

Preface

Updating the Waukesha County Farmland Preservation Plan

A Comprehensive Development Plan for Waukesha County (WCCDP) was adopted on February 24, 2009 and has since been amended a number of times. The Waukesha County Comprehensive Development Plan Advisory Committee oversaw the preparation of the multi-jurisdictional planning effort that culminated in the adopted WCCDP plan. The 2009 WCCDP sets forth the vision for proper growth and distribution of land uses across the County's varied municipalities and addresses the nine required elements of the State's Comprehensive Planning Law (Section 66.1001 of the *Wisconsin Statutes*). In June 2009, after the completion of the 2009 WCCDP, the State of Wisconsin adopted a new Farmland Preservation law (Chapter 91, *Wisconsin Statutes*) as part of its Working Lands Initiative. The law also sets forth that farmland preservation plans expire after a prescribed amount of time. The Waukesha County Farmland Preservation Plan is certified through the end of 2023. Accordingly, a 2023 update of the plan has been prepared.

In order to initially satisfy the requirements of the Working Lands Initiative, in 2010, Waukesha County staff assembled a Farmland Preservation Planning Advisory Committee comprised of local farmers, elected and appointed officials and local administrative staff to steer the preparation of the new County Farmland Preservation Plan. The committee structure was very similar to that of the subcommittees that were assembled to guide the preparation of the County Development Plan. The Waukesha County Farmland Preservation Plan was completed in early 2011 and was has been incorporated as Appendix "D" of this WCCDP as part of the 2011 WCCDP Development Plan amendment process. The new Farmland Preservation plan element is similar to the adopted County Park and Open Space Plan (Appendix "A" of the County Development Plan) in that, given the breadth of the topic, it is essentially a plan within a plan. - The Farmland Preservation Plan draws upon much of the data and plan elements of the previously adopted 2009 WCCDP and is presented as an appendix in order to avoid duplication of plan text and the difficulties that would result from re-organizing the entire 2009 WCCDP document. The 2023 Farmland Preservation Plan carries forward many of plan recommendations from the 2011 Farmland Preservation plan and reflects recent land use changes and trends and incorporates newly available census and land use data. The appendix format also clearly differentiates the independent Farmland Preservation Plan Advisory Committee plan preparation process from the prior WCCDP preparation process.

Recognizing that land use plans should not be static documents, the WCCDP provides for an amendment process, which that allows for consideration of amendments to the adopted plan on an annual basis. While the majority of amendments over time are anticipated to be property-specific, some amendments take a more comprehensive form. In 2011, the incorporation of the Farmland Preservation Plan was the first such comprehensive amendment to the 2009 WCCDP. The Table of Contents of the WCCDP was has been repealed and recreated as part of the 2011 Farmland Preservation Plan amendment in order to reflect the inclusion of the new Appendix "D". The 2023 Farmland Preservation Plan continues to be identified as Appendix "D" of the WCCDP. Map VII-2 of the WCCDP depicted the County's recommended land use plan map as of the date of plan adoption in 2009. This recommended land use plan map, which is maintained and updated as a digital mapping layer on the County Information Mapping Site at www.waukeshacounty.gov/interactivemap www.waukeshacounty.gov/landandparks, has been updated to reflect the land use category designations that are set forth by the new County Farmland Preservation Plan. The 2011 Farmland Preservation Plan text also amended the "Agricultural Preservation" land use category of the WCCDP to now become the new "Farmland Preservation" category and revised the definition of this category to be consistent with the definition and criteria established for farmland preservation areas, as specified in Chapter D-3 of Appendix "D". The 2023 Farmland Preservation Plan affirms and carries these 2011 plan definitions forward with only one minor one criterion refinement, as detailed in Chapter D-3 of Appendix "D". The remainder of the 2009 Development Plan document text remains unchanged. As amended, the WCCDP document also stands as the County's adopted Farmland Preservation Plan. In the event of inconsistency between the WCCDP statistics or text 2009 Development Plan

2023 amendment to the 2009 County Development Plan (in front of the current table of contents)

and Appendix D (Farmland Preservation Plan), the ~~WCCDP2009 Development Plan~~ defers to the Farmland Preservation Plan.

DRAFT

9/27/2023

Appendix D

Waukesha County Farmland Preservation Plan¹

¹ (draft) This is an update to the 2011 Farmland Preservation plan that was adopted as an ~~2011~~-Amendment to “A Comprehensive Development Plan for Waukesha County”, adopted by the Waukesha County Board of Supervisors on February 24, 2009.

Chapter 1

INTRODUCTION

BACKGROUND

After years of program planning and input from stakeholders around the state, the Wisconsin Legislature passed landmark legislation in 2009 Wisconsin Act 28 (2009-2011 Budget Bill) to create what is known as the “Working Lands Initiative”. This ~~new~~ law made ~~very~~ significant revisions to Chapter 91 Wisconsin Statutes, which has been home to Wisconsin’s farmland preservation law since 1977. These ~~new~~ revisions continue over ~~three-four~~ decades of state leadership on the issue of farmland preservation, recognizing its importance not only for food and fiber production, but for the State’s economic health and the quality of life for its residents - today and tomorrow. The ~~new~~ law continues a long history of relying on county and local governments to lead program implementation efforts, which are described in more detail in Chapter 3, and attempts to improve on the success of these efforts by:

- Expanding and modernizing the state’s existing farmland preservation program
- Creating new tools to assist in local program implementation, including:
 - Promulgation of Agricultural Enterprise Areas (AEAs)
 - Creation of a Purchase of Agricultural Conservation Easement (PACE) matching grant program

~~More details on these and other program changes are provided later in this document. As part of Wisconsin Act 28, Waukesha County was required to update its farmland preservation plan by December 31, 2011. The Farmland Preservation Plan, which is an appendix of the 2009 Waukesha County Comprehensive Development Plan, was certified by the Department of Agriculture, Trade and Consumer Protection through December 31, 2021. DATCP has granted Waukesha County a two-year extension until December 31, 2023 in which to complete an update to the plan. The purpose of this plan is to update the 2011 Farmland Preservation Plan in accordance with State Statutes. Below is an overview of previous planning efforts, followed by a description of the current planning process. One of the first steps in modernizing the existing program is a requirement for every county in the state to update their farmland preservation plan, which is the purpose of this document. Under the new law, the Waukesha County farmland preservation plan must be updated by December 31, 2011. But before starting a new planning process, it is important to look back and learn from previous planning efforts, which are described below.~~

HISTORY OF FARMLAND PRESERVATION PLANNING IN WAUKESHA COUNTY

Due to its close proximity to Milwaukee, Waukesha County has a rich history of trying to manage growth and preserve farmland and natural areas. It is no coincidence that concerns over land use became more prevalent shortly after I-94 was completed in the early 1960’s, providing an efficient east-west transportation corridor to the Milwaukee area from much of Waukesha County, as shown in Map D1-1. Following this map is a brief summary of some of the key planning efforts that followed this freeway construction.

1967 – Waukesha County Board adopts the “1990 Regional Land Use and Transportation Plan”, prepared by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). The first of its kind for the seven-county region, this plan promoted future growth patterns to be focused where public sewer and water utilities were available.

1969 - Waukesha County Agricultural and Natural Resources Council (ad hoc council of the County Board) publishes report “A Citizens Look at Urbanization”. This effort was led by the Waukesha County University of Wisconsin Cooperative Extension (UWEX) office and involved 54 county citizens in its development. One of the stated purposes of the report was to “bring about sound and rational development of our agricultural and natural resources.” Some of the key land use recommendations contained in the report are paraphrased below:

- All municipalities should:
 - Adopt exclusive agricultural zoning ordinances to control “leap frog development” (urban sprawl).
 - Encourage residential growth contiguous to areas served by public sewer and water.
 - Consult with and make more use of data and maps available through SEWRPC to solve local zoning and development problems.

Map D1-1

Location of Waukesha County in Relation to the Freeway System and Surrounding Communities in Southeast Wisconsin



Source: Google Maps

- The Waukesha County Board should:
 - Adopt a subdivision control ordinance to prevent urban sprawl, preserve future road rights-of-way, and minimize environmental damages.
 - Adopt a shoreland and floodplain control ordinance to protect and preserve water resources, wildlife habitat and open space.
 - Adopt a sanitary ordinance to regulate on-site sewage treatment and minimize water pollution.
 - Provide financial support for three SEWRPC studies, resulting in model ordinances, regulations or other implementation procedures relating to:
 1. The costs and benefits of residential development
 2. The preservation of agricultural lands in an urbanizing region
 3. The preservation of environmental corridors
- SEWRPC should develop a handbook of planning guides for use by average citizens serving on local government boards or planning commissions.

- County departments should expand educational programs on effective land use planning and zoning, and sponsor public information meetings on proposed ordinances.

1978 – *Waukesha County Board adopts resolution 197/3/78*, which designated the county Park and Planning Commission with the responsibility of preparing an Agricultural Land Preservation Plan and exclusive agricultural zoning ordinance for Waukesha County. This resolution was adopted in response to the 1977 state law creating the Farmland Preservation Program. This new program included planning grants to counties and income tax credits for owners of farmland designated for preservation in state certified county farmland preservation plans.

1980 – *Waukesha County Land Use Steering Committee* works with staff from SEWRPC and the County Park and Planning Department to prepare a prospectus for the preparation of the first Waukesha County Development Plan. However, the proposed planning effort was not funded at the time.

1984 – *Waukesha County Board adopts “Waukesha County Agricultural Land Preservation Plan”*. This planning document was completed by the Waukesha County Park and Planning Commission in late 1981. Exclusive agricultural zoning language was enacted into the Waukesha County Zoning Code on September 9, 1980. A County Board resolution to approve the Agricultural Land Preservation Plan was narrowly defeated in July 1982 under widespread opposition. The plan was reintroduced and adopted by the County Board in November 1984. Only six local communities in the county adopted exclusive agricultural zoning ordinances, as shown in Map D1-2. These ordinances were a prerequisite to make landowners eligible for the tax credits. Since plan adoption, about 100-120 landowners claimed the annual income tax credit in Waukesha County. Due to credit scales not being indexed to inflation, and the implementation of use-value assessment in the late 1990’s, the average income tax credit for Waukesha County program participants declined from an average of \$1,473 in the late 1980’s to \$520 in the late 2000’s. DATCP estimated that only 26% of eligible landowners claimed the tax credit in the county in 2009. The 1984 plan mapped areas as small as 100-acre blocks for agricultural preservation. The 100-acre block standard was also utilized in the 2010 Regional Land Use Plan for Southeastern Wisconsin adopted by SEWRPC. Ultimately, the program was not successful in preserving farmland in the county, which will be discussed in the next chapter.

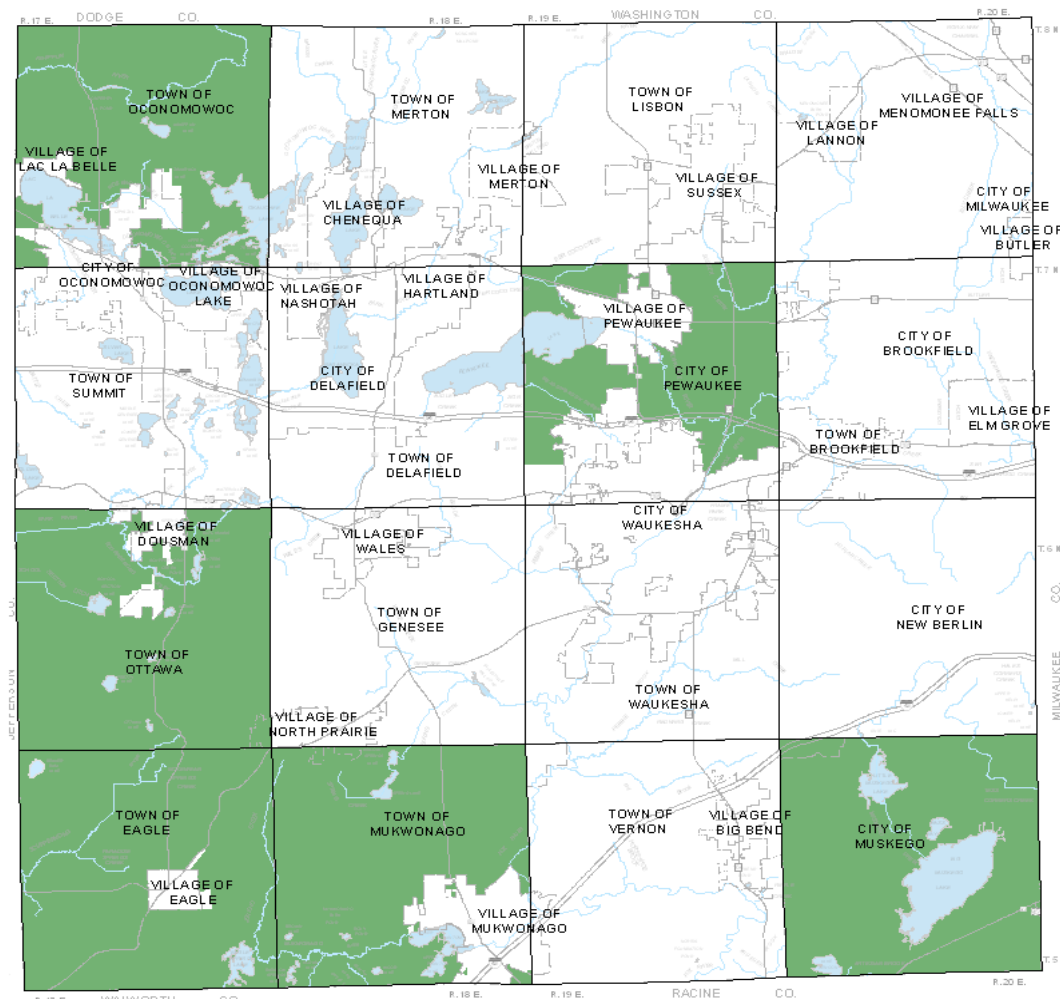
1996 - *“A Development Plan for Waukesha County Wisconsin” was adopted by the Waukesha County Board*. This 4-year planning effort represents the first county-wide development plan prepared in the state of Wisconsin. It established a consistent set of planning objectives, principles and standards and incorporated existing land use plans for all of the communities in the county. The plan took effect on January 1, 1997, serving as a guide to future land use and zoning decisions.

