

## Chapter Four Implementation

### 1. Overview

Of all of the chapters in this plan, this chapter is by far the most important. It lists key issues that were identified by the steering committee and through the regional meetings that were conducted. Goals, objectives, and policies intended to protect farmland from development are provided. Criteria used to map the farmland preservation areas in the county are described and the maps are presented. Finally, an action plan describes various activities that will need to be initiated over the next 5 years following plan adoption.

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### 2. Goals Analysis

At its meeting of June 9, 2016, the Steering Committee reviewed the goals of the existing 2012 Farmland Preservation Plan. We also carried out a Visioning activity at the first round of public input sessions to assist in this goals analysis. Near the end of the planning process, the committee reviewed the initial results and made revisions based on public input that was obtained over the course of the project. These are listed in Section 4 of this chapter. We also utilized a SWOT analysis that was completed in 2011 and had a significant number of appropriate issues that affected the drafting and adoption of this current plan as listed below.

### 3. Issues and Opportunities

Throughout the planning process a range of issues and opportunities were identified and are described in this section. Most of these relate specifically to agriculture, while some relate to the state's farmland preservation program and its implementation.

- **Organic food** In recent years, the demand for organic food has been steadily increasing. While some consumers have always been interested in eating a healthy diet, the number has been growing. In recent years, commercial food stores have begun stocking and promoting a growing variety of organic foods.
- **Eat local** Eating locally grown food is also a relatively new trend. While consumer motives vary from person to person, many believe eating locally grown food strengthens the local economy and reduces transportation costs. Others simply like to know where their food comes from and others believe locally grown food is fresher and more nutritious than store bought food. Food services of some school districts are often quite supportive of buying locally. (See inset box.)

#### Case Study – NuGenesis Farm

ProHealth Care, with hospitals in Waukesha and Oconomowoc, partnered with local businesses, educational institutions, and a non-profit to establish an organic farm on 37 acres in Waukesha County – but with a twist. The farm will produce vegetables, fruits, nuts, herbs, and spices that have been scientifically proven to prevent and fight disease while promoting excellent health. In addition to growing these healthy foods, the center will be involved in research and education. Waukesha Memorial Hospital plans on purchasing food produced on the farm for its kitchen.

Buying local or directly from a farmer helps to keep money in the community. More than 90¢ of every dollar you spend goes to the farmer, thus preserving farming as a livelihood and farmland. This is important because as mergers in the food industry have increased, the portion of your food dollar paid to farmers has decreased. Vegetable farmers, for example, earn only 21¢ of your dollar; the other 79¢ goes to pay for marketing, distribution, and other costs.

**Table 7. SWOT (Strength, Weakness, Opportunities, Threat) Analysis**

Strength	Internal Factors	
		Weakness
1. Broad farm base		1. Minimal return on investment
2. Productive ag land without irrigation		2. Farmers don't like the state telling them what to do
3. Recognize the importance of ag future		3. Perception of slippery slope (e.g., state changes the law down the road, new requirements, reduce incentives)
4. Dedicated farmers		4. Distrust of government
5. County land use plan shows land for agriculture (grassroots effort)		5. If land is not included in a farmland preservation area, you don't qualify for tax credits
6. Staff works well together		6. Lack of knowledge of exact criteria
7. Committee members all wear different "hats"		7. Difficulty in communicating with residents
		8. Incentives too low
		9. Short timeline to complete the plan
		10. No guarantee of future funding
		11. Consumers and agribusiness interests not represented on committee (See Strength #7)
Opportunities	External Factors	
		Threats
1. Dovetail zoning code rewrite		1. Current piecemeal development
2. Older landowners may be more receptive		2. More paperwork and regulations
3. Bigger farm operations will require land for waste disposal		3. Existing boundary agreement
4. There is a "window of opportunity" to get out of A-1 zoning with this process		4. Extraterritorial jurisdiction of cities and villages
5. Enables younger farmers to continue		5. Conservation compliance standards and costs
6. Give existing participants an opportunity to continue (i.e., those currently in like it and want to continue)		6. Bigger farm operations will require land for waste disposal (some may opt out because of conservation compliance to dispose of waste)
7. Accomplish some of the goals in comprehensive plan		7. Conversion fee penalty [1]
8. Draft a plan that is voluntary		8. Some properties are too close to urban cities
9. Responsibility as elected officials		9. Some farmers may take "wait and see" approach and want to get in later (also seen as an opportunity - #10)
10. Some farmers may take "wait and see" approach and want to get in later (also seen as a threat - #9)		10. History of old program (i.e., negative perception)
11. Comprehensive plan was a bottom up effort – it shows local control is working		11. The whole Working Lands Initiative is complicated
12. Necessary land base for agribusiness (e.g., creameries, ethanol plant, large livestock operations, implement dealers although none in the county)		12. County Board could reject what steering committee recommends – start over or miss deadline of December 31, 2011

