of 24,000 acres between 1980 and 2000. Cities annexed about twice as much land, roughly 16,000 acres, as villages, which annexed about 8,000 acres. While some annexed land remains under cultivation, typically, annexed land is intended for eventual development, except for relatively small percentages preserved as urban agriculture.

If current development trends continue, urban areas (Central and outlying service areas, including limited service areas) will accommodate about 63% of the land demand (26,750 acres) while rural areas will accommodate the remaining 37% (15,700 acres) of the roughly 42,450

<sup>34</sup> Wisconsin Department of Workforce Development, *Worknet Local Area Unemployment Statistics (LAUS)* [<http://worknet.wisconsin.gov/worknet/dalaus.aspx?menuselection=da>]

<sup>35</sup> US Department of Agriculture, National Agriculture Statistics Service, *Census of Agriculture*, 2007

<sup>36</sup> Jackson-Smith, Douglas and Barham, Bradford, "Dynamics of Entry and Exit on Wisconsin Dairy Farms in the 1990s," Program on Agriculture Technology Studies, University of Wisconsin-Madison, 2004 [<http://www.pats.wisc.edu/pubs/13>]

acres of needed land for development between 2000 and 2030. This indicates 6.5% of the undeveloped land in 2000 will be developed and that 21% of the County's total land area will be developed by 2030, significantly compromising agricultural land and productivity and numerous ecological functions.

Much of this land will come from converting agricultural lands to urban uses. Moreover, half of Dane County townships with prime soils are located where growth pressure is the greatest, including the towns of Bristol, Burke, Middleton, Westport, and Windsor. Outlying service areas, such as the Northern USA, and the Sun Prairie, Verona and Cottage Grove urban service areas will likely see the greatest increase in land converted to developed uses. The Central Urban Service Area (CUSA), the region's most populous, will not be contributing to the majority of developed acreage in the future due to boundary agreements, and more compact development practices.<sup>37</sup>

### *Transportation*<sup>38</sup>

#### Agriculture-Related Freight Shipments

Agricultural, agriculture-related, forestry and food products accounted for 6.6 million tons (35% of the total) of freight traffic into, out of and within Dane County in 2007. Of that total, 3.2 million tons (48%) was shipped into Dane County from other locations, 2.8 million tons (41%) was shipped from Dane County to other locations, and 0.6 million tons (9%) was shipped entirely within Dane County.



<sup>37</sup> Capital Area Regional Planning Commission, *Farmland Loss In Dane County*, January, 2010, [[http://danedocs.countyofdane.com/webdocs/PDF/capd/2010\\_postings/FLM\\_1.pdf](http://danedocs.countyofdane.com/webdocs/PDF/capd/2010_postings/FLM_1.pdf)]

<sup>38</sup> Dane County Department of Planning and Development, *Dane County Comprehensive Plan*, Volume II, Chapter 3 [[http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/plan/VOL2\\_withmaps.pdf](http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/plan/VOL2_withmaps.pdf)]

**Table 9: Agriculture-related freight shipments (2007)<sup>39</sup>**

STCC3			All Modes			Totals	% of total
			Inbound	Outbound	Internal		
0	1	1	996,712	735,633	451,195	2,183,540	30.0%
0	1	4	428,489	243,926	100,552	772,967	10.6%
2	4	1	365,707	310,370	10,531	686,608	9.4%
2	0	4	235,235	368,726	6,070	610,031	8.4%
2	0	2	243,912	296,995	19,575	560,482	7.7%
2	0	9	138,784	202,909	15,613	357,306	4.9%
2	0	3	77,645	232,389	3,586	313,620	4.3%
2	0	8	142,523	138,491	2,852	283,867	3.9%
2	4	3	84,574	165,042	4,054	253,671	3.5%
2	8	7	96,435	133,950	3,244	233,628	3.2%
2	0	1	144,474	84,485	2,077	231,037	3.2%
0	1	5	197,003	10	-	197,013	2.7%
2	6	5	109,731	32,882	761	143,375	2.0%
2	4	9	48,536	59,526	856	108,919	1.5%
2	4	2	84,747	2,020	-	86,767	1.2%
2	6	4	53,751	17,725	154	71,630	1.0%
2	6	2	26,305	32,308	-	58,613	0.8%
2	0	5	29,922	2,466	84	32,472	0.4%
2	0	7	16,401	11,780	232	28,412	0.4%
2	6	6	9,567	11,787	50	21,404	0.3%
0	1	3	13,383	4,445	64	17,892	0.2%
3	5	5	3,343	8,576	8	11,928	0.2%
0	1	2	6,486	88	-	6,574	0.1%
0	1	9	1,549	2,444	-	3,993	0.1%
		All others	3,474	1,000	6	4,480	0.1%
<b>Totals</b>			<b>3,558,687</b>	<b>3,099,977</b>	<b>621,566</b>	<b>7,280,230</b>	<b>100%</b>

### Conflicts with Other Transportation Uses

Personal motor vehicles account for over 90% of the daily trips in Dane County outside of the Central Urban Service Area.<sup>40</sup>

Slow moving farm machinery and fast-moving automobiles must frequently share local and county roads, resulting in increased risk of traffic accidents. As travel patterns disperse, pressure on farmland increases as well. Adding lanes to existing roads not only directly consumes farmland through expanded rights-of-way, but can also create barriers to movement of farm machinery. New roads can effectively bisect existing farms, reducing their economic viability. In addition, residential or highway-oriented commercial development spurred by transportation improvements not only consumes additional farmland, but can create secondary conflicts with existing agricultural use.



<sup>39</sup> Wisconsin Department of Transportation

<sup>40</sup> Madison Area Metropolitan Planning Organization

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Insert FPP-8 Municipal Expansion (front).

Insert FPP-8 Municipal Expansion (back).