1998 – *“Waukesha County Agricultural Land Preservation Plan” was prepared*. At the time, state statutes read: “...agricultural preservation plans shall be a component of and consistent with any county development plan...” [s. 91.51 Wis. Stats.]. Following the adoption of the 1996 Development Plan, Waukesha County prepared this separate document outlining the farmland preservation elements of the Development Plan. This plan would serve as an update to the 1984 Agricultural Land Preservation Plan. The update included a comparison of the 1984 farmland preservation plan maps to the updated versions for each of the 16 public land survey townships in the county (see Chapter 2, Map D2-5). This plan update was never adopted due to objections by the Wisconsin Department of Agriculture, Trade and Consumer Protection. DATCP objections were mainly related to the planning standard the county used for prime agricultural land designation, which included a requirement for 5 square miles of contiguous agricultural lands. The 5 square mile standard was used in the 1990 and 2000 Regional Land Use Plans for Southeastern Wisconsin, adopted by SEWRPC in 1966 and 1978, respectively.

2009 – *Waukesha County Board adopts “A Comprehensive Development Plan for Waukesha County”, herein referred to as the “WCCDP”*. This plan was prepared to meet the 1999 state law [s. 66.1001 Wis. Stats.] which requires county and local governments to adopt a comprehensive plan in order to enforce zoning, land division or official mapping ordinances. Twenty-nine out of the 37 local government units in Waukesha County signed cooperative agreements to work together with the County on this 4-year planning process. This comprehensive

plan serves as an update to the 1996 Waukesha County Development Plan and as the foundation to ~~this~~ the 2011 farmland preservation plan, as required under s. 91.10(2) Wis. Stats.

Map D1-2 Certified Exclusive Agricultural Zoning Ordinances in Waukesha County as of 1984



Source: Waukesha County and DATCP

2011 – Waukesha County Board adopts “Appendix D – Waukesha County Farmland Preservation Plan”. This appendix is an amendment to the 2009 Comprehensive Development Plan and represents an update to the 1984 Agricultural Land Preservation Plan. ~~Since the state law changed after the adoption of the 2009 WCCDP, Appendix D was prepared to meet the new farmland preservation planning requirements without duplicating any of the other applicable material in the 2009 WCCDP. The farmland preservation planning standards adopted in the WCCDP were used as the starting point for this plan amendment, as discussed in the next chapter.~~

2011 FARMLAND PRESERVATION PLANNING PROCESS

Advisory Committee

~~The State’s farmland preservation law requires all counties to adopt a farmland preservation plan that complies with the requirements of Chapter 91 of the Wisconsin Statutes by January 1, 2016. A tiered system was implemented by the State with regard to required adoption dates. As previously noted, Waukesha County is one~~

~~of the counties required to adopt a plan by December 31, 2011, because the population density increase realized in the county between 2000 and 2007 exceeds nine persons per square mile. The county~~ Waukesha County ~~underwent a substantial planning effort to update the plan in accordance with the 2009 Working Lands Initiative law. The~~ ~~started the~~ farmland planning process began in the summer of 2010 so that the completed plan could be considered for adoption in early 2011 during the annual amendment cycle for the WCCDP. Waukesha County invited a cross section of nine interested parties to serve on the Waukesha County Farmland Preservation Planning Advisory Committee. ~~-~~A similar subcommittee structure was utilized to prepare the chapters of the adopted 2009 WCCDP. Gary Goodchild, who was a Town of Ottawa Board Supervisor and a member of the Waukesha County Park and Planning Commission, agreed to serve as chairman of the advisory committee. The committee membership included farmers, local plan commissioners, town planners, local and county elected officials, a land conservancy organization member and regional planning commission staff. ~~-~~The membership was representative of farm owners in different parts of the county and numerous local governments, as listed below.

Waukesha County Farmland Preservation Plan Advisory Committee Members:

Gary Goodchild (Chair)	Ottawa Town Board/Co. Park and Planning Commission
Bob Bartholomew	Town of Vernon Farmer
John Koepke	Town of Oconomowoc Board/Farmer
Tom Oberhaus	Town of Delafield Plan Commission/Farmer
Jeff Herrmann	Towns of Oconomowoc and Genesee, Administrator/Planner
Barb Holtz	Town of Mukwonago Plan Commission/Farmer
Nancy Anderson	Southeastern Wisconsin Regional Planning Commission
Ted Rolfs	County Board Supervisor/LUPE Committee/Tall Pines Conservancy
Tim Schwecke	Towns of Eagle and Mukwonago, Planner

The Advisory Committee held its first meeting on June 17, 2010 and three subsequent meetings were held in 2010 and 2011. DATCP representatives Lisa Schultz and Alison Volk attended the July 29, 2010 meeting to provide information regarding the Working Lands Initiative and to answer questions. Draft mapping criteria were also reviewed at this meeting. On November 5, 2010, the first two draft plan chapters and draft of county-wide maps were presented to the committee, based on previously reviewed mapping criteria. On January 6, 2011, the third and final chapter of the plan was reviewed by the advisory committee.

Local Community Input/Public Comment

Community input was solicited in a number of different ways. The planning process was inclusive of citizen representatives and allowed for public comment throughout its duration. The following is a summary of the solicited public participation and community input:

1. As noted above, the Advisory Committee membership included citizen members and representatives from numerous local units of government. All Advisory Committee meetings were open to the public. Public comments were welcomed during all committee meetings.
2. Perry Lindquist, Land Resources Division Manager gave a presentation at a Working Lands Initiative event sponsored jointly by The Nature Conservancy and the Town of Eagle on August 26, 2010 at the Town of Eagle Hall. The event also included a presentation regarding the Working Lands Initiative by DATCP staff. Perry Lindquist and Jason Fruth, Planning and Zoning Division Manager, participated in the question and answer session held immediately after the presentation.
3. A draft map of proposed Secondary Agricultural Areas was presented to the Town of Mukwonago Plan Commission and Board on September 1, 2010. A presentation regarding the status of the County Farmland Plan was provided by Jason Fruth.
4. A presentation regarding farmland law changes and plan progress was given at a public meeting of the Land Use, Parks and Environment Committee of the Waukesha County Board on November 16, 2010.

5. A countywide informational meeting was held on December 9, 2010 regarding the farmland planning effort. All municipalities within the county received an invitation to the event. The informational meeting included a presentation regarding the history of farmland preservation planning in Waukesha County, an overview of the farmland preservation law and an explanation of the farmland preservation planning process utilized for this plan effort. Draft objectives and standards were explained and mapping exhibits were displayed for comment. A question and answer period was provided.
6. A presentation regarding state law changes and the farmland plan update was made to the Waukesha County Farm Bureau on January 6, 2011 by Perry Lindquist and Jason Fruth.
7. Meeting times with local community planners were made available to solicit community specific comments regarding both the plan content and proposed mapping as it affects local units of government. Meetings were held during January of 2011 with planners from the Towns of Merton, Oconomowoc, Ottawa and Vernon and the City of Oconomowoc.
8. A presentation regarding the plan was given during a public meeting of the Waukesha County Park and Planning Commission on January 20, 2011 by Perry Lindquist and Jason Fruth, similar in scope to the presentation given at the December 9, 2010 public informational meeting. Members of the Waukesha County Land Use, Parks and Environment Committee were also invited to attend. This presentation included updated information and maps, as amendments were being made following all the other public input processes.
9. County Development Plan-2011 Plan Amendment Public Hearing. A joint public hearing of the Waukesha County Park and Planning Commission and the Land Use, Parks and Environment Committee of the County Board was held on February 17, 2011. ~~A copy of the public hearing notice is presented in Exhibit D.~~

2023 FARMLAND PRESERVATION PLANNING PROCESS

Given the substantial participation from the public and the Advisory Committee to update the 2011 Farmland Preservation Plan, this amendment seeks to provide only minor updates and does not alter the methodology determined by the Advisory Committee. The updates incorporate current resource boundary mapping, 2020 land use maps from the Southeastern Wisconsin Regional Planning Commission's (SEWRPC) inventory, and census data from the 2020 Decennial Census. This amendment also clarifies sources of information and provides the opportunity to modify the basis for the planning area in the future. The towns of Oconomowoc and Ottawa, which are the only two townships with certified Farmland Preservation County zoning, were notified of the upcoming amendments in March of 2023. The Town of Eagle extended Farmland Preservation zoning in 2022 until 2024 in order to incorporate any changes that were made in the county Farmland Preservation Plan. affirmed its commitment to farmland preservation with its 2022 certification of the town's farmland preservation zoning ordinance.—The draft text and maps were submitted to all 37 municipalities on July 19, 2023, with the comment period ending on September 1, 2023. A public hearing was held on September 21, 2023. A copy of the public hearing notice is presented in Exhibit C. No public comments were received. The Towns of Oconomowoc and Ottawa provided brief comments, which have been addressed in this final plan update. The timeline of the plan update and approval process is identified in Exhibit D. The 2023 update of the Farmland Preservation Plan will continue to be an appendix of the Waukesha County Development Plan.

Changes to the 2011 Designated Farmland Preservation Areas

Certified Farmland Preservation Areas were identified in the towns of Oconomowoc, Eagle and Ottawa in the 2011 plan. Since that time, one farm within the Town of Merton requested and was approved to be added to the Farmland Preservation category. Since 2011, there have been only four requests which sought to remove lands from the Farmland Preservation plan category. All four of the requests were relative to parcels of less than ten acres. These four requests were found to be consistent with the goals for Farmland Preservation and were

approved. Over the same timeframe, two farm owners requested and were approved to be brought into the Farmland Preservation category which added 226.5 acres to the category. Since 2011, 17 new residential parcels encompassing 48 acres have been created and rezoned out of the farmland preservation zoning category consistent with the Farmland Preservation density requirements of 35 acres per dwelling unit and in accordance with the County's Farmland Preservation zoning and lot siting requirements. As part of this plan update and after review of the 2011 maps, some additional parcels within the Town of Oconomowoc that were planned but not zoned for Farmland Preservation are proposed to be removed from the Farmland Preservation plan category. These parcels are relatively small, fully developed residential parcels. These parcels do not contain agricultural uses and will be placed in more appropriate land use categories. Eleven parcels encompassing 41.4 acres are affected by this change. Other changes result from a recent annexation. As discussed more in Chapter 2, 96 acres has been annexed from the Town of Oconomowoc to the Village of Lac La Belle. As these parcels will not contain agricultural uses and are in a community without agricultural preservation zoning, they are proposed to be removed from the designated Farmland Preservation Plan. These parcels are identified in Exhibit E.

CHAPTER 2

RESOURCES, INVENTORY AND TRENDS: DEMOGRAPHICS, AGRICULTURE AND LAND USE

RESOURCE ASSESSMENT

The natural resource base of Waukesha County is one of the most important factors influencing the quality of life and the economy for residents within the county. Chapter II of the 2022 Land and Water Resources Management Plan has a detailed assessment of the natural resources found in Waukesha County, including applicable maps and figures. A copy of the LWRM Plan can be found on the Waukesha County Land Resources Division website: <https://www.waukeshacounty.gov/landandparks/land-and-water-conservation/>. The following is a summary of select natural resources and how they relate to agriculture in Waukesha County.

Physiography and Soils

The topographic elevation in Waukesha County ranges from approximately 730 feet above mean seal level (amsl) in the eastern portion of the county to 1,233 feet at Lapham Peak in the Town of Delafield. Most of the high points in the county are located along the Kettle Moraine. In the Towns of Eagle and Ottawa, the farmland preservation areas are concentrated to west of the Kettle Moraine, with some variable topography. Elevations are generally between 800- to 900-feet amsl. The farmland preservation areas in Town of Oconomowoc are generally flat, with a few areas of low-lying depressions. Two meandering river basins are responsible for some variable topography, particular in the eastern part of the Oconomowoc township toward the Town of Merton due to the Ashippun River basin, where elevations climb to 900-1,000 feet amsl. The northern part of Oconomowoc is well suited for farming and other agricultural activities given its overall flat landscape.

Soil properties exert a strong influence on the way land is used since they affect the costs and feasibility of building site development and the provision of public facilities. Soils are also an invaluable resource for agricultural and landscaping purposes. Soil surveys have provided definitive data on the physical, chemical, and biological properties of the soils and interpretations of the soil properties for planning, engineering, agricultural, and resource conservation purposes. Due to the glaciations of the county, the soil parent material is primarily composed of variations of glacial deposits, with accumulated organics making up most of the lowlands. As noted in Chapter II of the Land and Water Resources Management Plan, over 90% of the acres used for agriculture within the county are identified as “prime” agricultural soils or “Soils of Statewide Importance”.

Environmental Corridors and Isolated Natural Resources Areas

The most important elements of the natural resource base of the county, including the best remaining woodlands, wetlands, prairies, wildlife habitat, surface water, and associated shorelands and floodlands, and related features, including existing park and open space sites, scenic views, and natural areas and critical species habitat sites, occur in linear patterns in the landscape, termed “environmental corridors.” The most important of these have been identified as “primary environmental corridors,” which are by definition at least two miles long, 200 feet wide, and 400 acres in area. Primary environmental corridors are generally located along river and major stream valleys, around major inland lakes, and in the Kettle Moraine. The preservation of these corridors is considered essential to the overall environmental quality of the county and the maintenance of its unique cultural and natural heritage and natural beauty. Because these corridors are

generally poorly suited for urban development owing to soil limitations, steep slopes, or flooding potential, their preservation will also help to avoid the creation of new environmental and developmental problems.