Notes:

1. The conversion fee penalty was removed by the Wisconsin Legislature in 2011.

- **Food as medicine** Although we all eat food for sustenance, research is showing that certain foods have exceptional medicinal health benefits. For example, the efforts of one hospital are described in the inset box.
- **Distrust of state programs** Some farmers in the county harbor a strong distrust of state programs and regulator controls. In order to overcome this and ensure participation, this plan will need to fully and transparently inform landowners of the programs components. Even then, some landowners will remain distrustful.
- **Conservation compliance** Under the Working Lands Program, farmers who claim a farmland preservation tax credit must comply with state soil and water conservation standards. These include the preparation and implementation of a nutrient management plan and a conservation plan and implementation of appropriate conservation practices. Some farmers view conservation compliance as cost prohibitive and an unwelcomed intrusion in how they run their farming operation.
- **Incentives too low** Many landowners believe the incentive to participate in these programs is not sufficient to offset compliance costs and perceived risks. This will continue to be a difficult discussion, due to the current economic conditions and the resulting lack of political support for increased incentive levels.
- **Wait and see attitude** Some farmers providing input regarding the designation of farmland preservation areas indicated that they would prefer to wait to see how farmland preservation is implemented at the county level and how state requirements actually work out in practice. During the meetings, county staff and the consultant reiterated that getting in after the plan is adopted is not necessarily that easy. The mapped farmland preservation areas will need to be redrawn based on revised criteria, the drafting of which is no small task.
- **Extraterritorial jurisdiction of cities and villages** Once a positive tool for planning development in Wisconsin, extraterritorial review authority of cities and villages has increasingly become a divisive wedge creating animosity between towns and incorporated municipalities. Under Wisconsin's comprehensive planning legislation, cities and villages can "plan" beyond their borders and potentially undermine any plans that surrounding towns may have prepared and adopted for the same area. In addition, proposed subdivisions that lie within the extraterritorial area of a city or village must be authorized by that jurisdiction. The farmland preservation planning process should encourage additional boundary agreement discussions, and the importance of mutual respect

**Case Study – La Crosse Farm to School**

This program is a collaboration of the four largest school districts and the La Crosse County Health Department. Local produce from small- and medium-scale growers is purchased and sent to a local, small-scale food processing facility where it is processed, frozen, and shipped to the schools via a traditional vendor. Exploiting economies of scale, coordinating ordering and deliveries, and minimizing school district labor, the program is delivering minimally-processed local produce at competitive prices. It also provides nutrition education to the schools, including chef-led cooking classes using local ingredients, lesson plans for elementary teachers, parent handouts and monthly taste testing in school cafeterias. All educational activities

**Case Study – Rock County Jail Inmates Growing Food for Local Food Pantries**

Rock County UW Extension and the master gardener program partnered with the Rock County Community Corrections Bureau to establish a gardening program for inmates. More than 4,300 pounds of food was grown in 2008 which was donated to local food pantries.

between municipalities and the importance of continued farmland preservation, even in extra-territorial jurisdictions.