## *Utilities*

Approximately 18,558 developable acres have been added to Dane County urban service areas from 1986 through 2009. Over 60 million gallons per day (mgd) of groundwater is withdrawn and used for public and private water supply —about 140 gallons per person per day. Public water supplies account for about 75 percent of total groundwater use. Urban areas account for 80 percent of groundwater use.<sup>41</sup>

## *Communications*

A rapid rise in demand for and availability of cellular telephone technology has led to a commensurate increase in the number of towers and other antenna facilities for transmission and reception. To limit visual and other impacts of towers, Dane County has chosen to pursue a strategy of encouraging collocation of antenna arrays wherever possible.<sup>42</sup>



## *Community Facilities And Services*

Dane County has undertaken a capital planning program for county-operated community facilities, to meet the following goals:

- To meet obligations to maintain all existing facilities and equipment in good repair, address potential liability problems, and conform to Federal and State regulations;
- To respond to opportunities to achieve economies in operation through automation, energy efficiency, or other capital investments;
- To consider long-range financing strategies for major capital projects which balance capital needs, operational needs, and fiscal responsibility in a framework which supports priority-setting by policy-makers.
- To provide a basis for justifying and approving capital projects and then accountability for implementation.<sup>43</sup>

The *Capital Improvement Plan* is updated and issued on an annual basis, and contains detailed recommendations for improvements, expansions, rehabilitation and maintenance of all county-owned facilities.<sup>44</sup>

## *Energy*

Energy consumption continues to increase in Dane County. A growing population and number of businesses account for a portion of this increase, and the rest is due to increased usage. By 2010,

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<sup>41</sup> Dane County Department of Planning and Development, *Dane County Comprehensive Plan*, Volume II, Chapter 4 [[http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/plan/VOL2\\_withmaps.pdf](http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/plan/VOL2_withmaps.pdf)]

<sup>42</sup> Dane County Department of Planning and Development, *Dane County Comprehensive Plan*, Volume II, Chapter 4

<sup>43</sup> Dane County Department of Planning and Development, *Dane County Comprehensive Plan*, Volume II, Chapter 4

<sup>44</sup> Dane County Department of Administration, Office of Management and Budget, *Dane County Capital Improvement Plan* (annual), [<http://www.countyofdane.com/budget/>]



it is estimated that approximately 130,000 residential customers and 20,000 businesses will be served.<sup>45</sup>

### *Waste Management*

The Solid Waste Division of the Department of Public Works, Highways and Transportation administers the siting, construction, operation, maintenance, closure, and post-closure care of Dane County's landfills, compost sites, and landfill gas-to-energy systems. This Division also coordinates and manages the County's recycling and Clean Sweep programs and activities. The Dane County landfill, located at 7102 US Highway 12, accepts household refuse from all Dane County residents. Household refuse does not include recyclables, vehicle batteries, animal waste, and household hazardous waste. The County Landfill is expected to be available until 2015 to 2020. No other landfills are being considered as a successor to the Dane County Landfill at this time.<sup>46</sup>

### *Environmental Preservation*

The Dane County Parks & Open Space Plan (POSP) seeks to identify significant cultural, historical, and natural resources that should be considered for possible protection, preservation or restoration. The POSP also seeks to identify countywide recreation needs and Dane County's role in providing facilities to meet anticipated demands.

The POSP recognizes the value of farmland and actively seeks ways to incorporate farmland preservation and agricultural enterprise into plan recommendations. Many of these



recommendations will help meet the goals of the Farmland Preservation Plan. For example, conservation easements on active farms surrounding county parkland will help preserve the agricultural use of the land while also preserving the park viewshed and rural atmosphere. Another example is the use of county parkland for community gardening and related enterprises, such as incubator space for beginning farmers. To the extent possible and reasonable, implementation of the Dane County Parks & Open Space Plan shall seek to compliment the goals of the Farmland Preservation Plan. Map FPP-9 shows the major land resources in Dane County.

<sup>45</sup> Dane County Department of Planning and Development, *Dane County Comprehensive Plan*, Volume II, Chapter 4 [[http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/plan/VOL2\\_withmaps.pdf](http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/plan/VOL2_withmaps.pdf)]

<sup>46</sup> Dane County Department of Planning and Development, *Dane County Comprehensive Plan*, Volume II, Chapter 4



Insert FPP-9 Land Resources (front)

Insert FPP-9 Land Resources (back)

## CHAPTER 3: GENERAL STRATEGIES

### I. General Goals and Policies for Farmland Preservation

1. *Identify areas of Dane County suitable for long term preservation and viability of diverse agricultural enterprises and resources. Protect or encourage protection of those areas for the benefit and use of current and future generations.*<sup>47</sup>

#### Supporting Objectives

- a) Maintain a sufficient acreage of land in agricultural production in Dane County to economically sustain crucial agricultural support industries.
- b) Minimize the amount of land converted from agricultural use to accommodate permitted non-farm development.
- c) Reduce scattered rural nonfarm development by encouraging clustering of rural development as part of a town farmland preservation strategy.
- d) Encourage future urban development to be compact, adjacent to existing development and consistent with town planning policies.
- e) Continue to apply those comprehensive plans of towns, cities, villages and extraterritorial cooperative plans which have been incorporated into the Dane County Comprehensive Plan for detailed land use policies in Farmland Preservation, Non-Farm Development and Resource Protection Corridor Overlay Areas. Continue to review all comprehensive plans and amendments to plans for consistency with county policies, in accordance with the Intergovernmental Cooperation policies of the *Dane County Comprehensive Plan* and Chapter 82, Dane County Code.

#### County Actions and Programs

Consistent with county, town, city, village and extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, the county will seek to:

- (1) Develop and implement new tools, such as Purchase of Agricultural Conservation Easements (PACE), Transfer of Development Rights (TDR) and conservation subdivisions to meet agricultural resource goals.
- (2) Implement fees and other financial mechanisms to support agricultural preservation efforts and create a disincentive for unnecessary conversion of agricultural land.
- (3) Establish design guidelines that minimize conversion of agricultural land, support farm operations and allow for agriculture-related businesses.

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<sup>47</sup> See also *Dane County Comprehensive Plan*, Chapter 5, pp. 34-37

[[http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/CH5\\_Agriculture.pdf](http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/CH5_Agriculture.pdf)]

- (4) Establish maximum lot sizes, with exceptions where necessary due to local land conditions, for all land rezoned out of exclusive agriculture.