In addition to primary environmental corridors, other concentrations of natural resources—referred to as “secondary environmental corridors” and “isolated natural resource areas”—have been identified as warranting strong consideration for preservation. Secondary environmental corridors contain a variety of resource features and are by definition at least one mile long and 100 acres in area. Isolated natural resource areas are concentrations of natural resources of at least five acres in size and 200 feet in width that have been separated from the environmental corridor network by urban or agricultural uses.

Primary and secondary environmental corridors and isolated natural resources areas are often located on agricultural lands and may serve as a natural barrier between fields, protect and enhance natural drainage ways, provide wind barriers and may help contribute to the pollination of crops. Environmental corridors and INRAs will continue to be protected as a part of this plan, however, the siting of new residences within farmland preservation areas may occur within such resource areas to preserve cultivated land. Natural resource maps are shown on the Waukesha County interactive mapping system and are updated as made available by SEWRPC.

DEVELOPMENT AND DEMOGRAPHIC TRENDS AND PROJECTIONS

Waukesha County is the third most populous county in the state and the most populous suburban county in the Metropolitan Milwaukee area and Southeastern Wisconsin. According to U.S. Census Bureau ~~estimates~~, Waukesha County’s ~~estimated~~ population in 2009 was ~~383,154~~ 406,978. Milwaukee County, Waukesha County’s neighbor to the east and the state’s most urban county, is the only county that is more populous in the region. The economic and agricultural climate of Waukesha County is greatly influenced by the county’s close proximity to the City of Milwaukee, the largest city in the state. According to the U.S. Census Bureau, in ~~2020~~2009, the Milwaukee Metropolitan Area was the ~~31st~~ 35 largest metropolitan area in the United States.

~~Chapters 2 and 6 of the Portions of the Waukesha County Comprehensive Development Plan (WCCDP) detail outline demographic, development and employment trends in the county in great detail. The following discussion highlights certain statistics that characterize the county’s rapid growth and development trends, while also providing newly available population estimates numbers. Population and job growth have been significant factors in fueling the conversion of lands out of agricultural use in the county. Inclusion of such development and population trend information is critical to understanding the challenge of planning for farmland preservation in a suburbanizing county within a major metropolitan area.~~

~~Detailed discussion of other land use topics and trends such as utilities, transportation facilities and environmental corridors is found within the chapter text of the WCCDP and can be located by viewing the table of contents for the WCCDP. There are no known major transportation, utility or community facility projects proposed within areas dominated by agricultural use that are anticipated to affect agriculture significantly. In addition, analysis of these other planning topics was conducted very recently as part of the formulation of the 2009 WCCDP. Consequently, further discussion of these topics is not being repeated in this plan document.~~

Population Growth 1950-200920

Waukesha County ~~has~~ added at least ~~17,000~~ ~~20,000~~ 20,000 persons/people in every decade ~~since from~~ 1950 ~~to~~ 2010, with growth exceeding 70,000 persons per decade in the 1950s and 1960s (See Figure D2-1). ~~The county’s population growth rate from 1950 to 2009 was an estimated 474~~ 346%. ~~Data from the 2020 Census indicates that population growth in the county has slowed over the last decade, with a population increase of 17,087 people from 2010 to 2020, the lowest growth since the 1930s. Even so, the county’s population growth~~

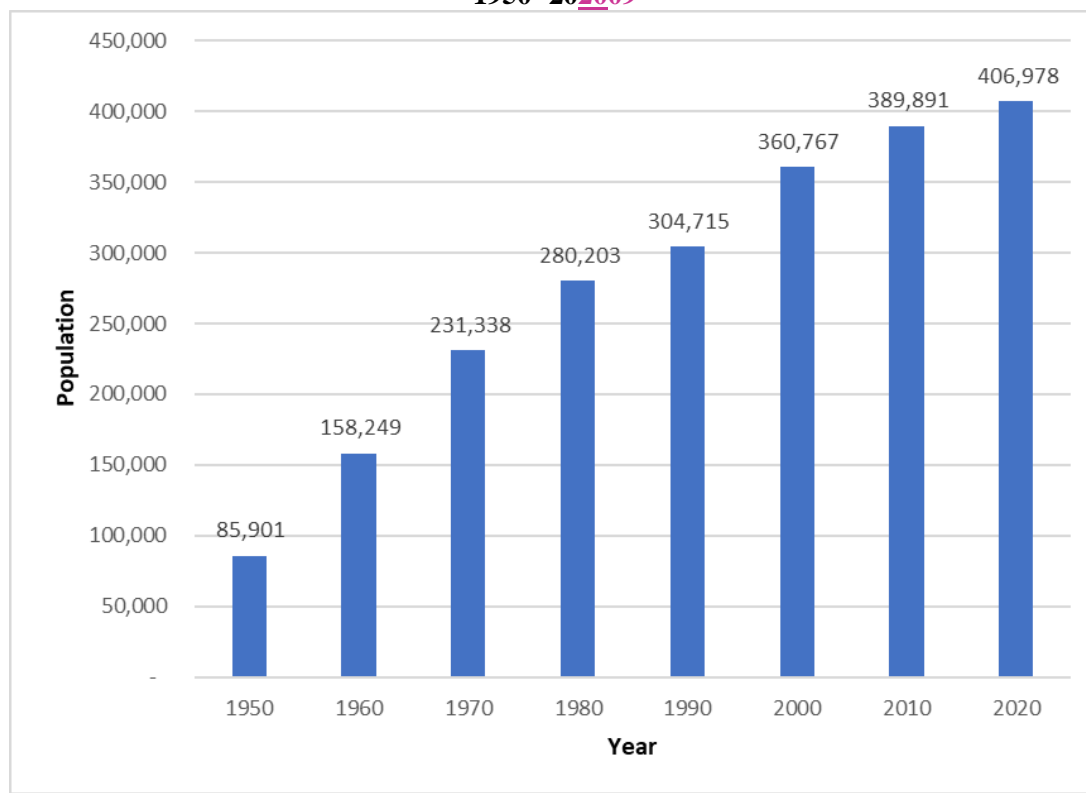
rate from 1950 to 2020 was an estimated 474 346%. This population growth is largely attributed to in-migration. According to SEWRPC's Vision 2050 Plan and recent Census data, 201,961 people have migrated to the county between 1950 and 2020, accounting for 62.9% of the county's growth during that timeframe.

~~Population growth in the most recent full decade of Census Bureau record (1990-2000/2010-2020) was also strong, with the county adding more than 56,000 17,087 people during this time period. As identified in Chapter 2 of the WCCDP, the vast majority of the county's population growth has been the result of in-migration. According to SEWRPC's A Regional Land Use Plan for Southeastern Wisconsin: 2035, 188,384 people migrated to the county between 1950 and 2000, accounting for 68% of the county's growth during that timeframe.~~

According to the U.S. Census Bureau ~~estimates~~, Waukesha County's population represented ~~18.9%~~ 19.8% of the ~~seven-county~~ seven-county southeastern Wisconsin region in ~~2009~~ 2020, whereas the County's population represented just 6.9% of the region's population in 1950. ~~This shift in the distribution of the region's population has put great pressure upon the agricultural industry in Waukesha County and has made the county more of an economic engine within the region. It should be noted that the recent severe national recession that began in 2007 has slowed the pace of growth and development in the county greatly in the past few years.~~

Figure D2-1

**Population Growth in Waukesha County
1950 -202009**



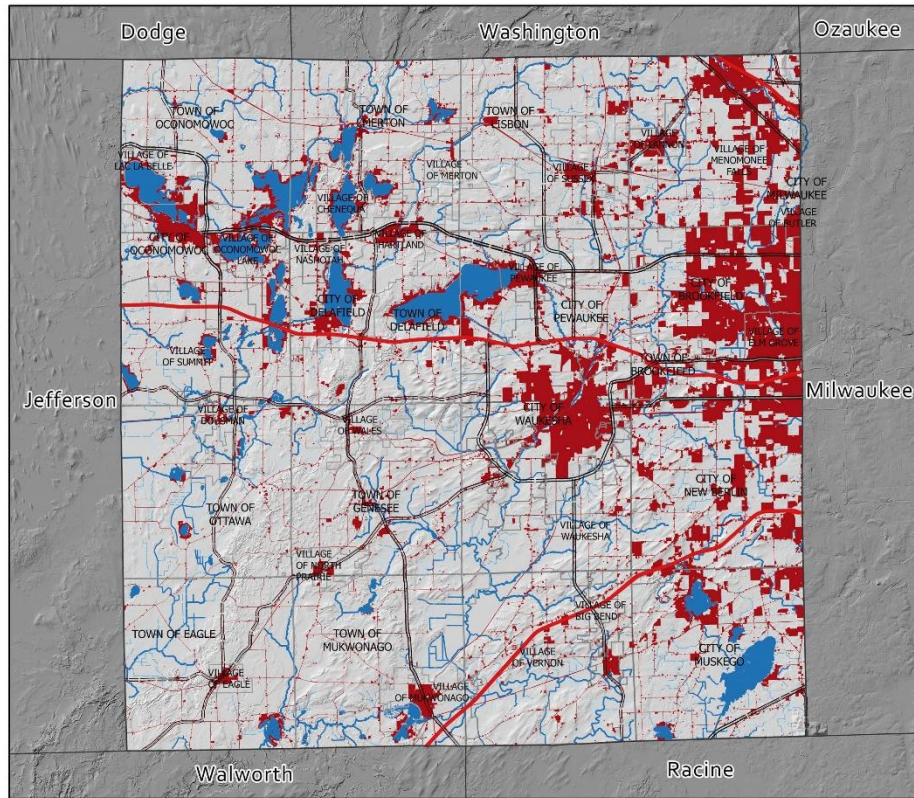
Distribution of Population

The rapid growth in Waukesha County has resulted in the conversion of tens of thousands of acres of agricultural land to both urban uses and rural residential use. Lands within the county devoted to residential use increased by 82,372 acres between 1963 and 2020,00 (~~See Table II-17, Chapter 2 WCCDP~~). Suburbanization of the county's eastern tier communities was fueled by the construction of improved highway

systems, most notably Interstate Highways 94 and 43. These highways provided fast, easy access to employment centers in the Milwaukee area and made the concept of accessing “country” settings in Waukesha County more attainable. Numerous major employment and shopping centers have developed near various major interstate highway interchanges, with development of such areas generally occurring from east to west in the county over time to coincide with population growth.

In recent decades, population growth has increasingly expanded to the central and western tier communities of the county, as land became more scarce and expensive in the eastern part of the county. The growth of western Waukesha County communities has also been driven by employment and commercial growth within the county. With more job opportunities, shopping and services available in close proximity, the previously more remote parts of the county became more popular residential destinations. The county’s distribution of developed areas had increasingly strayed from its concentration in compact urban areas and in shoreland areas around lakes in the early 1960s to a much more widespread distribution ~~by in 2005~~ 2020.— Maps D2-12 and D2-23 show the changing pattern of development in the county ~~over time~~ from 1963 to 2020. Improved highway systems have made areas near the numerous lakes and unique kettle moraine topography in the western part of the county more accessible, ~~causing~~ allowing for additional growth in those areas ~~that were~~ ; often ~~upon former~~ agricultural lands. ~~As described in Chapter 2 of the WCCDP, A~~ an estimated 17.6%, 20%, or 71,712 75,626 county residents, lived in unincorporated areas of Waukesha County in 2020, approximately 2.5% less than in 2005. This decrease is largely in part due to two towns, Vernon and Waukesha, incorporating by 2020.

**MAP D2-1
URBAN LAND USE 1963
WAUKESHA COUNTY**



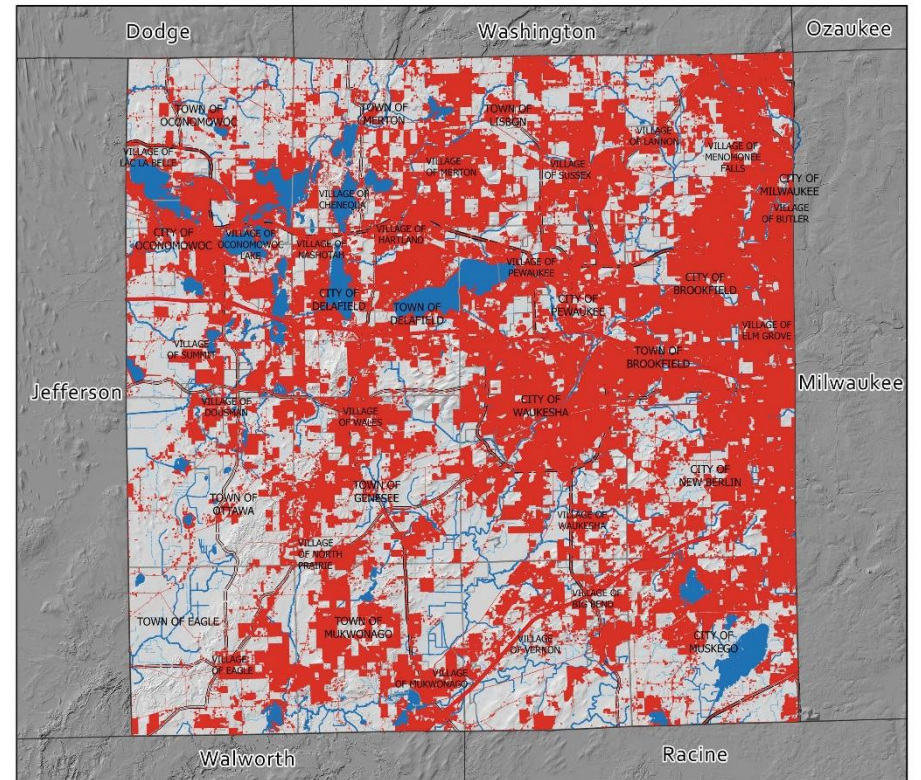
Legend

Urban Land Use 1963



Source: SEWRPC

**MAP D2-2
URBAN LAND USE 2020
WAUKESHA COUNTY**



Legend

Urban Land Use 2020



Source: SEWRPC

Household Trends

Waukesha County has added 148,578 households since 1950 for a total of 172,177 households in 2020. Average household size within the county has steadily declined in recent years. -According to Census data, A Regional Land Use Plan for Southeastern Wisconsin 2035 from 1950 to 2020, the average household size fell from 3.51 persons per household in 1950 to 2.63 persons per household in 2020. -To accommodate this shift in household structure, even more housing units are needed to keep up with the population growth. This means that as the county's population has grown, even more housing units have been needed to accommodate this shift in household structure, which created further development pressure on agricultural lands. Waukesha County has added 111,630 households over this 50-year time period for a total of 135,229 households in 2000. Since the adoption of the previous Farmland Preservation Plan, the economy has had the longest period of economic expansion on record, from mid-2009 to April 2020. The 2020 COVID-19 global pandemic fueled demand for additional housing and highlighted the low supply of available housing stock, which creates additional pressure to develop land within the county to meet the increasing demand.