- **Local control.** Throughout the preparation, review, and adoption of this plan, there was one common theme – retain local control and input. The county’s comprehensive plan was built on the direct input from the towns and the future land use maps were prepared at the local level from the bottom up.
- **Declining numbers of farmers and farm workers.** Since the industrial revolution in the United States, the proportion of those earning their livelihood from agriculture has been declining. In the past 40 years, the United States has lost 800,000 farmers and ranchers.
- **Aging of farm operators.** The average age of farms is increasing older than the overall population. From 2002 to 2007, the average age of a farmer increased from age 55 to 57. And the number of farmers aged 75 years or older increased by 20 percent over the same period; meanwhile, the number of operators under 25 years of age decreased by 30 percent.
- **Size of operations.** As is true in many economic sectors, farm operations are growing in scale as expressed in acres in an operation. Farm consolidation has been an ongoing trend. Many operations have expanded in size to take advantage of economies of scale. Although there is a clear trend for operations to get larger, there have been an increasing number of small operations that do not require a large land base. Those growing a specialty crop are prime examples.
- **Specialization.** Farming operations in Wisconsin have historically been diversified. It was not uncommon for a farming to raise a variety of crops and animals. Increasingly the norm is to specialize in a particular area. For example, those in the dairy industry may specialize as a calving operation. Mega dairies and milk processing facilities have also seen a strong increase over the past 10 years.
- **Commodity prices.** In the past two years, cash receipts for crops statewide rose 34 percent with corn up 46 percent and soybeans up 24 percent. This significant rise in crop prices has resulted in a slowing of the number of acres being diverted from agriculture to development. In 2008, there were only 36 acres diverted from agriculture countywide. Statewide, the number of acres being diverted from agriculture decreased 43 percent and the value of agricultural land rose 12 percent. However, we cannot expect this trend to continue and should use this short reprieve to put in place appropriate measures to protect farmland.
- **On-farm energy production.** Production of energy from farm resources such as ethanol is making news, but another source of energy is sometimes forgotten. USEMCO is a company located in Tomah that builds anaerobic digesters that are able to generate electricity from manure from an average size dairy farm. Wisconsin has nearly 13,000 dairy farms, with an average herd size of fewer than 100 cows. By bringing the economy of scale down for manure digesters, many more farms will have the ability to take a potential disposal cost and turn it into a source of homegrown, renewable energy.
- **International trading policies.** Agricultural export opportunities are hindered by daunting MRL challenges due to confusing and burdensome import regulations on pesticide residue levels for U.S. ag exports. Agricultural trade operates in a global market and is subject to the capricious nature of governments, weather, and evolving trade agreements. Economic development policies for agriculture in Winnebago County should explore the ever-changing landscape of commodity markets and offer insight in ways to take advantage of international trade.

- **Perceived decline in agriculture’s role in economic structure of Winnebago County.** As the importance of other economic sectors have grown in scale and influence in the county and region, the role of the agricultural sector in the local economy has diminished. Although somewhat declining, agriculture is still a significant component of the local and regional economy and it needs to play an important role in the county’s overall economic strategy.

## 4. Goals, Objectives, and Policies

Under Section 91.01 of the Working Lands Initiative (Wis. Statutes), a farmland preservation plan must include (1) goals for agricultural development in the county, including goals related to the development of enterprise related to agriculture; (2) actions that the county will take to preserve farmland and to promote agricultural development; (3) policies, goals, strategies, and proposed actions to increase housing density in areas that are not designated as farmland preservation areas; (4) key land use issues related to preserving farmland and to promoting agricultural development and plans for addressing those issues; and (5) programs and actions that the county and local government units within the county may use to preserve farmland preservation areas.

Given the strong emphasis placed on agriculture and preservation of the rural character of the county in the 2016 Comprehensive Plan, many of the required components have already been addressed countywide. A listing of the goals, objectives, and policies in the existing comprehensive plan that address agriculture are included in Appendix F.

Goals, objectives, policies, and strategies in a comprehensive plan are intended to form a blue-print for action. Sometimes that action occurs in a proactive manner, and other times it is reactive, for example, when a project is proposed. They are intended to guide decision makers and those county officials, committees, and departments charged with implementing the vision of the plan.