## II. General Goals and Policies for Agricultural Enterprise and Development

Consistent with county, town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, the county will seek to:

1. *Maintain Dane County's status as one of the nation's most productive and economically viable agricultural areas. Keep farming economically viable in Dane County through the 21st century.*
2. *Support and promote the development of community, regional, national and international markets for agricultural products to promote and preserve the county's agricultural industry.*
3. *Support the creation of conventional, organic and sustainable agricultural enterprises in Dane County.*

### Supporting Programs and Objectives

#### a) *Economic Development Program*<sup>48</sup>

##### (1) Objectives:

- (a) Continue to develop and implement a comprehensive economic development program to support, expand and enhance agriculture as a viable economic activity in Dane County.
- (b) Support and encourage the development of regional agricultural enterprise including: agricultural cooperatives; manufacturing to process soy beans, produce and other farm products, and; new agricultural technologies.
- (c) Support farm marketing programs that promote Dane County agriculture and help farmers improve their profitability.
- (d) Identify and help develop new markets for production agriculture, biotechnology, value-added processing and Community Supported Agriculture (CSA).

#### b) *University of Wisconsin Extension (UWEX) Services.*

##### (1) Objectives:

- (a) Continue and expand direct services, marketing assistance and on-demand technical assistance provided to farmers through Dane County University of Wisconsin Extension (UWEX) programs.
- (b) Design and implement education workshops and distribute materials for farmers, developers, landowners and the general public.

<sup>48</sup> See also *Dane County Comprehensive Plan*, Volume I, Chapter 6, pp. 63-64

[[http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/CH6\\_EconomicDev.pdf](http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/CH6_EconomicDev.pdf)]

- (c) Help entrepreneurs plan, start and grow new enterprises that capture value from agriculture.

~~(a)~~(d) Provide information about agricultural production to foster and tolerance between farmers and their residential neighbors.

c) *Infrastructure and Capital Improvements to Support Agriculture*

(1) Objectives.

- (a) Strengthen transportation infrastructure such as rail transit and roads to support agricultural commerce.<sup>49</sup>
- (b) Support and promote, using targeted investments of public funds where necessary, infrastructure and organizational capacity that serves agriculture and related enterprises.<sup>50</sup>

(2) *Transportation Infrastructure*

- (a) Include transportation of agricultural goods to market in all long-term planning related to truck, rail and air freight transport.
- (b) Highway shoulders and crossings should be designed to accommodate farm equipment, bicycles and other uses and minimize safety conflicts with automobile traffic.

(3) *Agricultural Processing, Supply, Distribution and Waste Management Infrastructure*

- (a) Support and encourage the development of regional agricultural enterprise including:
  - (i) agricultural cooperatives;
  - (ii) manufacturing to process agricultural commodities;
  - (iii) produce and other farm products, and;
  - (iv) new agricultural technologies.
- (b) Pursue institutional food purchasing policies to provide new markets for area farmers.
- (c) Assist and support the development of organic processing facilities to process organic farm products.
- (d) Use targeted public and private funds to stimulate needed physical and intellectual infrastructure serving the agricultural sector. Develop facilities and institutions that support and incubate the development of local food products and businesses and develop new markets for Dane County products. Examples include:
  - (i) a self-supporting Central Agriculture and Food Facility (CAFF);
  - (ii) a Dane County agricultural enterprise development center;

<sup>49</sup> See also *Dane County Comprehensive Plan*, Volume I, Chapter 3  
[[http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/CH3\\_Transportation.pdf](http://danedocs.countyofdane.com/webdocs/PDF/PlanDev/ComprehensivePlan/CH3_Transportation.pdf)]

<sup>50</sup> See also *Dane County Comprehensive Plan*, Volume I, Chapters 3 & 4

- (iii) facilities to process agricultural waste into marketable products or renewable energy, such as the “Cow Power” manure digester program, or;
  - (iv) a packing and wholesale facility for fresh produce.
- d) *Zoning and Land Use Regulation Modernization*
  - (1) *Objectives.*
    - (a) Examine zoning processes, existing and proposed local codes, administration and procedural requirements to:
      - minimize negative impacts on agriculture, and
      - promote a diversity of agricultural, agriculture accessory and agriculture related uses that are both economically productive and compatible with rural areas.
    - (b) Ordinances and regulations restricting noise, odors, keeping of animals or other activities that could inhibit typical farm operations, will not apply in Farmland Preservation Areas.
    - (c) Consider whether any new county regulations would put Dane County farmers at a competitive disadvantage to farmers elsewhere in the state.
    - (d) Amend farmland preservation zoning districts to make it easier to establish agricultural service and other industries that promote appropriate, sustainable rural and farm economic development. Examples include: biotech industries; value-added enterprises; agricultural tourism; forestry and sustainable timber harvest; agricultural supply and product distributors; ethanol plants; soybean and other processing plants; implement dealers, and; mixed use developments involving both traditional agriculture and retail/processing uses.

*(2) Task Force for Prioritized Revision of Chapter 10 (Zoning Ordinance)*

Substitute 1 to Dane County Board Resolution 120, 2006-2007 established the Task Force for Prioritized Revision of Chapter 10 and charged it with establishing priorities and proposing amendments to the Dane County Zoning Ordinance.

Future priorities identified by the Task Force include amendments to bring the county’s farmland preservation zoning districts into compliance with recent changes to Chapter 91, Wisconsin Statutes, by the 2012 statutory deadline.

## CHAPTER 4: DESIGNATED PLANNING AREAS

### 4.III. Farmland Preservation Areas

#### A. Rationale for Designation

Farmland Preservation Areas, as shown on the *Dane County Farmland Preservation Plan Map* (Map FPP-10), include lands that meet all of the following criteria:

1. Are predominately in active agricultural, agriculture accessory, agriculture-related or natural resource use;
2. Are planned to support a predominance of agriculture, agricultural accessory, agriculture-related and natural resource uses for twenty years or more;
3. Are clearly shown as “Agricultural Preservation,” “Farmland Preservation” or “Rural Preservation” on Planned Land Use Maps in town, city, village and extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*;
4. Include policies in town, county, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, to generally limit new nonfarm development to a density of one or fewer units per 35 acres;
5. Are in areas with sufficient regulatory or other policy mechanisms in place to implement farmland preservation plan policies and to effectively limit nonfarm development, and;
6. Except for parcels with an existing, permanent agricultural conservation easement recorded as of July 23, 2012, are completely outside designated Urban Service Areas, as shown in the most current version of the *Dane County Water Quality Plan*, as amended and approved by the Capital Area Regional Planning Commission and the Wisconsin Department of Natural Resources.