Employment Trends

As noted in Chapter 6 of the WCCDP, Waukesha County's share of the region's employment increased from 3% in 1950 to 22% in 2000. In 2000, there were 270,800 jobs in Waukesha County. Between 1990 and 2000 alone, the county added 81,100 jobs, an increase of 43% (See Table II-8, Chapter 2 WCCDP). During this same time period, agricultural employment within the county declined by 180 jobs to 1,011 (See Table II-9, Chapter 2 WCCDP). Lands devoted to commercial and industrial use in the county have increased from 2121 acres in 1963 to 10,876 acres in 2000. While the conversion of lands from agricultural use to commercial and industrial use is notable, the jobs that coincide with the land use change have generated significant associated residential growth over the past several decades.

Economic Growth and Land Use Projections

SEWRPC projects that between 2010 and 2035, the county will add 86,000-91,500 residents (23.84% increase), 38,900-43,200 households (28.38% increase) and 62,900-69,500 jobs (23.25.8% increase) (See Table II-15, Chapter 2 WCCDP). Waukesha County continues to hold a large employment share between the Milwaukee 7, Jefferson and Dodge counties, accounting for 22.8% of the region's employment. Only Milwaukee County holds a larger share at 44.2%. It is anticipated that Waukesha County will continue to be sought after as an economic driver due to its growing population and employment. It is expected that this growth will generally be accommodated in greenfield type developments, as the county still contains a large inventory of undeveloped lands and most undeveloped and agricultural land in the county is in planned land use categories that allow for some type of development. The ongoing severe economic recession may cause some of these projections to appear to be high, however, extreme high and low periods tend to be moderated over time. The 2009 County Development Plan projects that urban uses will continue to consume more land into the future, with another 64,217 acres projected to be converted from rural use to residential, commercial or industrial uses by 2035 (See Table VII-7, Chapter 7 WCCDP).

An analysis of local assessment data and recorded subdivision plats reveals that there appears to be an overabundance of vacant lots in the county marketplace at the present time. The strong economic times leading up to the current economic recession led to vast speculation in the marketplace. A Waukesha County analysis of local assessment records through October 2022 revealed that there were approximately 2,573 vacant buildable lots in the county, with 559 of those being located in unincorporated areas. There were 195 subdivision plats recorded in the county since 2010, accounting for 4,762 new lots. The current vacant lots occupy 2,335 acres, with 839 acres comprising vacant lots in unincorporated areas. Another 87 preliminary plats were submitted for review between 2000 and 2010, holding the potential for another 2,949 residential lots to be created. With a very weak residential real estate market and significant lot inventory, it is not expected that land conversion will occur at the same high rates of the past in the foreseeable future.

The 2011 Farmland Preservation Plan identified an abundance of vacant residential lots in the county after analyzing local assessment data and subdivision plats. This was primarily due to a surge in platting that occurred, followed by a severe economic recession. As evident in Table 2-1, residential development occurred at a much slower rate during the 2010s to the present than from 2000 to 2010. This is likely, in part, due to the number of vacant lots available from the early 2000's period of high production. Land continues, however, to be more scarce, expensive and difficult to develop, with much of the vacant land containing steep topography or environmentally sensitive areas. As noted above, the 2020 global pandemic fueled demand for additional housing, with a shortage in labor and materials driving up costs. In addition, in 2022, inflation reached its highest percentage (8.5%) since 1982. Interest rates continue to rise, making it less affordable to construct new residences.

Table 2-1
Residential Development in Waukesha County

	<u>2000 – Aug. 2010</u>	<u>Sept. 2010-Oct. 2022</u>
<u>Total buildable vacant lots</u>	<u>4,415</u>	<u>2,573</u>
<u>Buildable vacant lots in the unincorporated areas</u>	<u>1,218 (27.5%)</u>	<u>559 (21.7%)</u>
<u>Recorded plats</u>	<u>372</u>	<u>195</u>
<u>New platted lots</u>	<u>18,059 (avg. 48.5 lots/plat)</u>	<u>4,762 (avg. 24.4 lots/plat)</u>
<u>Vacant acres in platted lots</u>	<u>4,339</u>	<u>2,335</u>
<u>Vacant acres in platted lots in the unincorporated areas</u>	<u>2,374</u>	<u>839</u>

It is anticipated that urban uses will continue to consume more land in the future, converting rural acreage to residential, commercial or industrial uses. Since the last plan adoption, approximately 96 acres from the Farmland Preservation Area was annexed from the Town of Oconomowoc to the Village of Lac La Belle. The lands do not appear to have been farmed since 2015 and have gone fallow. While the village currently owns these lands, without designated farmland preservation planning and zoning status, the parcels could be developed. There have been no additional annexations proposed within the existing farmland preservation areas. The WCCDP recommends boundary agreements to better plan for municipal growth.

Utility, Community Services and Facilities

Sanitary Sewer, Private Onsite Wastewater Treatment Systems and Water

As of 2010, 77% of the county's population was served by sanitary sewer. SEWRPC's map entitled "Planned Sanitary Sewer Service Areas in the Region: September 2022" shows that expansions of sewer services areas have been limited to areas of the county outside of the farmland preservation areas. Furthermore, there are no sewer extension projects being contemplated within the farmland preservation areas. Residential development and other developments not served by sanitary sewer are served by private onsite wastewater treatment systems (POWTS). There are over 30,000 POWTS systems in Waukesha County, which adequately serve farmsteads and other agricultural related uses. Private wells also serve the agricultural community, both within and outside of the farmland preservation areas. Public water supply is generally limited to areas with denser development, such as the communities in eastern Waukesha County, portions of the Villages of Eagle, Mukwonago, and Hartland and the City of Oconomowoc and serves 67%

of the county's population. There are no known plans to expand public water supply into the farmland preservation areas.

Waste Management

There are two active, licensed, privately owned and operated sanitary landfills that accept municipal waste within the County: Parkview/Orchard Ridge Landfill in Menomonee Falls and the Emerald Park Landfill in Muskego. No additional landfills are planned within the farmland preservation areas. Most communities contract with private waste haulers for the collection and disposal of waste materials. Waukesha County provides the processing for recyclables collected curbside as the Responsible Unit for 26 municipalities in Waukesha County. Waukesha County collaborates with the City of Milwaukee to identify optimal regional Materials Recovery Facilities to process the material. The Waukesha County Land Resources Division holds hazardous waste collection events through the year in different locations around the county.

Government and Institutional Services and Facilities

Waukesha County operations a state of the art communications center for emergency response, which dispatches to the farmland preservation areas within the Towns of Eagle and Ottawa, in addition to 36 other municipalities. The farmland preservation areas within the Towns of Oconomowoc and Merton are served by the Western Lakes Fire District and local police forces. Other community services, such as libraries, parks, post-offices, schools, and hospitals, are generally readily available and accessible in nearby cities and villages and appear to adequately serve the farm community.

The Waukesha County Administration Center, which serves as the hub for county governmental services, contains the Farm Service Agency, which is a USDA shared managed program between Jefferson and Waukesha Counties. This agency offers many programs and services to the agricultural community. The Waukesha County Land Resources Division provides farmers with assistance obtaining and reviewing certified Nutrient Management Plans, which helps protect the County's natural resources while providing farmers with a resource for re-use or disposal of agricultural by-product.

Broadband Service

In early 2023, Waukesha County began working with a prominent internet service provider to complete a "white space" analysis to identify current gaps in broadband fiber availability in the County. The "white space" analysis was done consistent with the rules, regulations, and processes the Federal Communications Commission has established for making these determinations in the Broadband DATA Maps. The analysis was completed in May 2023 identifying 474 locations throughout Waukesha County without broadband fiber availability. These small gap areas are scattered throughout the County and may extend into the Farmland Preservation areas. Often, due to the larger blocks of natural areas, unused and undeveloped lands in these gap areas, fiber service will require longer stretches of utility placement without direct connection. Extending coverage to the 474 locations, will require approximately 73 miles of fiber installation. Waukesha County is currently working on a State of Wisconsin Broadband grant application in partnership with an internet service provider to complete full installation of broadband fiber in Waukesha County. Through the "challenge process" as part of the grant application, we will be able to get refined installation data from smaller internet service providers which may further reduce the number of locations needing service. Waukesha County is also working with a coalition led by the Milwaukee 7 under the Wisconsin Broadband Equity, Access and Deployment (BEAD) grant to coordinate the service gap analysis and coordinated implementation efforts.

Transportation

Waukesha County contains a robust transportation system that serves urban, suburban and rural areas within the county. The road and highway system also links the county to adjacent communities and counties. as an important corridor for residents and businesses within and outside of the county. The road network that

serves the farmland preservation areas includes state highways and county trunk two-lane highways, as well as a network of locally maintained roads. The agricultural areas of the county are well served by the comprehensive roadway system and access to agricultural service providers within adjacent counties is facilitated by area highways. The recommended near-term expansions of the county's arterial street and highway system are predominantly focused on areas with dense residential development and planned growth. Planned improvements include widening existing streets or reserving right of way for future expansion. The county's street and highway width map helps to plan for the maintenance or improvement of rural roadways within farmland preservation areas. The *Functional Improvements to the Arterial Street and Highway System in Waukesha County* in SEWRPC's *Vision 2050 Plan* recommendations shows a few segments of new roadway proposed within the county, but they are located outside of the designated farmland preservation areas (Map 4.21). Therefore, the recommended road improvements as identified in SEWRPC's *Vision 2050 Plan* should have relatively little impact on the agricultural community.

Energy

WE Energies provides natural gas and electric services to all of Waukesha County. The American Transmission Company (ATC) provides high-voltage electric transmission systems that provides power to communities in Waukesha County. The installation and maintenance of these utilities are allowed uses, either by-right or with a Conditional Use Permit, within the Farmland Preservation District under the Waukesha County Zoning Ordinances. While this allows utilities to be expanded where they may be needed, it could also disrupt farming operations during the installation or take land out of cultivation due to access roads or necessary maintenance equipment.

Waukesha County recognizes the need for alternative energy sources that could provide opportunities for farmers to decrease costs associated with energy use necessary to run the farm operation. As such, small solar or wind power operations that would provide on-farm energy may be desirable to make on-farm energy more efficient and economical and sustainable. However, at this time, this plan recommends that large scale solar or wind energy providers first consider sites outside of farmland preservation areas where the loss of cultivated land would not be as impactful to remaining neighboring farms that are planned for farmland preservation. When considering solar or wind proposals in farmland preservation areas, consistent with state farmland zoning law, the purpose of farmland preservation zoning districts must be considered, alternative locations should be considered, minimization of conversion of farmland should be prioritized and the solar or wind uses should not substantially impair or limit the current or future agricultural use of surrounding farmland preservation lands. The loss of cultivated land within the county's limited isolated blocks of farmland preservation lands could further erode the ability of existing farms to be able to access enough cultivated land to survive or expand in the future.

AGRICULTURAL DATA AND TRENDS

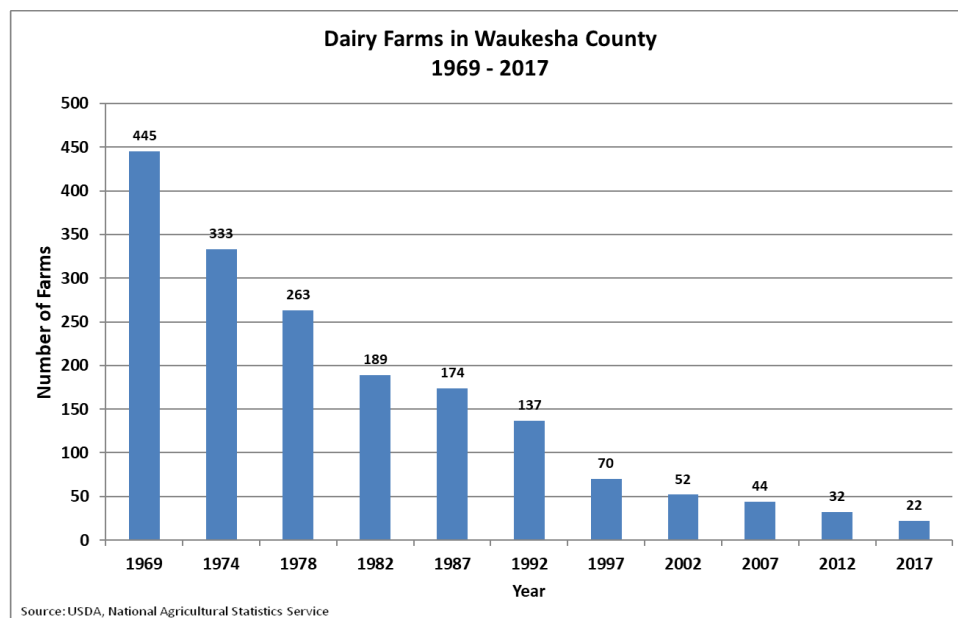
Dairy and Livestock

Between 1918 and 1959, Waukesha County assumed the title of "Cow County USA" due partly to the large number of dairy farms and cows in the county. In 1930, there were an estimated 42,000 dairy cows on Waukesha County farms. More significant, however, was the large number of sophisticated dairy breeders, well known pedigreed and production-tested dairy herds. These breeders transformed Waukesha County into a national dairy trade center known for some of the best dairy cattle in the world.¹

¹ Waukesha County Agricultural Land Preservation Plan (1998 draft)

The agricultural sector in the county has changed greatly since then. As noted earlier, improved transportation systems and urban pressures have played a large role in the loss of agricultural lands since the 1960's. Figure D2-2 illustrates the decline in the number of dairy farms in the county since 1969, when it was home to an estimated 15,263 milk cows. ~~Forty~~ Thirty-eight years later in 2017, the number of dairy farms ~~had dropped 952% to 2233~~, while milk cows dropped to 1,627~~2,756~~, an 892% reduction.