The goals, objectives, and policies listed below are intended to supplement the 2016 Comprehensive Plan. They were initially developed by the steering committee with input of town officials and residents and county staff.

**Goal 1.** Protect farmland in Winnebago County, while balancing landowner rights and community benefit.

### Objectives

1. Minimize encroachment of development and the fragmentation of farm areas.
2. Increase development efficiency and density in urban areas.
3. Educate all residents of the importance of these programs.
4. Increase the number of acres permanently protected by land trusts or through the PACE program at the state level.

### Policies

1. Support the continued use of use value assessment in Wisconsin.
2. Develop and enforce zoning and subdivision ordinances that accomplish these goals.
3. Consider providing development incentives (e.g., density bonuses) in urban areas to help lessen the demand for housing in more rural areas.
4. Consider providing incentives to preserve farmland and open space.

5. Support the efforts of local and regional land trusts to protect farmland in the county from development.
6. Provide technical assistance to property owners that submit applications for PACE funding.
7. Provide letters of support for those submitting applications for PACE funding.

**Goal 2.** Maintain a strong agricultural economy.

**Objectives**

1. Promote economically sound tax policy.
2. Promote resilient farming practices (e.g. organic foods, local foods, farm markets, community supported agriculture, and conventional agriculture) that prioritize the conservation of soil and water

**Policies**

1. Support efforts to raise public awareness of the importance of the food sector to the local and regional economy.
2. Ensure that agriculture (e.g., production, processing and distribution) is a key component in local or regional economic development strategies and promotional efforts.
3. Support the continued operation of bio-fuel production in the county.

**Goal 3.** Support agriculture-related businesses and support systems.

**Objectives**

1. Increase the number of agriculture-related businesses operating in the county.
2. Engage and support agribusiness industry clusters (e.g., agri-tourism industries like wineries, pizza/wedding farms, etc)
3. Promote economic Development support, resources and incentives to agribusiness

**Policies**

1. Evaluate the potential of allowing individual farms in the unincorporated areas of the county to operate anaerobic digesters as a means of producing energy.
2. Ensure that county zoning regulations allow agribusinesses in agricultural zoning districts as may be appropriate.
3. Support initiatives intended to sustain existing processing facilities or develop new processing facilities.
4. Support efforts intended to compost or otherwise utilize food waste from restaurants and other large generators such as hospitals and schools.
5. Support initiatives that enhance the capacity of small and large farm operations.
6. Support initiatives that work to diversify the types of food produced in the county and surrounding region.

**Goal 4.** Promote urban agriculture.

**Objectives**

1. Increase opportunities for residents to produce food on their own property or at nearby community facilities.
2. Increase opportunities for residents to purchase locally grown food near their homes and places of employment.
3. Increase the number of Farm to School/ hospital/ restaurant Programs in the county.
4. Increase the number of community gardens and the number of gardeners.

**Policies**

1. Conduct an analysis of vacant publically-owned properties to determine if the property can be used as a community garden. Factors to be considered include potential interest from the public, short- and long-term use of the property, location, and potential partners for managing the site.
2. Evaluate the potential of allowing backyard chickens with appropriate controls in residential areas. Regulations may prohibit roosters, limit the number of hens, and control the placement of chicken runs and coops.
3. Allow community gardens in appropriate areas.
4. Evaluate the potential of allowing farmers to sell locally grown products at off-site locations (e.g., road-side stands) near consumers.
5. Evaluate the potential of allowing farm markets in suitable areas, including parking lots of churches, schools, and other compatible civic and cultural uses.
6. Evaluate the potential of allowing the keeping of apiaries in residential areas while protecting the public health.
7. Evaluate the potential of allowing food banks, community kitchens, and similar uses are allowed in more densely populated areas of the county.
8. Support efforts to establish a local or regional food council/coalition that operates in the county.
9. Support efforts to develop a food resource guide for Winnebago County that promotes locally-grown food, organic food, and community supported agriculture.
10. Support the establishment of a business network for the agricultural sector, including farmers, processors, and purchasers of locally grown food.
11. Support programs that introduce and engage youth and citizens in on-farm experiences.