#### B. Goals and Objectives for Farmland Preservation Areas

Consistent with county, town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, the county will seek to:

1. *Maintain and support production agriculture, agricultural-related businesses, forestry, open space, and compatible uses.*
2. *Maintain eligibility for farmland preservation tax credits under Chapter 91, Wisconsin Statutes.*
3. *Limit new nonfarm development in designated Farmland Preservation Areas to a density of one or fewer units per 35 acres.*
4. *Direct permitted nonfarm development away from productive agricultural lands.*
5. *Commercial and industrial uses that are not agriculturally related will be located in areas identified for such use and where the full range of public services (sewer, water, fire protection and police protection) can be economically provided.*

### C. Policies and Programs for Farmland Preservation Areas

Consistent with county, town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plan, the county will apply the following policies and programs in Farmland Preservation Areas.

#### 1. *Farmland Preservation Zoning Districts*

All Farmland Preservation Areas must be either in a town that has adopted Dane County's certified Farmland Preservation Zoning ordinance, or in a city, village or extraterritorial area that has adopted its own Farmland Preservation Zoning ordinance certified under s.91.38, Wis. Stats. Within Farmland Preservation Areas, Dane County and its town, city and village partners will seek to maintain at least eighty percent (80%) of the land area (as required by state DATCP review criteria) in a certified Farmland Preservation Zoning district. No areas outside of an Farmland Preservation Area may be in a certified Farmland Preservation Zoning District. In Dane County, Farmland Preservation Zoning Districts include the following:

e)a) County Zoning. Map FPP-11 shows the current zoning in unincorporated Dane County. Dane County intends to request state Farmland Preservation Zoning certification under s.91.38, Wisconsin Statutes for the following county zoning districts.

(1) A-1(ex) Exclusive Agriculture District (s.10.123, Dane County Code).

(2) A-4 Small Lot Agriculture District (s.10.129, Dane County Code).

(3) A-B Agricultural Business District (s.10.112, Dane County Code).

~~(3)~~

f)b) City and Village Zoning. Farmland Preservation Zoning districts also include any city, village or extraterritorial zoning ordinances or districts certified by the state Department of Agriculture, Trade & Consumer Protection under s. 91.38, Wis. Stats.

#### 2. *Other Zoning Districts*

a) *Findings of Fact for Rezones out of Farmland Preservation Zoning Districts.* As required under s. 91.48, Wisconsin Statutes, prior to approving any petitions to rezone land from a certified farmland preservation zoning district to any other zoning district, the local zoning authority must make the following findings:

(1) The land is better suited for a use not allowed in the farmland preservation zoning district.

(2) The rezoning is consistent with applicable town, city, village or extraterritorial cooperative plans and the *Dane County Comprehensive Plan*.

(3) The rezoning is substantially consistent with the state-certified *Dane County Farmland Preservation Plan*.

(4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.



- b) *Conditions on Rezones.* To the extent permitted by applicable zoning ordinances, the local zoning authority may impose additional restrictions on rezone petitions to make sure the findings of fact in 2.a) above are satisfied.
- c) *County Zoning.* Within Farmland Preservation Areas, the county board will consider petitions from landowners to rezone to the following zoning districts to accommodate new development:
  - (1) Any certified Farmland Preservation Zoning District;
  - (2) Agriculture, including the A-2, A-2(1), A-2(4), and A-2(8) districts;
  - (3) Residential, including the R-1, R-1a, R-2, R-3, and R-3a districts;
  - (4) Rural Homes, including the RH-1, RH-2, RH-3, and RH-4 districts;
  - (5) The Limited Commercial (LC-1) district;
  - (6) The Conservancy (CO-1) district;
  - (7) The Recreational (RE-1) district;
  - (8) The Historic (HD) overlay district;
  - (9) The Transfer of Development Rights Sending Area (TDR-S) overlay district;
  - (10) The Transfer of Development Rights Receiving Area (TDR-R) overlay district (see limitations in discussion of TDR below).
  - (11) Other county zoning districts that, through the use of, as necessary, conditional zoning, deed restrictions or other limitations, meet all of the findings of fact under 2. a) above and s .91.48, Wisconsin Statutes.

Policies in town plans adopted as part of the *Dane County Comprehensive Plan* may further restrict the list of appropriate zoning districts in Farmland Preservation Areas.

- d) *City, Village or Extraterritorial Zoning.* Appropriate zoning districts for nonfarm development within Farmland Preservation Areas under city, village or extraterritorial zoning authority are as determined by the city or village comprehensive plan or by the extraterritorial cooperative plan.
- e) *Density Caps.* New nonfarm development is generally limited to a density of one unit per 35 acres, or fewer, according to detailed policies established in town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*. Under Chapter 82, Subchapter II, Dane County Code, the Dane County Board of Supervisors reviews each town plan for consistency with countywide planning policies, and adopts, rejects or amends those plans, as necessary, for incorporation into the *Dane County Comprehensive Plan*.

f) *Vacant, Nonconforming Parcels*

(1) *Background.* Throughout Dane County, there are a number of land ownership parcels that were legally created by either metes and bounds, certified survey map or subdivision plat prior to the town, city, village or extraterritorial adoption date of Farmland Preservation Zoning. Traditionally, county, city, village and extraterritorial zoning ordinances have included “grandfather clauses” that establish specific standards for the development or redivision of such legal, nonconforming parcels.

(2) *Rezoning of legal, nonconforming parcels.* Consistent with town, city, village or extraterritorial plans adopted as part of the *Dane County Comprehensive Plan*, the local zoning authority may entertain petitions to:

(a) rezone legal, nonconforming parcels into appropriate non-farmland preservation zoning districts,

(b) to bring such parcels into zoning compliance, or:

(c) to allow for nonfarm development, consistent with adopted density, re-division and siting standards.

(3) *County-initiated zoning changes.* The Dane County Department of Planning and Development will work with town boards, plan commissions, and affected landowners to rezone, through a blanket process, all vacant legal, nonconforming parcels under county Farmland Preservation Zoning into appropriate non-farmland preservation zoning districts by December 31, 2019.

g) *Existing Nonfarm Development*

(1) Town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan* may provide for limited accommodations or exemptions for pre-existing nonfarm development within Farmland Preservation Areas. For existing uses in an Farmland Preservation Area, the local zoning authority may approve limited rezone petitions to districts not listed in c) or d) above to accommodate the following:

- make minor adjustments in zoning parcel lines or zoning parcel size;
- rezone from a less restrictive zoning district to a more restrictive district, or;
- allow for limited expansion of existing operations.