Figure D2-2



During this same time period, USDA statistics show that most other types of livestock farming in the county also experienced significant declines ~~around the county~~. This includes beef cows, swine, sheep, mink and chickens. However, ~~it should be noted that~~ local inventories show the number of horse stables increased from 33 sites in 1975 ² to 8594 sites in 2023³. This increase is related to low density residential development that has occurred in much of the rural areas of the county, and the availability of nearby trails for horse riding.

Agricultural Products Sold

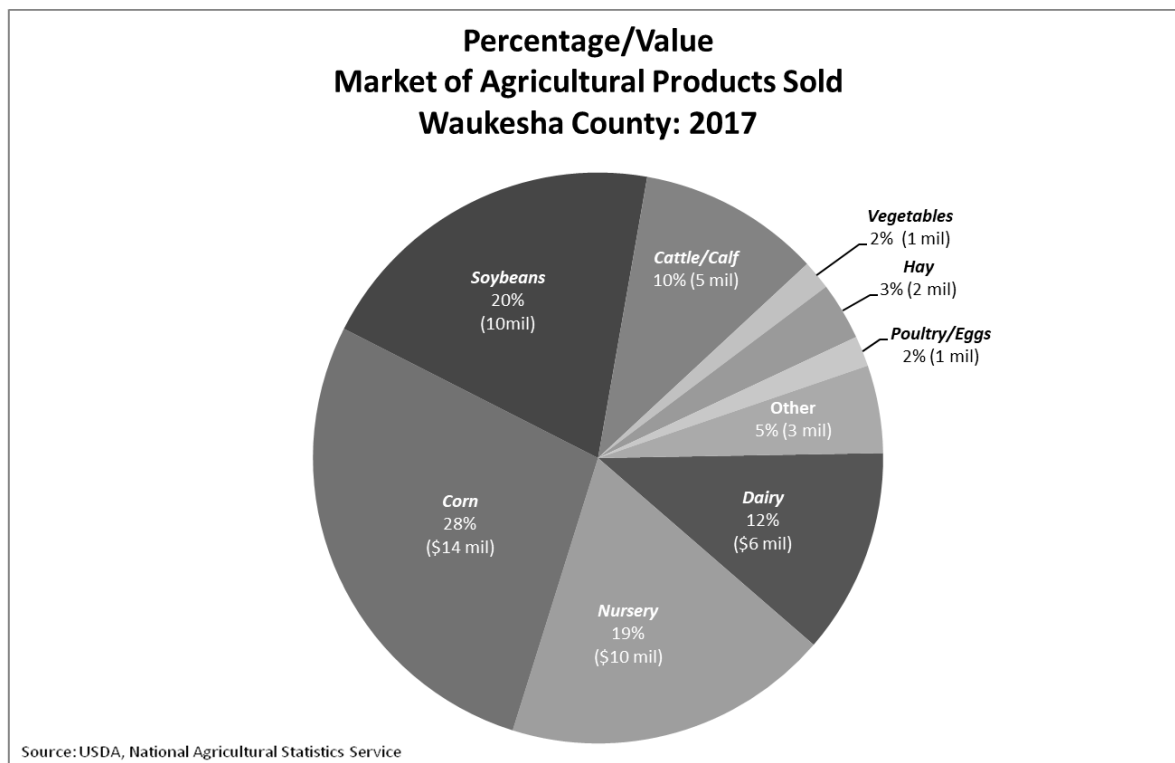
Figure D2-3 and Figure D2-5 shows the top seven agricultural products sold in the county in 2017 and their market value over time, respectively. Together, these seven items make up 965% of the total value of agricultural products sold in the county. Corn and soybeans dominate the cropland in the county, accounting for almost half of the market sales in 2017. DairyCorn leads the market at 268%, an increase from 24% in 2007. Corn's market sales are equal to the amount of dairy, cattle, vegetables and hay products sold combined. butSoybeans and nurseries/horticulture and corn each are very also contribute to a large portion of agricultural products sold, holding 20% and 19% of the market, respectively. Soybeans have drastically increased in sales since 2007, from 11% to 20% in 2017. Nurseries and horticulture, while still a leading

² Technical Report #21 – “Sources of Water Pollution in Southeastern Wisconsin: 1975”, Southeastern Wisconsin Regional Planning Commission, September 1978.

³ Waukesha County Department of Parks and Land Use-Land Resources Division, internal 2009-2023 inventory.

crop, have decreased since 2007, from 24% to 19% in market sales. ~~close behind at 24%. The next four highest products sales—soybeans, cattle, vegetables and hay—added together do not match any of the top three individually. Corn and soybeans obviously dominate the cropland in the county.~~ While soybeans make up ~~less than half the 2007~~ 8% less of the market sales ~~than of~~ corn, the acres planted to each are not that far apart. ~~From 2005 to 2009~~ In 2017, corn was planted on ~~an average of 29,000~~ 26,000 acres, while soybeans were planted on ~~an average of 21,000~~ 25,000 acres of cropland in the county.⁴

Figure D2-3



USDA statistics show the number of cropland acres in Waukesha County declined about 43% over the past ~~four-five~~ decades, from 125,696 acres in 1969 to ~~69,445~~ 71,502 acres in 2007 (see Figure D2-4). The market value of agricultural products sold during this time period did not follow the same pattern, but did end up with a similar decline overall. Figure D2-~~54~~ shows that when market values are presented in 2017 dollars, sales of agricultural products climbed quickly from \$100.787 million in 1969 to \$139.8122 million in 1978. However, this was followed by a fairly steep decline in market value in the 1980's, 1990's and ~~early 1990~~ 2000's. The net market value loss in agricultural products sold is 49% from 1969 to 2017, but 64% from 1978 to 2017.

While much of the market value loss can be explained by the loss of farms and cropland, commodity prices also play a big role. For example, the average wholesale liquid milk price in Wisconsin in 1980 was \$12.69 per hundred weight (one-hundred pounds) while in 2022 the unit price was ~~only~~ \$13.0822.10.⁵ If adjusted for inflation, the unit price in 200922 would need to be \$33.0444.60 per

⁴ USDA – National Agricultural Statistics Service.

⁵ Brian Gould, Agricultural and Applied Economics, UW Madison (<http://future.aae.wisc.edu/data>).

hundred weight to have the same buying power that it did in 1980.⁶ In other words, the milk price essentially dropped 650% in this example. To deal with the often stagnant and unpredictable market prices, the national trend in dairy farming is increased milk production per cow and increased herd size.

Figure D2-4

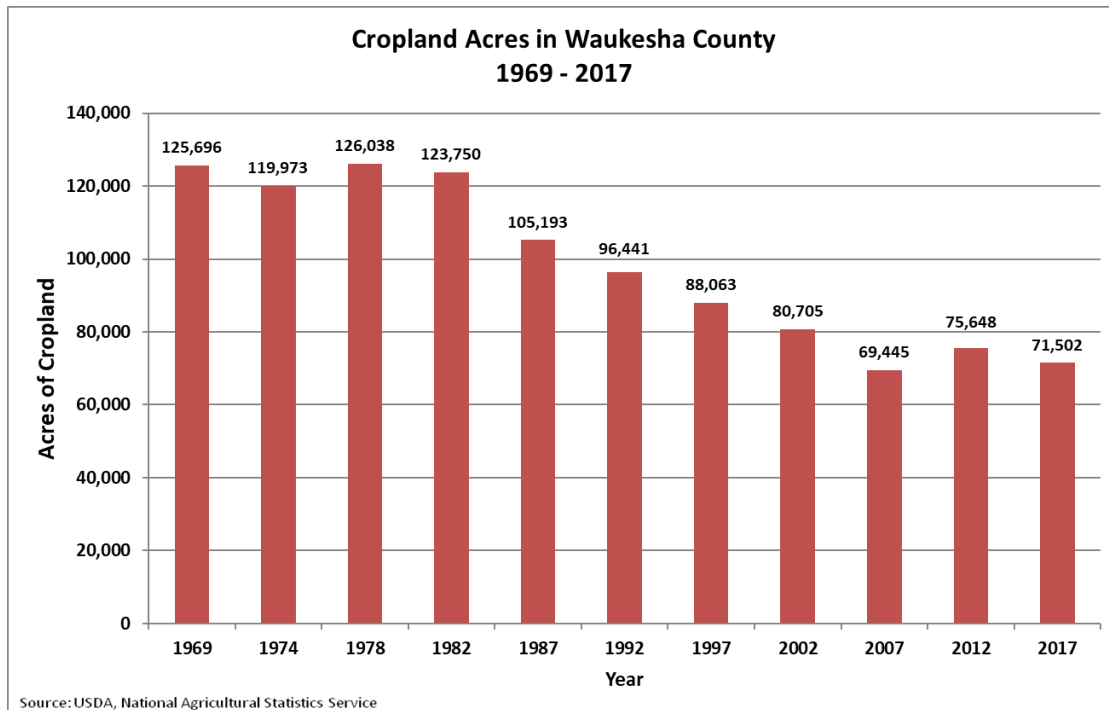
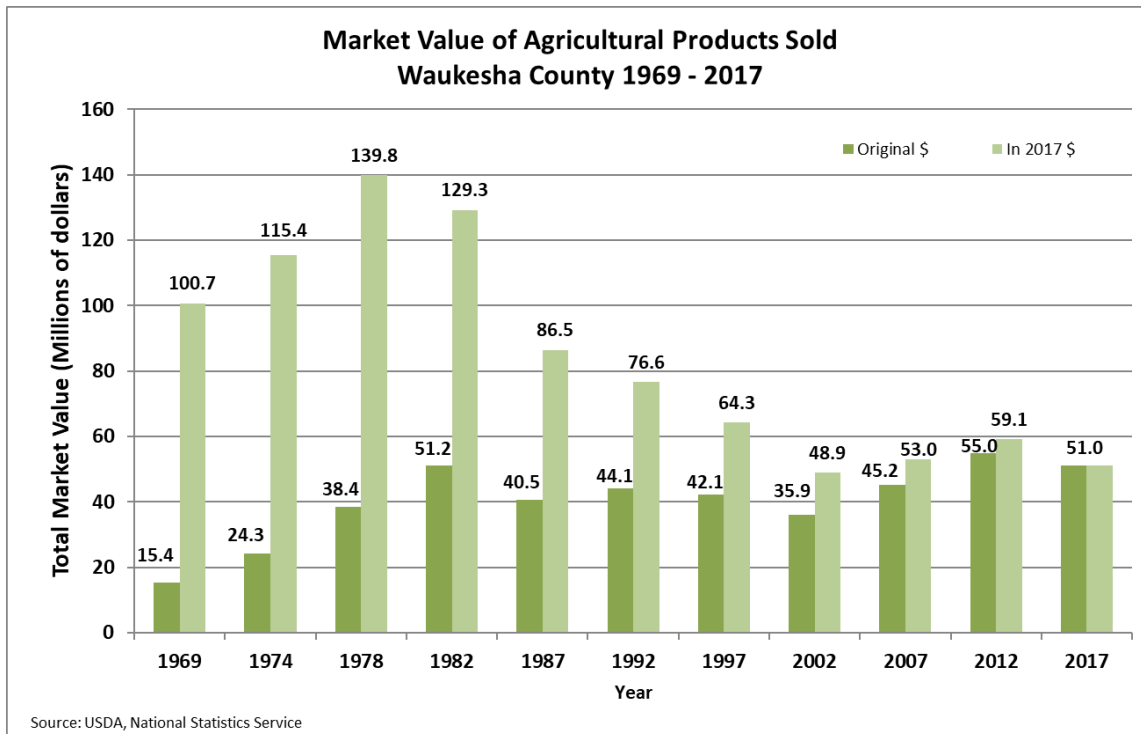


Figure D2-54

⁶ US Bureau of Labor Statistics.