**Goal 5.** Promote and protect the historical importance of agriculture in Winnebago County

**Policies**

1. Support Family Farm Heritage
2. Promote programs such as "Century Farms"
3. Establish a list of culturally and historically important farm operations in the County

## 5. Designation of Farmland Preservation Areas

One of the central objectives of a farmland preservation plan is the designation of farmland preservation areas. Farmland preservation zoning districts (exclusive agriculture zoning), or Purchase of Agriculture Conservation Easements (PACE), and agricultural enterprise areas (AEAs) may only be located within certified farmland preservation areas.

As required by state statutes, farmland preservation areas need to be based on fact-based criteria that are consistently applied to the entire planning area. Lands identified in the farmland preservation area must either be devoted to primarily agricultural use, and/or primarily agriculture-related uses. However, natural resource and open space areas may also be included.

Development of the mapping criteria in Winnebago County occurred over a six-month period. The steering committee identified key considerations and through a series of iterative mapping sessions developed a set of criteria to meet the needs of the County and the requirements in the Working Lands Initiative. In developing the criteria, the committee evaluated criteria from other counties that had adopted a farmland preservation plan or were in the process of doing so.

Below are the criteria used to designate the Farmland Preservation Areas in the County. These criteria are unique to Winnebago County, and are based on public input collected during three rounds of regional meetings and the unique needs of the County.

### Criteria for Designation of Farmland Preservation Areas

1. Landowner Issues
  - a. Current participation is an important factor
  - b. Future participation could be anticipated
  - c. Landowners with existing Farmland Preservation Zoning are a high priority
2. Future land use – Areas designated for development during the next 15-year period on a future land use map area excluded
3. There is no minimum size for a farmland preservation area
4. Soils productivity (Map 6)
  - a. Goes to the economic viability of farming
  - b. More sustainable to farm in good soils, less inputs and less labor
5. Historic/existing land Use – The property must currently be used for agriculture. Historic participation in this program is an important criteria
6. Natural resources – Contiguous natural resources and open space areas may be included provided the entire parcel is so designated on the future land use map

### Designating the Farmland Preservation Areas

Upon determination of the above six criteria, it became evident that the committee needed a method to evaluate the importance of each individual criteria, and utilize a weighted decision making method for designating the farmland preservation areas. We met several times to discuss this mapping process. In the end we settled on the process of utilizing maps, spreadsheets with data, staff expertise and further research and surveys of landowners. The committee had some concerns for the accuracy of the map which provided information regarding who had participated in farmland preservation program in the past, and therefore we completed an extensive survey of landowners



within each township to assist in the accuracy of this mapping the criteria. This process was by far the most time consuming and difficult process of completing this farmland preservation plan. Once the map was completed, however, it was also the most rewarding process. Following is a brief description of the steps taken to designate the map.

First, the committee felt it very important to show early success with the program, and so it felt that giving a significant weight to the criteria of landowner interest was important. It was very significant to the committee that certain landowner were past participants, and therefore very likely to continue the program in the future. This seemed to be low hanging fruit which would indicate future participation. These areas became potential Tier 1, or Tier 2 areas. The separation of these tiers would come later in the plan delineation process when we got to the zoning maps.

Second, we looked at the future land use map to find areas that were not planned for development. These areas not planned for development became potential Tier 1, or 2 areas. Again, further separation will occur as we get to other criteria. We then determined where the areas resided that may be planned, in the longer term for development, and where they would not develop for at a minimum of 15 years. These areas quickly became potential Tier 3 areas as shown in the following paragraphs. The committee removed those areas that were planned for development in the near future.

Third, the committee determined that it was important for the soils to be productive for successful farming. Therefore the committee removed areas that were of very poor soil types. Since Winnebago County does not have any class one soils, the committee felt that there was little preference for high quality soils, only to remove very low quality soils. Also that drainage of wet soils had seen significant success in the past in Winnebago County, that if the property was protected, (wetland or floodplain) it could continue as open space, if it was not protected, the soil could be amended to become successful farmland. The soils map was used, only to remove areas from the farmland preservation maps.