(2) In some cases, residential subdivisions platted prior to the adoption of the county’s exclusive agricultural zoning ordinance are included in designated Farmland Preservation Areas. Such subdivisions are considered prior, nonconforming uses under the county zoning ordinance and under s.91.42(3), Wis. Stats. The local zoning authority may entertain rezone petitions to bring such parcels into zoning compliance to accommodate existing nonfarm uses. However, such areas are not intended to accommodate and new or additional nonfarm development within a twenty year period.

- (3) Rezones to zoning districts not listed in 2.c) or 2.d) above to accommodate existing uses should meet, at a minimum, all of the following conditions. Town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan* may include additional, or more restrictive, requirements.
  - (a) The local zoning authority makes the findings of fact described in 2.a) above.
  - (b) New construction or expansion must meet the siting criteria under 4. below.
  - (c) Zoning parcels containing all existing uses and any proposed expansions are deed restricted or zoned to limit uses to those currently on the site, or to less intensive uses.
  - (d) All existing uses on the site and any proposed expansions are brought into compliance with all current applicable regulations, codes and standards, including, but not limited to: parking<sup>51</sup>, screening<sup>52</sup>, stormwater<sup>53</sup>, erosion control<sup>54</sup> and sanitary disposal<sup>55</sup> standards.
- h) *Lands Remaining in Agricultural Use*. Where possible, portions of properties intended to remain in exclusive agricultural use should remain in a certified farmland preservation zoning district. If remnant agricultural parcels do not meet minimum lot sizes or other standards of county, municipal or extraterritorial farmland preservation zoning districts, they will be zoned in another district appropriate for long-term agricultural use. All zoning must be consistent with town, city, village or extraterritorial plans adopted as part of the *Dane County Comprehensive Plan*.
- i) *Petitions Initiated by County, City or Village Governments*. The local zoning authority may, as the need arises and as provided in state statute, initiate rezone petitions to accomplish any of the following:
  - (1) Make sure parcels in a Non-Farm Planning Area are not in a Farmland Preservation Zoning district, as required by s.91.38, Wis. Stats.
  - (2) Bring nonconforming zoning parcels into current compliance;
  - (3) Implement policies in town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plan or the *Dane County Farmland Preservation Plan*, or
  - (4) Meet certification requirements under s.91.38, Wis. Stats.

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<sup>51</sup> See s. 10.18, Dane County Code, or applicable municipal or extraterritorial zoning ordinance.

<sup>52</sup> See s. 10.16(7), Dane County Code, or applicable municipal or extraterritorial zoning ordinance.

<sup>53</sup> See Chapter 14, Dane County Code, or applicable municipal stormwater management ordinance.

<sup>54</sup> See Chapter 14, Dane County Code, or applicable municipal erosion control ordinance.

<sup>55</sup> Chapter 46, Dane County Code.

### 3. *Siting Criteria for Development*

All new development, or expansion of existing development, within a Farmland Preservation Area should comply with, at a minimum, the following criteria. Town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan* may include additional, or more restrictive, siting standards.

- a) Do not place new development or expansions of existing uses in wetlands, floodplains (see Resource Protection Corridor Overlay District, below).
- b) Size nonfarm zoning parcels to the minimum necessary to accommodate the proposed use. Parcels must meet minimum lot sizes, local driveway or county or state highway access standards, and minimum road frontage standards under applicable comprehensive plans, zoning ordinances or land division ordinances.
- c) Locate nonfarm building sites to minimize disturbance of productive agricultural soils, promote clustering and minimize conflicts with existing agricultural use. Productive agricultural soils are soils classified as Group I or Group II under the Dane County Land Evaluation and Site Assessment system, or as specified in a town, city, village or extraterritorial cooperative plan adopted as part of the *Dane County Comprehensive Plan*.
- d) As required under Chapter 14, Dane County Code, driveways longer than 125 feet must comply with county erosion control and stormwater standards. Contractors are required to use erosion control measures and return lands to a near normal setting after completion of construction. The Town, County, City, or Village may require an erosion control and/or stormwater management plan or a preliminary review letter meeting county ordinance standards as a condition of approval.
- e) Compliance with a county, city or village-approved site plan may be required as a condition on a conditional use permit or rezone petition for new development in a Farmland Preservation Area.

### 4. *Agricultural Enterprise Areas*

- a) *Conservation Compliance Certification.* Farmers in an Agricultural Enterprise Area (AEA) entering into a voluntary farmland preservation agreement must meet soil and water conservation standards under ATCP 50, Wis. Adm. Code to claim the additional AEA tax credit. Wisconsin AEA application materials require information about approximate percentage of farmers in the AEA in compliance with conservation standards. Apply directly to the Dane County Land & Water Resources Department for conservation compliance certification, no later than 60 days before the nomination application deadline. Further details are available from the Land Conservation Division.
- b) *County Board Resolutions of Support.* The Dane County Board of Supervisors will consider resolutions supporting AEA petitions, provided target lands are shown in an Farmland Preservation Area in the Farmland Preservation Plan Map (Map FPP-10) of the *Dane County Farmland Preservation Plan*. Send requests for consideration to the Dane County Department of Planning and Development

no later than 60 days from the nomination application deadline, to allow time for county review and approval.