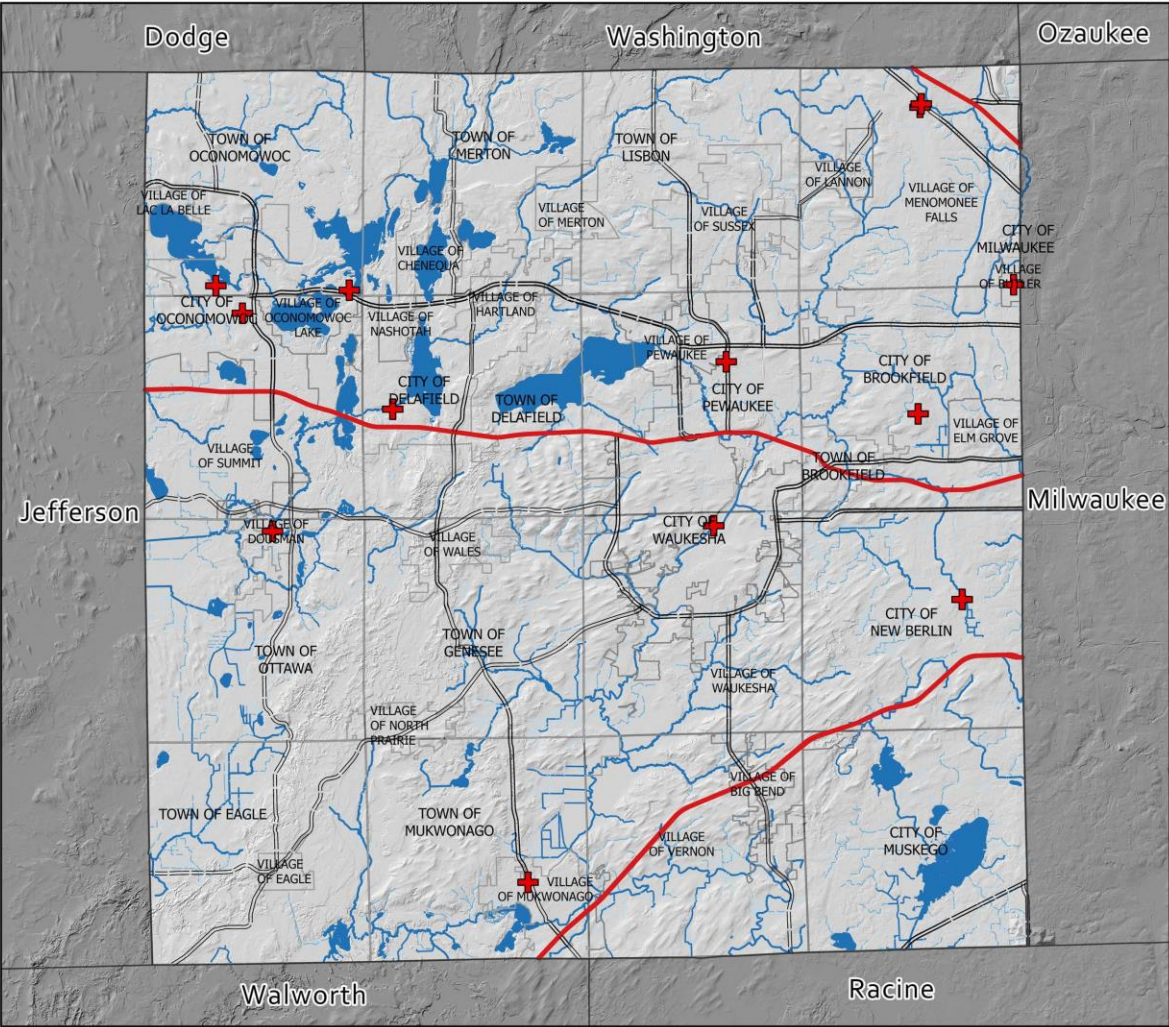
Urban Agriculture

In addition to horses, a few other agricultural related industries that have a connection to urbanization have been on the increase. As of 2017⁷, there were 574 farms in Waukesha County managing 97,460 acres of land. Ninety-six percent of these farms are family owned. Many of these farms offer direct producer-to consumer marketing of commodities, accounting for over \$860,000 of locally produced goods sold directly to consumers. 91 farms in southeast Wisconsin offered direct producer-to consumer marketing of commodities such as fresh produce, meat, pumpkins, Christmas trees, greenhouse and nursery stock, hay, straw, sod, specialty crops, and farm tourism.⁷ Eighteen of those farms are currently located in Waukesha County. According to the Waukesha County UWEX Commercial Horticulture Agent, the number of farmers markets in the county has more than doubled since 2000. Eleven Twelve communities now sponsor farmers markets, increasing access to healthy foods and help insure against food supply chain problems, as evident in Map D2-3.. as shown in Map D2-3. The production of landscape trees and plants, as well as landscape and grounds maintenance, are also growing segments of the local economy. In fact, USDA data shows that in 2002 nursery/horticulture sales were the number one agricultural products sold in the county at \$9.5 million, surpassing the dairy industry at \$8.6 million.⁸ Figures D2-3 and D2-4 show that market value of sales in both of these industries improved dramatically by 2007, with dairy increasing 35% to \$11.6 million, and nursery/horticulture increasing 16% to \$11 million. The sharp increase in the dairy sales reflects a peak in the milk market prices enjoyed by farmers during 2007, when it averaged \$19.28 per hundred weight.

⁷ Farm Fresh Atlas for Southeast Wisconsin, UWEX/Town & Country RC&D (<http://www.farmfreshatlas.org>).

⁸ "2002 Census of Agriculture", USDA, National Agricultural Statistics Service.

MAP D2-3 **COMMUNITY SPONSORED FARMERS MARKETS: 2022** **WAUKESHA COUNTY**



Legend

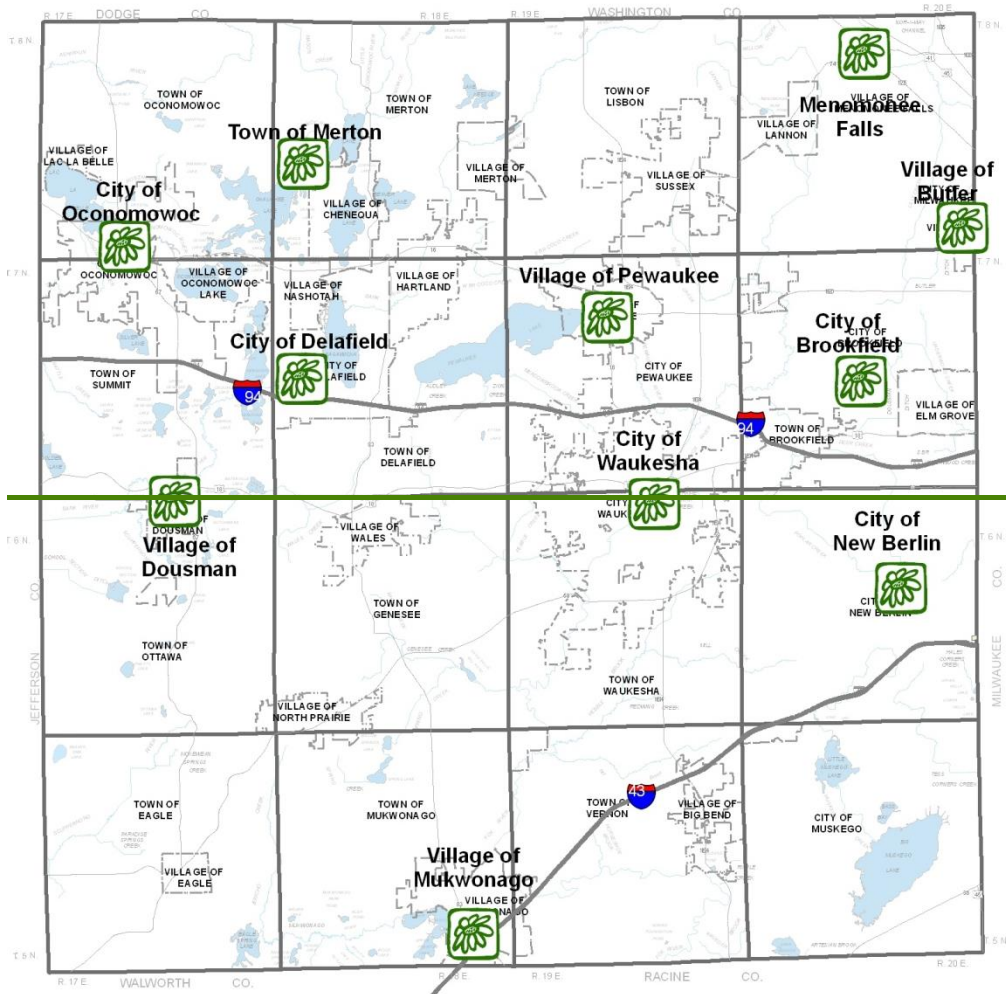
+ Farmers Markets



Source: SEWRPC, WDNR, Wisconsin Farmers Market Association



Map D2-3 Community Sponsored Farmers Markets in Waukesha County: 2010



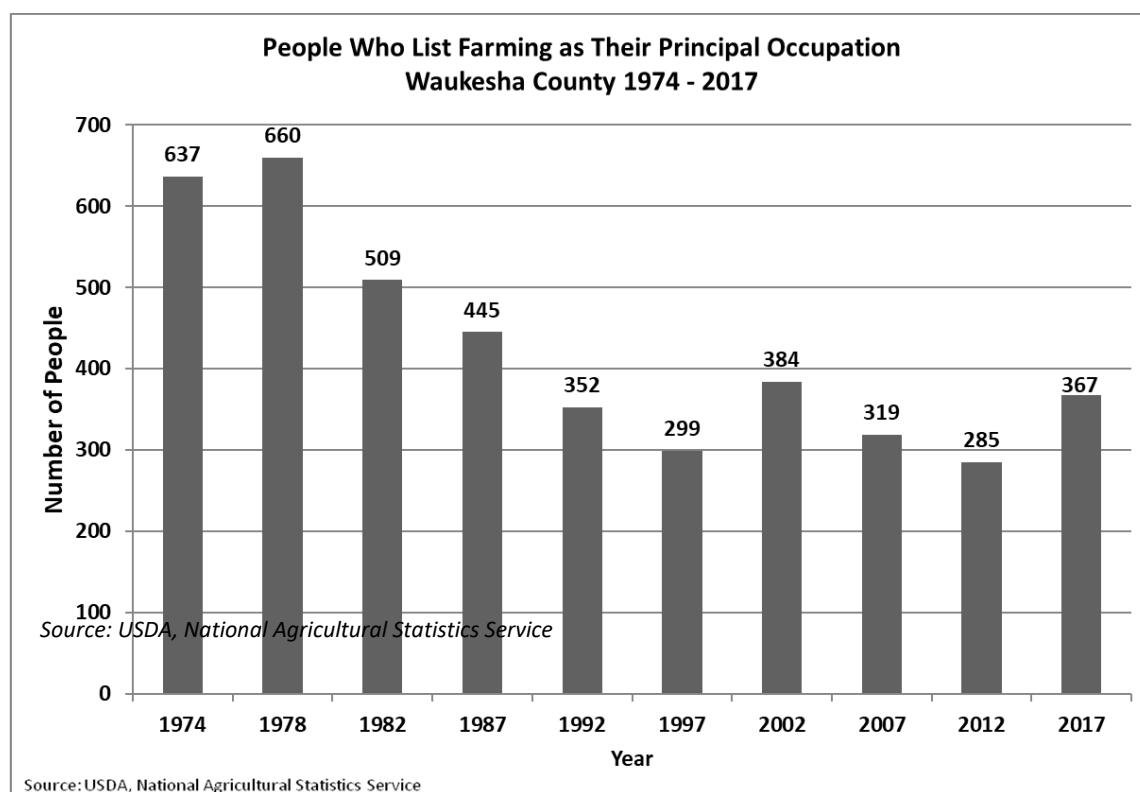
Source: Waukesha County and UWEX

Agricultural Employment

There are a number of different ways to measure the agriculture employment market. The 2010 Census of Agriculture takes a very direct approach, showing that 3,674 people listed farming as their principal occupation in Waukesha County. As shown in Figure D2-65, this is a 5244% decline in the past 239 years. According to the U.S. Bureau of Economic Analysis, agriculture provided 647,011 jobs in Waukesha County in 2010, representing about 0.24% of the total job market in the county. However, a 2017 publication by UW--Madison--Extension⁹ says agriculture provided 3,231,616 jobs in the county. This last example recognizes agriculture as a foundational industry, which many other jobs rely on or support. For example, it includes suppliers of related farm services, equipment, and supplies, as well as industries that rely on the raw farm product for processing, sales, marketing and delivery of food and fiber. There is no doubt that agriculture can have a large economic impact on a community. However, the proportional impact it is having on Waukesha County is clearly diminishing as other types of job markets have developed over the past several decades. Even if the larger number was used, it would only reflect about 1% of the job market in Waukesha County as of 2011.⁹

⁹ "The Economics of Agriculture in Wisconsin Counties", S. Deller and D. Williams, University of Wisconsin-Extension, March 2011.