Fourth, we removed any areas that were not currently used as farmland or open space.

Fifth, we utilized our high quality GIS mapping information to assist us in finding those areas of contiguous natural resource or open space that were in public control and contiguous to mapped farmland preservation areas. These contiguous open space areas were added as Potential Tier 1 Areas.

Sixth, we determined that some landowners, even if they did not currently have the appropriate zoning to participate in the farmland preservation program, would have a significant likelihood of participating in the future. These areas were assumed to be pursuing a future farmland preservation zoning district, and to minimize a significant amount of amendments to the farmland preservation plan over the next few years, the committee decided to include these likely areas within the mapped farmland preservation areas.

Seventh, we looked at the minimum standards in the Wisconsin State Statutes and determined if the areas that were delineated for a farmland preservation area met with these minimum statutory standards. We utilized the following three tier approach to separate the farmland preservation areas to clearly delineate the programs available, both at the local and state level to assist in preserving the farmland.

With respect to certified farmland zoning, there are three farmland preservation areas mapped in Winnebago County. These mapped "Tiers" are administered by providing program incentives, and enforcing certified zoning ordinances. The Farmland Preservation Area Tiers are described below.

### **Farmland Preservation Area Tier I**

Land Uses in Tier 1 include All agricultural uses, including farmsteads, agri-business, agricultural buildings, primary residences, limited additional residential uses, wetlands, open water, open space and all other areas not planned for any type of development other than agriculture and agri-business. This area was delineated using the criteria adopted by the Farmland Preservation Steering Committee. All available farmland preservation program incentives, including income tax credits should be made available on a voluntary basis to landowners within Tier I areas.

### **Farmland Preservation Area Tier II**

Land Uses within Tier II include all of the land uses as in the Tier I area. The only exception is that the vacant land in the Tier II category has been identified by the County Future Land Use Map as planned for future non-agricultural development. This development, however is not projected to occur within the next 15-years. Therefore these Tier II areas can benefit from short term farmland preservation program incentives. These Tier II areas must also remain within a certified farmland preservation zoning district while they receive program incentives. Periodically, when the County Farmland Preservation Plan is updated, portions of this Tier III area must be remapped, based on the 15-year forecasted land use demand. Only short term farmland preservation program incentives should be made available on a voluntary basis to landowners within this Tier III area.

Farmland preservation areas are depicted on the map on the following page. Table 8 documents the number of acres in each of the tiers.

**Table 8. Farmland Preservation Areas: 2017-2027**

	Acres
Tier I	17,532
Tier II	2,448
Total	19,980

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Source: Winnebago County GIS Department

## 6. Action Plan

Exhibit 1 lists the various implementation activities that will need to be accomplished in the coming years.

**Exhibit 1. Action Plan: 2017-2027**

<b>Activity</b>	<b>Responsible Party</b>	<b>Schedule</b>
Update certified zoning ordinance	County or Town Board	December 31, 2021
Update certified farmland preservation plan	County Board	December 31, 2027
Develop a PACE education program	County Land Conservation and Planning staff	2020
Assist in the development of cooperative boundary agreements	County, City, Village and Town Planning staff	Ongoing
Update County subdivision regulations	County Planning and Zoning Committee	2019
Develop standards to review plan implementation progress	County staff	Annually starting in 2018
Develop standards to judge consistency of land use decisions with adopted comprehensive plan	County staff	Annually starting in 2018
Local Farmland Planned Areas	Town and County staff	2018
Develop a model petition for establishment of an agriculture enterprise area	Civitek and County staff	2018
Update and certification of Town zoning ordinances	Town staff	Annually starting in 2018

## Chapter Five Supplemental Maps

1. Land Use Density: 2014
2. Sewer Service Areas: 2015
3. Land Use Policy Framework
4. Future Land Use
5. Agricultural Infrastructure
6. Soil Suitability
7. Lands Enrolled in Farmland Preservation Program
8. Existing Zoning: 2017
9. Farmland Preservation Plan Map