- c) *Targeted Agricultural Enterprise Areas.* As resources permit, Dane County Planning and Development staff may work directly with landowners and local governments to solicit petitions and assist in the AEA application process. Assistance may include attending public information sessions, mapping and assistance with application narrative drafting. County-assisted AEA projects should include properties with existing, substantial county, local, state or federal public investment in sustainable agricultural practices. Examples of public investment in sustainable agricultural practices include, but are not limited to, agricultural infrastructure, cost-share assistance, agricultural development grant or revolving loan fund financing projects wholly or partially funded with public money.
  - d) *County/ Regional Benefits to Farmers in an AEA.*
    - (1) *Urban Service Areas.* Dane County will continue to advocate for state legislative changes that would establish objective standards for Urban Service Area approvals that take into account potential agricultural impacts. Dane County will work with the Capital Area Regional Planning Commission and the Wisconsin Department of Natural Resources to explore options that would:
      - (a) protect AEAs from urban service area expansions intended to serve new urban development, while;
      - (b) allowing for limited public sewer or water service needed to support agriculture-related industries.
    - (2) *Targeted economic and technical assistance.* The following programs are available to landowners in designated Agricultural Enterprise Areas.
      - (a) Revolving Loan Funds for agricultural and related business creation or expansion in certified Agricultural Enterprise Areas (AEAs).
      - (b) As a Recovery Zone under the federal American Recovery and Reinvestment Act, the county will make Recovery Zone Facility Bonds available for projects that fit the criteria for bond issue within AEAs. Projects would have to be substantial in order to meet cost/benefit requirements.
      - (c) Dane County will continue to work with the WI Department of Commerce and the Workforce Development Board of South Central WI through their business programs for manufacturing and food processing, as well as job training. These resources will be made available to farmers in Agricultural Enterprise Areas.
5. *Agricultural Conservation Easement Programs*
- a) *Goals And Objectives For Agricultural Conservation Easement Programs*

Where consistent with county, town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, the county will:

- (1) Support and complement any existing or future PDR, Purchase of Agricultural Conservation Easements (PACE), or transfer of development (TDR) programs developed by the county, local, state or federal governments.
  - (2) Encourage inclusion of natural resource lands, farmlands, and woodlands under conservation easement.
  - (3) Encourage voluntary participation in easement programs, allowing private landowners to continue to manage their property and with no requirement for public access.
  - (4) Focus easement purchases to areas planned for long-term or permanent agricultural or natural resource use.
  - (5) Make sure that all land protection is in permanent agreements and conservation easements have secondary easement holders to provide lasting public benefit.
  - (6) Allow communities to grow in accordance with town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plans.
- b) *County Registry Of Interested Sellers.* Dane County will maintain a voluntary, online database of landowners interested in selling conservation easements on their property.
- c) *Purchase of Agricultural Conservation Easements (PACE) Programs*
- (1) *PACE Grant Eligibility and Ranking Criteria Maps.* Map FPP-12 shows landholdings ranked by selected Wisconsin Department of Agriculture, Trade and Consumer Protection PACE grant criteria\*  
([http://www.datcp.state.wi.us/workinglands/pace\\_application.jsp](http://www.datcp.state.wi.us/workinglands/pace_application.jsp)).
- \* Note: does not include qualitative, site-specific or other criteria that cannot be generally mapped
- The Dane County Department of Planning and Development maintains this map, and updates it on an annual basis. Current Wisconsin ranking information will be available online through DCiMap, Dane County's online geographic information system (<http://dcimap.co.dane.wi.us/dcimap/>).
- (2) *Mapping and Technical Assistance.* For town, city or village governments, or qualified non-profit conservation organizations under state and federal PACE programs seeking to purchase conservation easements on agricultural lands in Dane County, the Dane County Department of Planning and Development will provide, free of charge:
    - (a) Density Study Reports to determine development potential under the *Dane County Comprehensive Plan*, and;
    - (b) A map of the target property showing soils (including percentage of prime and state-significant soils), any specialty crops and any state-qualified



unique farmland to meet grant application requirements of the State of Wisconsin or the U.S. Department of Agriculture.

- (3) *Transaction Assistance Grants.* Dane County should consider developing a supplemental grant program to assist successful PACE grant applicants with transaction costs (such as surveys, appraisals or legal work) not covered by state, federal or other PACE grant funds.
- (4) *Conservation Compliance Certification.* Wisconsin PACE grant eligibility standards require that target properties have a qualified farm conservation plan in effect, and that all county, state and federal soil and water conservation standards are met. Conservation certification applications, including appropriate inspection and review fees should be received by the Land Conservation Division of the Dane County Land & Water Resources Department no later than 60 days in advance of the grant application deadline. Further details are available from the Land Conservation Division.
- (5) *County Board Resolutions of Support.* The Dane County Board of Supervisors will consider resolutions in support of PACE grant applications by town, city or village governments or by qualified non-profit conservation organizations under state or federal PACE programs, provided target lands are shown in an Farmland Preservation Area in the Farmland Preservation Plan Map (Map FPP-10) of the Dane County Farmland Preservation Plan. Send requests for consideration to the Dane County Department of Planning and Development no later than 60 days from the grant application deadline, to allow time for county review and approval.
- (6) *County Acquisition Program.* As funding permits, Dane County may work directly with willing sellers to purchase agricultural conservation easements on agricultural lands within Farmland Preservation Areas. In areas not already mapped and identified as project areas in the *Dane County Parks and Open Space Plan*, or in other county, town, or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, Dane County will provide for timely, general notification to local governments regarding easement purchases that would affect nonfarm development potential within that jurisdiction. Dane County will work on its own or with project partners, and will seek to match its own acquisition funds with local, state and federal grant programs as much as possible. County-funded Purchase of Agricultural Conservation Easement projects should include lands that meet at least one of the criteria below.
  - (a) Target lands fall within the boundaries or buffer areas for projects identified in the *Dane County Parks and Open Space Plan*.
  - (b) Projects include lands targeted for wetland restoration or streambank easements identified as critical to the protection and enhancement of water quality as part of the *Land and Water Legacy Fund*.
  - (c) Projects include lands within designated Agricultural Enterprise Areas.