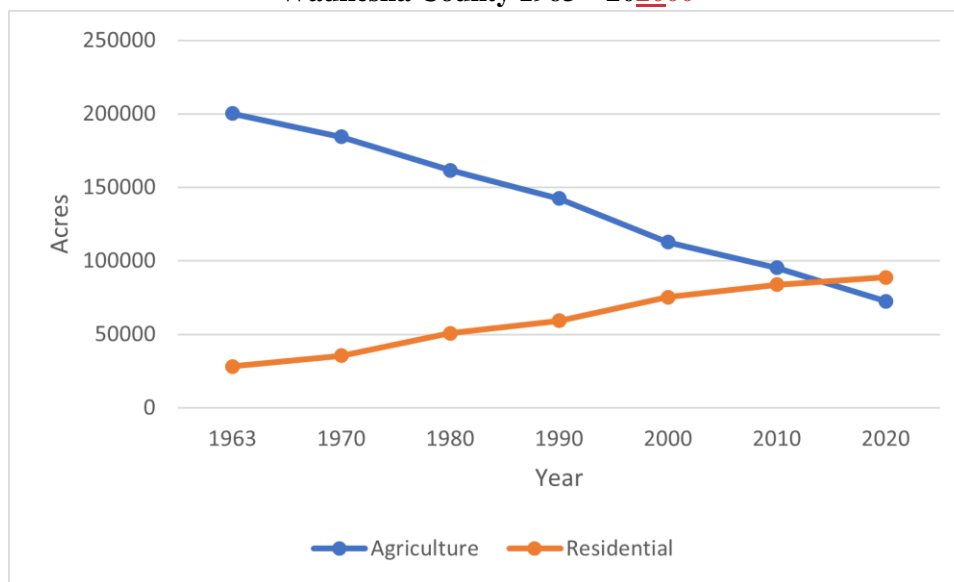
Figure D2-65



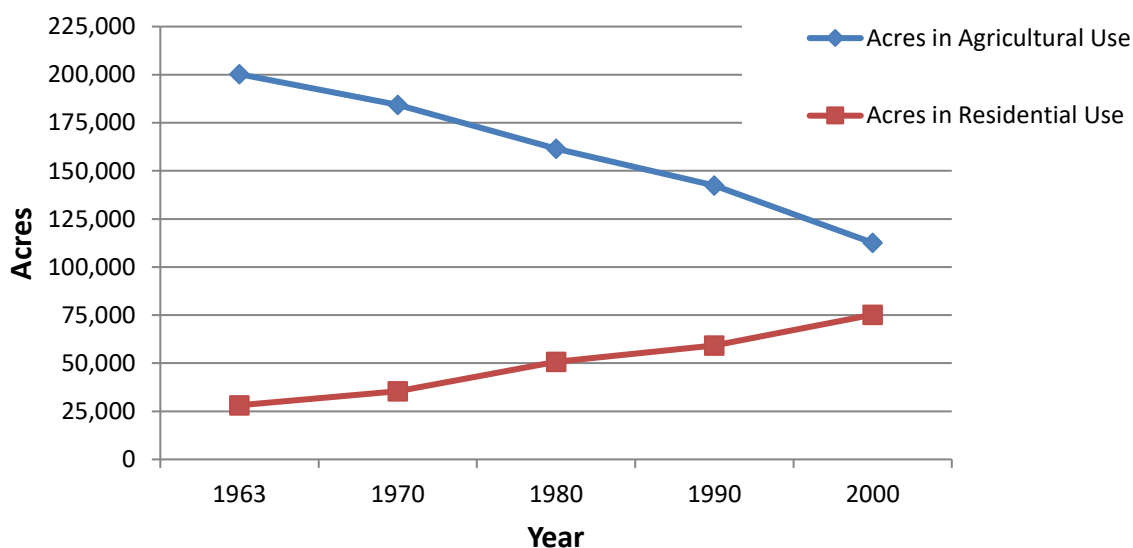
Agricultural Land Use

The most significant change in land use in Waukesha County in recent decades has been the loss of agricultural land. Between 1963 and 2000, SEWRPC estimated that the county lost 87,630 acres of agricultural land. This averages to approximately 2,370 acres or about 3.73 square miles each year. The land absorption rate of agricultural lands lost is slowing, compared to the 3.73 agriculture acres lost per year from 1963 to 2000. This also coincides with the slower rate of residential development from 2010-2020, as discussed previously. However, the increase in residential land use over time still coincides with the overall loss of agricultural land, as noted in Figure D2-7. As previously noted, the loss of agricultural land has coincided with a steep increase in residential land use, as illustrated in Figure D2-6. Map D2-4 shows 2020 agricultural land compared to 1980 agricultural land. The difference represents the loss of agricultural lands since the first Farmland Preservation Plan was prepared for Waukesha County in the early 1980's. The total acres in agriculture in 2020 is 98,498, which is slightly less than 27% of the county's land area. In 1980, there was 173,918 acres of agricultural lands. This represents a 43% loss of the agricultural lands in Waukesha County during this 40-year span (75,420 acres loss). Also shown in Map D2-4 are the areas served by sanitary sewers as of 2022. The map illustrates an obvious pattern of land converted to urban or residential uses being well beyond areas served by sanitary sewer service.

Figure D2-76
Acres in Agricultural and Residential Use
Waukesha County 1963 – 2020



Source: SEWRPC



Because a SEWRPC land use inventory has not been published since 2000, Waukesha County conducted an updated inventory of agricultural lands based upon 2010 aerial photography and submitted land division documents. The updated inventory estimated that another 38,805 acres of agricultural and rural lands have been lost since 2000, which averages over 4,600 acres per year.

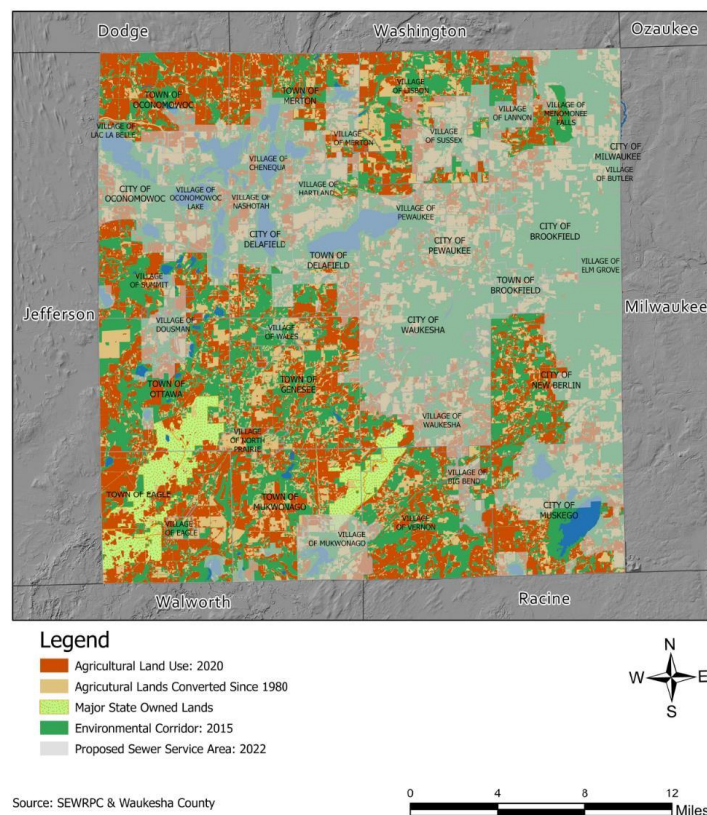
This brings the total acres in agriculture to 92,246 as of 2020. The 92,246 acres of farmland represents slightly less than 25% of the land area of the county remaining in agricultural use

as of 20102020. Figure D2-6 above was not updated because no inventory of residential lands has been completed since 2000.

A review of subdivision plats recorded between 2000 and 2010 corroborates the aerial photo review technique. In the past decade, over 11,000 acres of farmland were platted in either subdivision plats or condominium plats within the county. In addition, another 87 preliminary plats encompassing nearly 4600 acres of land were submitted for review but remain unrecorded since 2000. This does not account for the many other urban land use conversions or residential lots created outside of the platting process. It should be noted that during this inventory update, a different methodology was used to group rural land uses together and eliminate vacant lots and proposed subdivisions from the inventory, causing the “agricultural land” acres to drop significantly. This was done to avoid including any of these lands in the farmland preservation analysis discussed in the next chapter.

The remaining 92,24698,498 acres of agricultural or rural land uses in 20102020, exclusive of natural resource and environmental corridor uses, compares to 173,918 acres of agricultural lands in 1980. This represents a 46%43% loss of the agricultural lands in Waukesha County during this 3040 year span (81,67275,420 acres loss). Map D2-4 shows 20102020 agricultural land uses compared to 1980 agricultural land uses. The difference represents the loss of agricultural lands since the first Farmland Preservation Plan was prepared for Waukesha County in the early 1980’s. Also shown in Map D2-4 are the areas served by sanitary sewers as of 20002022. While the sewer service area needs significant updating, the map in general illustrates an obvious pattern of much of the 81,672 acres of land converted to urban or residential uses being well beyond areas served by sanitary sewer service.

**MAP D2-4
AGRICULTURAL LAND USE CHANGES 1980-2020
WAUKESHA COUNTY**



Agricultural Infrastructure and Support Services

As farming has declined in the county, so have the agricultural infrastructure and support services. For example, as of 2010, there are currently no implement dealers or grain elevators in Waukesha County. The vast majority of cropland is rented, which often means longer travel distances for farm machinery during planting and harvesting times, and competition with commuter traffic on the roads. Table D2-24 summarizes the known agricultural related businesses in Waukesha County. No specific sources are listed for the data in Table D2-24 because it came from numerous sources, including, but not limited to many national, state and local web sites, news articles, field verification, media advertisements and personal interviews. In general, the information is not easy to find or verify, and becomes quickly outdated.

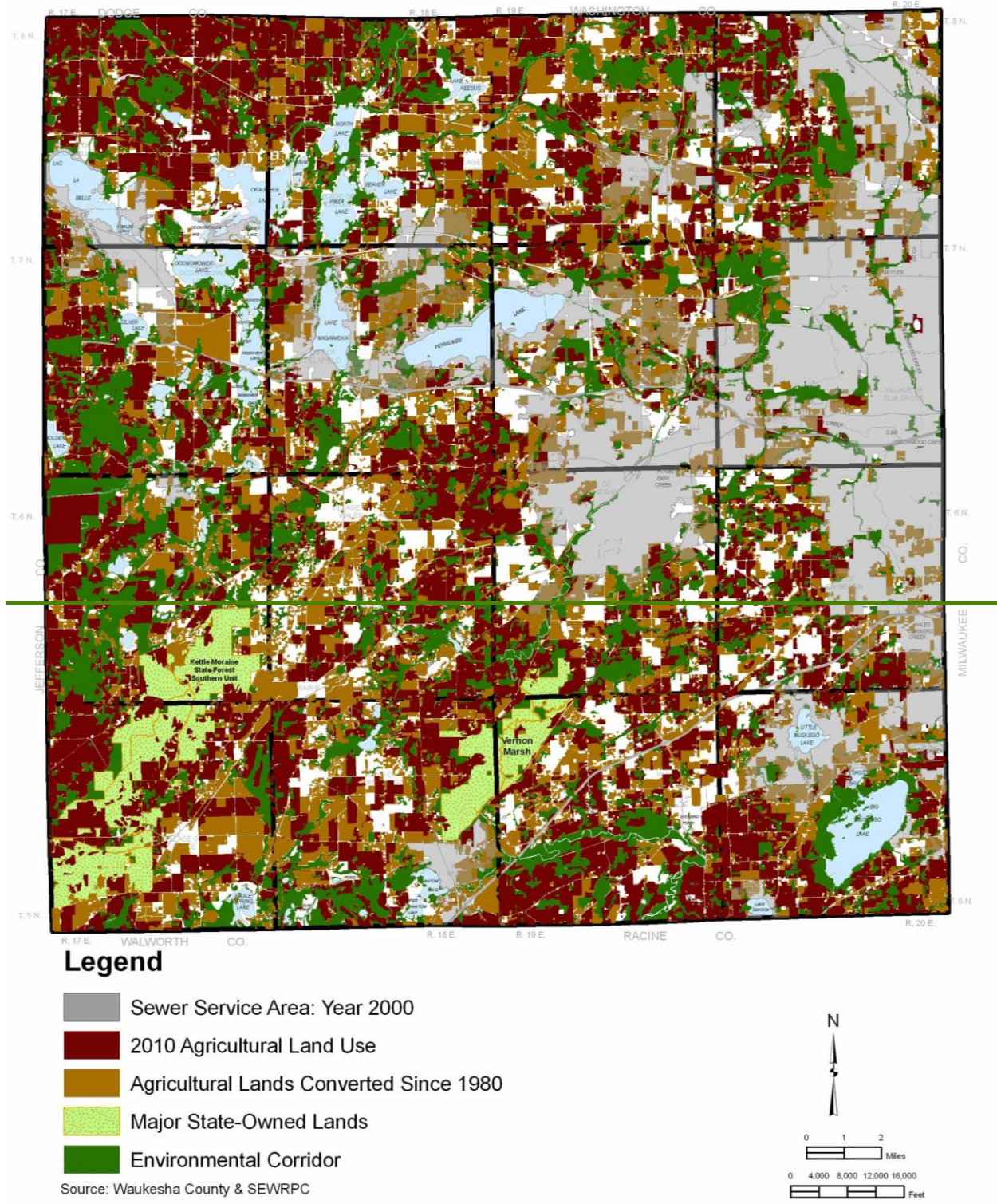
During discussions with the advisory committee during the 2011 plan update, it was found that local farmers often rely on support services from surrounding counties, such as in Dodge, Jefferson, Walworth, Racine and Washington Counties. This trend continues. For example, in 2011, there were four known Nutrient Management Planners within Waukesha County. However, these Planners have since either retired or moved their business to a neighboring county, while still serving Waukesha County. Another notable departure from Waukesha County is Insight Frontier FS Cooperative, which provided seed, feed, fertilizer, fuel, grain processing and farm consulting services. They have relocated to Jefferson County. While some additional support services have left the county, agricultural services have been obtained outside of Waukesha County for decades. It should also be noted that

Many local businesses that serve a majority of non-farm customers ~~do also~~ provide some support services to farmers. -Examples include builders, electricians, plumbers, rental services, and various parts suppliers, repair or other business-related services. The advisory committee also ~~It was also~~ noted that many informal relationships occur between local farm operations to provide support services, and that many smaller farms may not even be counted in the various agricultural inventories.

For purposes of this plan, it was not attempted to quantify these types of support services in Table D2-24 because it would be difficult to set standards or verify much of the information, especially if agriculture is not the primary client base for many of the noted businesses. However, these facts do suggest that some forms of agriculture can survive and even flourish in an urbanizing area without much of the conventional infrastructure or services commonly dedicated to the agricultural sector in more rural counties.