- (d) Projects are in areas where landowners have demonstrated a commitment to long-term or permanent agricultural use.
- (e) Maintenance of project lands in permanent agricultural or open space use would:
  - (i) minimize boundary conflicts between agriculture and incompatible uses;
  - (ii) result in substantial benefits to ground or surface water quality;
  - (iii) protect significant natural hydrologic functions
  - (iv) prevent productive agricultural lands from irreversible conversion out of agriculture or agriculture-related uses, or;
  - (v) protect agricultural infrastructure, soil and water conservation practices or other significant public or private investments in agriculture or agriculture-related uses.
- d) *Transfer of Development Rights (TDR)*
  - (1) *Dane County TDR Zoning Ordinance.* Sections 10.158 and 10.159, Dane County Code provide a legal and administrative framework to support town-initiated Transfer of Development Rights (TDR) programs. The ordinance includes two overlay zoning districts.
    - (a) *TDR-S (s.10.158, Dane County Code).* The TDR-S district is used to designate TDR sending areas. The TDR-S overlay can be applied to the A-1EX(Exclusive Agriculture) or CO-1 (Conservancy) zoning districts. The TDR-S district does not limit any permitted or conditional uses allowed in the underlying zoning. Instead, the TDR-S district adds a new permitted use allowing landowners to transfer development rights away from their property by recording a conservation easement with the county Register of Deeds.
      - (i) Transferred development rights must be consistent with town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plan. Depending on adopted town and county plan policies, development rights may be transferred to a receiving area in the same town, or to another town, city or village. Development rights may also be sold to a public conservation agency or nonprofit land trust and extinguished. Landowners in the TDR-S district may choose to sell some, all or none of the development rights allocated to them under the town density policy, and may negotiate whatever price they feel is fair.
      - (ii) A-1EX (TDR-S) zoned parcels remain eligible for state farmland preservation tax credits. As long as they have not already transferred all their development rights, landowners with land zoned A-1EX(TDR-S) may still rezone and divide their land to create new residential lots, consistent with density caps and other policies in the



town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plan.

- (iii) Sending areas should be within an Farmland Preservation Area as shown on the Farmland Preservation Plan Map (Map FPP-10).

(b) *TDR-R (s.10.159, Dane County Code)*. The TDR-R district is used to designate TDR receiving areas. The TDR-R overlay can be applied to the A-1(non-exclusive), and all the A-2 (Agriculture), R (Residential), and RH (Rural Homes) zoning districts. The TDR-R overlay requires that any change of use (such as a zoning permit or conditional use permit) that would increase residential density must be accompanied by a transferred development right from a parcel in the TDR-S district.

- (i) Before obtaining zoning permits for property in the TDR-R district, developers must present recorded deed notice documents on both the sending and receiving parcels that:

- (a) track the number of rights transferred;
- (b) identify the location of the sending parcel, and;
- (c) reference a recorded conservation easement on an appropriate TDR-S-zoned parcel.

- (ii) Transferred development rights must be consistent with town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plan. Development in TDR-R districts must comply with any adopted siting criteria, development standards, environmental protection requirements, zoning setbacks or other land development regulations.

- (iii) Within the Extra Territorial Jurisdiction (ETJ) of a city or village, the town and municipality must comply with adopted intergovernmental cooperation (and if necessary, dispute resolution) procedures in all applicable comprehensive plans before rezoning lands to the TDR-R district.

- (iv) Except for farm-to-farm transfers as described below, designated receiving areas must be within areas shown as Non-Farm Planning Areas in the Farmland Preservation Plan Map (Map FPP-10) of the Dane County Farmland Preservation Plan.

(2) *Farm to Farm Transfers*. From time to time, farmers may wish to trade development rights to facilitate more compact development, promote clustering, or protect large areas of productive farm soils. In such cases, TDR receiving areas are not formally mapped in town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plan or the *Dane County Farmland Preservation Plan*, but are applied as TDR transactions occur. The local zoning authority may consider limited TDR-R overlay zoning within Farmland Preservation Areas as shown on the Farmland Preservation Plan Map (Map FPP-10), provided all of the

following criteria are met. Town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan* may impose additional criteria or conditions.

- (a) Rezones to accommodate new nonfarm development must meet all findings of fact under Chapter 4, Section I.C., Policy 2, *Farmland Preservation Areas, Other Zoning Districts*.
  - (b) The transfer facilitates compliance with the *Siting Criteria for Development* in a Farmland Preservation Area described in Chapter 4, Section I, Policy C.3.
  - (c) Resulting development does not cause the proportion of land area under a certified Farmland Preservation Zoning district to fall below 80% of the countywide area of the Farmland Preservation Area, as required by DATCP certification requirements.
- (3) *Town Implementation*. To implement TDR-S or TDR-R overlay districts, town boards must:
- (a) Adopt a resolution saying they wish to apply the TDR ordinance within the town;
  - (b) Amend, if necessary, the land use section of their comprehensive plan to establish appropriate TDR policies;
  - (c) Have the town comprehensive plan amendment adopted by the county board as part of the *Dane County Comprehensive Plan*, and;
  - (d) Rezone individual parcels (either on a case-by-case basis as TDR proposals are made, or by a town-initiated “blanket rezone”) to the TDR-S district, TDR-R district, or both.

## II. Non-Farm Planning Areas

### A. Rationale for Designation

Non-Farm Planning Areas, as shown on the *Dane County Farmland Preservation Plan Map* (Map FPP-10), include areas in town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan* that are not planned for long-term agricultural use. Such areas do not meet the criteria for Farmland Preservation Areas described above, and are not eligible for Farmland Preservation tax credits or other benefits provided under Chapter 91, Wisconsin Statutes. Non-Farm Planning Areas include:

- Rural Development / Transitional or Mixed Agricultural / Residential Areas identified in town plans adopted as part of the *Dane County Comprehensive Plan*;
- Areas with insufficient regulatory or other policy mechanisms in place to effectively limit nonfarm development over the next twenty years, and;
- Urban Service Areas identified in the *Dane County Water Quality Plan*, unless included in an Agricultural Conservation Easement, recorded as of July 23, 2012, that permanently preserves the land in agricultural use.

### ~~D.B.~~ Goals and Objectives for Non-Farm Planning Areas

Consistent with county, town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, the county will:

1. *Create or encourage compact, mixed-use development to avoid the conversion of agricultural or open space areas.*
- ~~6.2.~~ *Maintain Dane County's rural character and preserve the distinct character and physical separation of Dane County communities.*
- ~~7.3.~~ *Encourage separation of incompatible uses in rural areas.*
- ~~8.4.~~ *Reduce scattered rural nonfarm development by encouraging clustering of rural development as part of a town farmland preservation strategy.*
- ~~9.5.~~ *Promote the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.*
- ~~10.6.~~ *Encourage land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state government and utility costs.*
- ~~11.7.~~ *Encourage future rural development to be compact, adjacent to existing development and consistent with county, town, city, village and extraterritorial cooperative planning policies.*

### ~~E.C.~~ Policies and Programs for Non-Farm Planning Areas

Consistent with county, town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, the county will:

- a) Limited Services Areas delineated in the Dane County Water Quality Plan may also be approved as “Smart Growth Areas” where appropriate to promote higher density infill development as part of a transfer of development rights program.
- b) Reduce zoning lot size requirements for rural housing settings, including conservation and cluster subdivision, to reduce housing costs.
- c) Establish design guidelines and site plan review procedures for compact development that minimizes the conversion of agricultural land to residential use and the amount of land consumed per unit of new housing in the towns.
- d) Amend the County Land Division Ordinance (Chapter 75, Dane County Code) to create a conservation subdivision ordinance to encourage rural density by clustering housing development and reducing lot size, in order to conserve the environment and agricultural land.
- e) Seek to maintain or increase housing density, in accordance with town, city, village or extraterritorial cooperative plans adopted as part of the Dane County Comprehensive Plan.
- f) Promote development clusters based upon historical patterns such as existing hamlets, cross roads communities, subdivisions, and conservation subdivisions, as well as environmental factors such as soils, slopes, and viewsheds.
- g) Continue to direct urban development requiring a full range of public services to designated Urban Service Areas. Encourage communities to direct new dwelling units to the Outlying Urban Service Areas (OUSAs) and to the Central Urban Service Area (CUSA) as appropriate to ensure that development occurs in locations with a range of urban services, and where those services can be provided most efficiently.
- h) Work with the DNR and the Capital Area Regional Planning Commission to establish objective standards for Urban Service Area approvals that take into account potential agricultural impacts.
- i) Dedicate resources toward the Dane County Infill Inventory Project to promote the redevelopment of under utilized or unused parcels within urban service areas and promote compact development within these areas to reduce the pace of expansion into undeveloped open space or agricultural areas.

### III. Resource Protection Corridor Overlay

#### A. Rationale for Designation

Resource Protection Corridor Overlays, as shown on the Dane County Farmland Preservation Plan Map (Map FPP-10), include areas that are not suitable for structural development due to environmental sensitivity or because of the presence of fragile, irreplaceable resources. Where Resource Protection Corridors overlap lands in designated Farmland Preservation Areas, properties remain eligible for farmland preservation tax credits and other benefits under Chapter 91, Wis. Stats. and the *Dane County Farmland Preservation Plan*. Resource Protection Corridors apply to areas outside Urban Service Areas as identified in the *Dane County Water Quality Plan* and the *Dane County Comprehensive Plan*. Resource Protection Corridor Overlays include the following categories of lands:

- wetlands, as defined in state statute and including both the shoreland wetland and inland wetland districts under Chapter 11, Dane County Code;
- shoreland setbacks and wetland buffers required under Chapter 11, Dane County Code;
- 1% regional floodplains, including the general floodplain district, floodway district and flood storage district, as described in Chapter 17, Dane County Code, and;
- other areas specifically planned to protect natural or cultural resources, and where structural development is strictly limited, as identified in the *Dane County Comprehensive Plan*, or its component town, city, village or extraterritorial cooperative plans.

#### ~~F.B.~~ Goals and Objectives for Resource Protection Corridors

Consistent with county, town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, the county will seek to:

1. *Develop and promote a countywide system of resource protection corridors based on watersheds as a framework to:*
  - protect and where possible, restore, the natural environment and scenic values;
  - provide outdoor recreation opportunities, and;
  - preserve for posterity the nature and diversity of our natural heritage.
2. *Permanently protect key sensitive and critical environmental resources, including, but not limited to: infiltration areas; riparian habitat; in-stream habitat; wetland habitat; wetlands; groundwater recharge areas; open space corridors; spawning grounds; shore cover, and; headwater areas.*

#### ~~G.C.~~ Policies and Programs for Resource Protection Corridors

Consistent with county, town, city, village or extraterritorial cooperative plans adopted as part of the *Dane County Comprehensive Plan*, the county will:

- a) Generally prohibit new structures, buildings or urban development and limit impervious surfaces. Continue to redirect non farm development away from, and limit encroachment into, designated Resource Protection Corridors. This plan

provides general policies while continuing to rely on town plans adopted by the county for more detailed land-use policies. Generally development on slopes of 20% or greater is not allowed, except where it is allowed or allowed with conditions under a town plan adopted by the county into the *Dane County Comprehensive Plan*.

- b) Minimize encroachment and adverse impacts of utilities and transportation facilities on land and water resources in Dane County.
- c) Maintain in agricultural, conservation or open space use.
- d) Require erosion control and soil and water conservation practices for all land disturbing activities.
- e) Provided all applicable county and state erosion control, stormwater, shoreland, wetland, floodplain and stream crossing regulations are met, the following may be permitted in the Resource Protection Corridor:
  - (1) New structures specifically permitted within setback areas or below regional flood elevations under Chapter 11, Dane County Code, and Chapter 17, Dane County Code, provided all conditions, standards or mitigation requirements are met.
  - (2) Expansion or improvement of existing accesses or driveways, if necessary to meet current local driveway standards.
  - (3) Replacement of existing structures, unless prohibited by Dane County ordinance, or by state or federal law.
- f) Continue to enforce county or municipal ordinances that meet minimum standards for water quality established by the Dane County Lakes and Watershed Commission and the Dane County Board of Supervisors under Section 33.45, Wis. Stats.
- g) Support programs to restore natural vegetation, remove invasive species and improve habitat.
- h) Where there are disputes over mapped wetlands, floodplains, soil or slope conditions, the local zoning authority may refer to detailed studies derived from onsite field conditions to determine actual Resource Protection Corridor boundaries. Any such study must be reviewed and approved by the appropriate regulatory authority. Developers bear the burden of proof that mapped Resource Protection Corridors are in error.

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Insert FPP-10 Farmland Preservation Plan Map (front).



Insert FPP-10 Farmland Preservation Plan Map (back).

Insert FPP-11 Current zoning map (front).

Insert FPP-11 Current zoning map (back).

Insert FPP-12 Wisconsin PACE Program Ranking Map (front).

Insert FPP-12 Wisconsin PACE Program Ranking Map (back).

## APPENDIX I: CITY OF FITCHBURG FARMLAND PRESERVATION PLAN