Map D2-4

Agricultural Land Use Change



es: Waukesha County 1980-2010

Table D2-21
Agricultural Infrastructure and Support Services in Waukesha County

Infrastructure or Support Service	Location (Township)	Notes/description
Agtech Products Inc	Waukesha	Silage Inoculants, livestock waste treatment products, animal health and nutrition products
Avoca Enzymatic Extraction	Menomonee Falls	Enzyme modified dairy products, Grade B processing
Cargill Flavor Systems	Waukesha	Dairy flavors, enzyme modified dairy products, goat milk, powdering operation, Grade B processing
Community Supported Agriculture (CSA)	Muskego (1) Ottawa (1) <u>Brookfield (1)</u>	A CSA is a partnership between farmers and consumers within a community. Members pay a fee at the beginning of the growing season to receive a portion of the farm's produce each week throughout the growing season.
Create A Pack Foods Inc	Oconomowoc	Powder mixing/blending, Grade B processing
Crop Insurance Carriers	Brookfield (1) Genesee (1) Pewaukee (1) Waukesha (1)	Prime Agricultural Consultants, Inc. Premier Insurance Solutions Rural Mutual Insurance M & I Bank
Insight Frontier FS Cooperative	Now in Jefferson Oconomowoc	Provides seed, feed, fertilizer, fuel, grain processing and farm consulting services
Gamay Foods Inc	New Berlin	Dairy flavors, enzyme modified dairy products, powder mixing/blending, Grade B processing
Life Way Foods Golden Guernsey Dairy/Dean Foods	Waukesha	Keifer Milk and Ice cream processing plant, flavored and unflavored 32-ounce bottles made on site. Grade A—146 employees
Lake Country Foods Inc	Oconomowoc	Ice cream, powder mixing/blending, powdering operation, Grade B processing
Nutrient Management Planners	Menomonee Falls (1) Oconomowoc (4) Pewaukee (1) Waukesha (1) <u>None within Waukesha County</u>	WI DATCP website – Certified Crop Advisors <u>and</u> ; Certified Professional Crop Consultants <u>that serve Waukesha County</u>
Old Tavern Club	Waukesha	Cold-pack cheese, Grade B processing
Waukesha County Agribusiness Council	Waukesha	Local branch of WI Agribusiness Council—a statewide business league dedicated to improving the business environment for agriculture in WI.
Waukesha County Farm Bureau	<u>Madison</u> Pewaukee	Local branch of WI Farm Bureau – organized and run by local farmers to represent and promote agriculture in the county.

White Oak Farm	Oconomowoc	Soil products and composting services
Proven Power	Waukesha and Oconomowoc locations	John Deere implement and equipment needs
Waukesha Dairy Promotion Group	Waukesha County	Waukesha Dairy Farmers is a group of dairy farm families committed to educating the public.
Farmers for Lake Country (FFLC)	Oconomowoc	Program driven by local farmers. Provides expertise and guidance for the farming community so that water quality and soil health are improved and protected for the long term. Works closely with OWPP and Tall Pines Conservancy to assist with outreach, education and agricultural initiatives throughout the watershed.
Gwenyn Hill Farm CSA	Town of Delafield	A holistic farm that grows organic produce and practices regeneration agriculture, while maintaining the biodiversity of the fields and woodlands. A CSA is a partnership between farmers and consumers within a community. Members pay a fee at the beginning of the growing season to receive a portion of the farm's produce each week throughout the growing season. At Brookfield Farmers Market.
Tall Pines Conservancy	Nashotah	Nationally accredited, non-profit land trust focused on preserving the Lake Country region and beyond. Believe in protecting farmland, water and open spaces within the community to honor generations past, maintain a connection to rural heritage and preserve these irreplaceable resources for future generations to enjoy.

INFLUENCE OF LAND USE PLANS ON DEVELOPMENT PATTERNS AND AGRICULTURAL USE

While regional land use plans and studies recognized a pattern of urban sprawl as early as the 1960s, local development plans and zoning have generally failed to protect most agricultural lands, even in the more rural parts of the county. Consequently, the county has not developed in an incremental fashion over time. Instead, farm fields and residential developments are scattered together across much of the county. Suburban-type large lot developments are commonplace throughout most of the county. With no county land use plan in place until the mid-1990s, agricultural lands were consistently rezoned for other uses, most notably residential use, as farmers retired or left the business for other reasons. The steady increase in land values over time caused a domino effect in farms being converted out of agricultural use. Whereas in past times, a farmer might have acquired additional lands when a neighboring farm became available, farmers serving on the [2011](#) advisory committee noted that, in past decades, most farmers could no longer afford to acquire acreage to expand because development potential drove land prices out of reach. With no possibility for expansion, existing farms have generally struggled to remain viable as farm sizes elsewhere have increased to achieve greater economies of scale.

1984 Waukesha County Agricultural Land Preservation Plan

As previously noted, the county adopted its first farmland preservation plan in 1984. The 1984 *Waukesha County Agricultural Land Preservation Plan* proposed the preservation of large expanses of farmland, but many communities in the county lacked local land use plans, agricultural preservation zoning codes or political will to bring it to fruition. The 1984 plan identified 170 square miles (>35 acre parcels) to be planned for agricultural preservation. Map D2-5 shows all 183 square miles recommended for preservation, including parcels <35 acres, but not including those lands designated for “agricultural transition”. The 1984 plan was based on a 1980 SEWRPC land use inventory and mapped areas as small as 100-acre blocks as farmland preservation areas. The plan designated the vast majority of farms in the county in preservation areas, often with little regard for the degree of development pressure in the area. The 1984 plan has also generally been recognized as a “voluntary” plan, in that most all landowners who wished to be eligible for agricultural tax credits simply expressed a willingness to be mapped in the plan even though their intent may not have been to keep their lands in agricultural use over time.

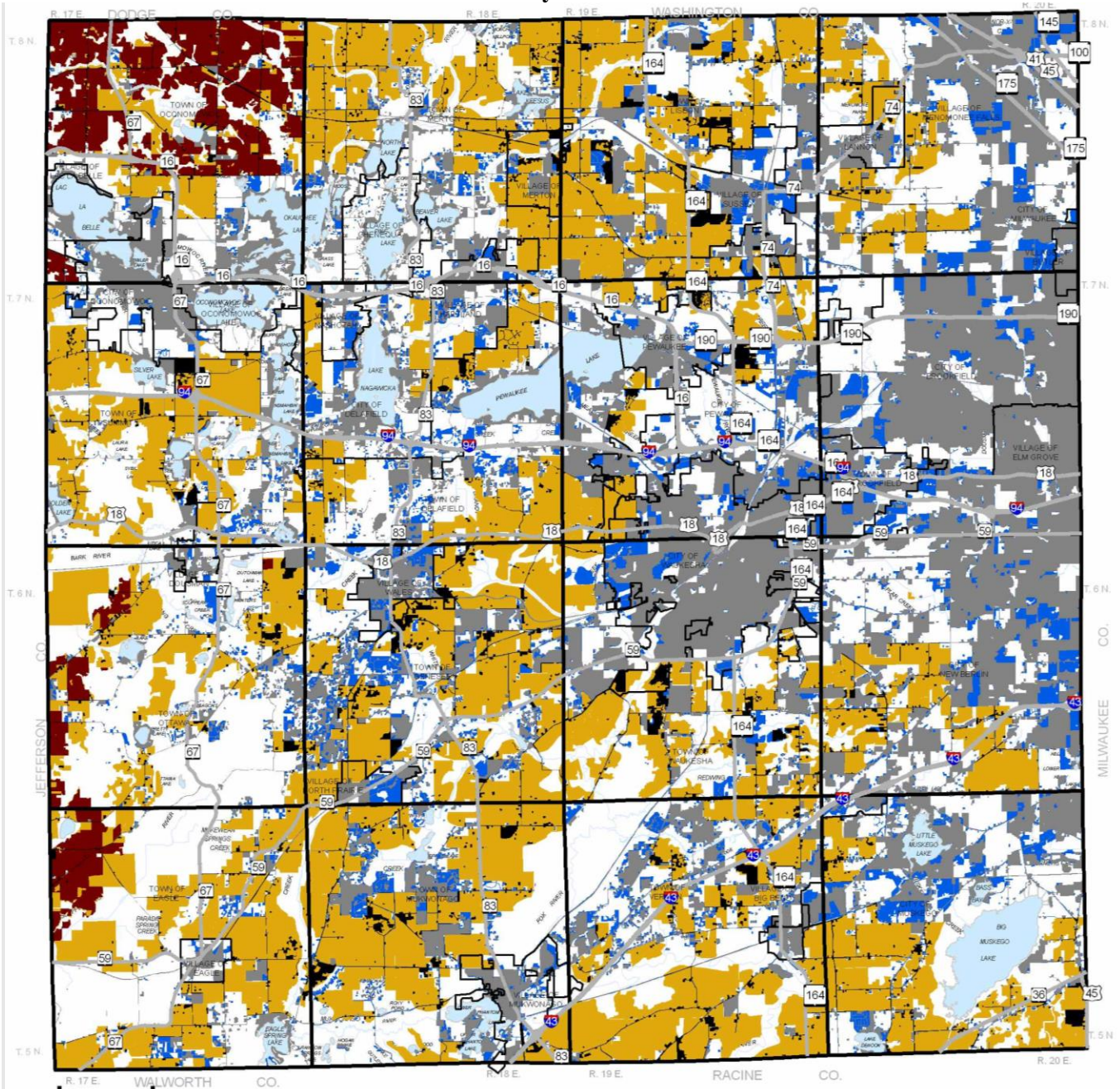
Map D2-5 also shows the urban and residential lands that existed in 1980, which included 93,942 acres, or 25% of the county landscape. Of the 37 municipalities in the county, only six implemented a DATCP certified farmland preservation zoning ordinance, as discussed in Chapter 1 (see Map D1-2). This left 58% of the farmland preservation areas in the 1984 Waukesha County Farmland Preservation Plan generally unprotected with regards to zoning, and the owners of the farmland ineligible for the state income tax credits available at the time. Even by 1980, a development pattern was already established in much of the county that would prove to be difficult to change, as the following sections of this plan will demonstrate.

1996 - A Development Plan for Waukesha County Wisconsin; and 1998 - Waukesha County Agricultural Land Preservation Plan

Waukesha County adopted the first county-wide development plan in the State of Wisconsin in 1996. By this time, Map D2-5 shows that 10,638 acres of farmland designated for preservation in 1984 were already converted to other urban uses, including many farms in the six communities with certified farmland preservation zoning ordinances. Clearly, by the mid-1990's, the earlier established development patterns continued in the rural areas of the county. The 1996 development plan documented that Waukesha County had experienced significant urban sprawl for the past several decades. The plan noted that farmland had become significantly fragmented and that a new farmland preservation strategy was needed. A new standard was proposed that called for a **critical mass** of contiguous farmland to exist in order for lands to be designated for agricultural preservation. By including many local officials and landowners in the planning process, the plan also recognized the importance of local support for any effort to preserve farmland. The 1996 development plan focused on protection of natural resources such

Map D2-5

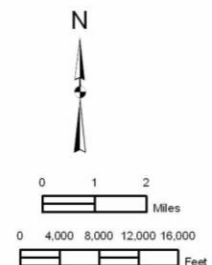
Urban Land Use and Farmland Preservation Planning Waukesha County: 1980-1995



Legend

- 1980 Urban / Residential Lands
- New Urban / Residential Lands 1980-1995 (123,266 ac)
- 1984 Farmland Preservation Areas
- 1996 County Development Plan Farmland Preservation Areas
- New Urban Lands Within 1984 Farmland Preservation Areas (10,638 ac)
- 1995 Civil Division Boundaries

Source: Waukesha County & SEWRPC



|

as environmental corridors, wetlands and woodlands, and called for preservation of significant areas of land for recreational purposes. The 1996 plan also established a “Rural Density Residential and Other Agricultural Lands” category that encompassed nearly 20% of the land area of the county. This category supported the continuation of farming but also allowed for rural development densities (one dwelling unit per five acres) in such areas. The plan also provided incentives for conservation design to achieve goals for natural resource and rural atmosphere.

Map D2-5 shows that land use and zoning decisions were often made with little regard to the 1984 Farmland Preservation Plan. Of the 29,324 acres of agricultural lands converted to non-agricultural uses between 1980 and 1995, 36% (10,638 acres) were designated for farmland preservation in the 1984 plan. The general ineffectiveness of the 1984 plan in preserving farmland, and the limited local support for the concept, led to the use of a different farmland planning standard in the 1996 Development Plan.

The 1996 plan stipulated that lands planned as “Prime Agricultural Lands” had to be located in a block of at least five square miles. As noted earlier, the five square mile standard was used in the 1990 and 2000 Regional Land Use Plans for Southeastern Wisconsin, adopted by SEWRPC in 1966 and 1978, respectively. “The protection of a critical mass of farmland to enable the continuation of commercial farming and to enable support businesses to survive”¹⁰ is often cited by national leaders as a guiding principle for an effective farmland preservation program. The five square mile planning standard is one example of this principle. When applying this planning standard in Waukesha County, only limited areas in the Towns of Oconomowoc, Eagle and Ottawa met this standard. The plan called for 17 square miles of land, or three percent of the county, to be planned for agricultural preservation, as shown in Map D2-5.

The 1998 *Waukesha County Agricultural Land Preservation Plan (draft)*, which was never certified by DATCP, called for a similar five square mile standard. Consequently, during the strong growth period of the late 1990s and early 2000s, low density residential development continued to occur in the rural unincorporated areas of Waukesha County, further segmenting existing tracts of farmland.

2009- A Comprehensive Development Plan for Waukesha County

The 2009 County Comprehensive Development Plan utilized the same five square mile planning standard for lands to be designated for agricultural preservation. Acreage planned for Prime Agricultural Preservation totaled 10,341 acres (16.2 square miles) county-wide, with the majority of that acreage being located within the Town of Oconomowoc (See Map VII-2, Chapter 7 2009 WCCDP). The advisory committee for the agricultural element of the plan considered a secondary tier of farmland preservation areas that would have encompassed agricultural blocks of at least three square miles, to be accompanied by a 10-acre density residential zoning standard. However, due to concerns over negative effects on local land values and inefficient use of land under this proposal, the advisory committee ultimately endorsed the five square mile block as the accepted standard for the plan. Through the end of 2010, all 16.2 square miles of land designated for agricultural preservation in the 2009 plan remained as such.

County estimates showed that 47,705 additional acres of farmland were converted from agricultural to urban or residential uses between 1995 and 2005. This conversion rate reflects some of the highest in the history of the county, averaging about 7.5 square miles per year, and representing an historical development boom in the area. These estimates were generated by comparing county land division data with 1995 and 2000 SEWRPC detailed land use inventories. While the data may not be completely comparable or as accurate as previous data sets, it clearly shows a continuation of the historic land use trends. ~~documented in the previous county planning efforts.~~ The net result of land conversions since the first farmland preservation plan is shown in Map D2-4 and ~~was were~~ discussed earlier. However, it should be noted that 99% of the land conversions occurred outside of the 1996 farmland preservation areas. ~~With few~~

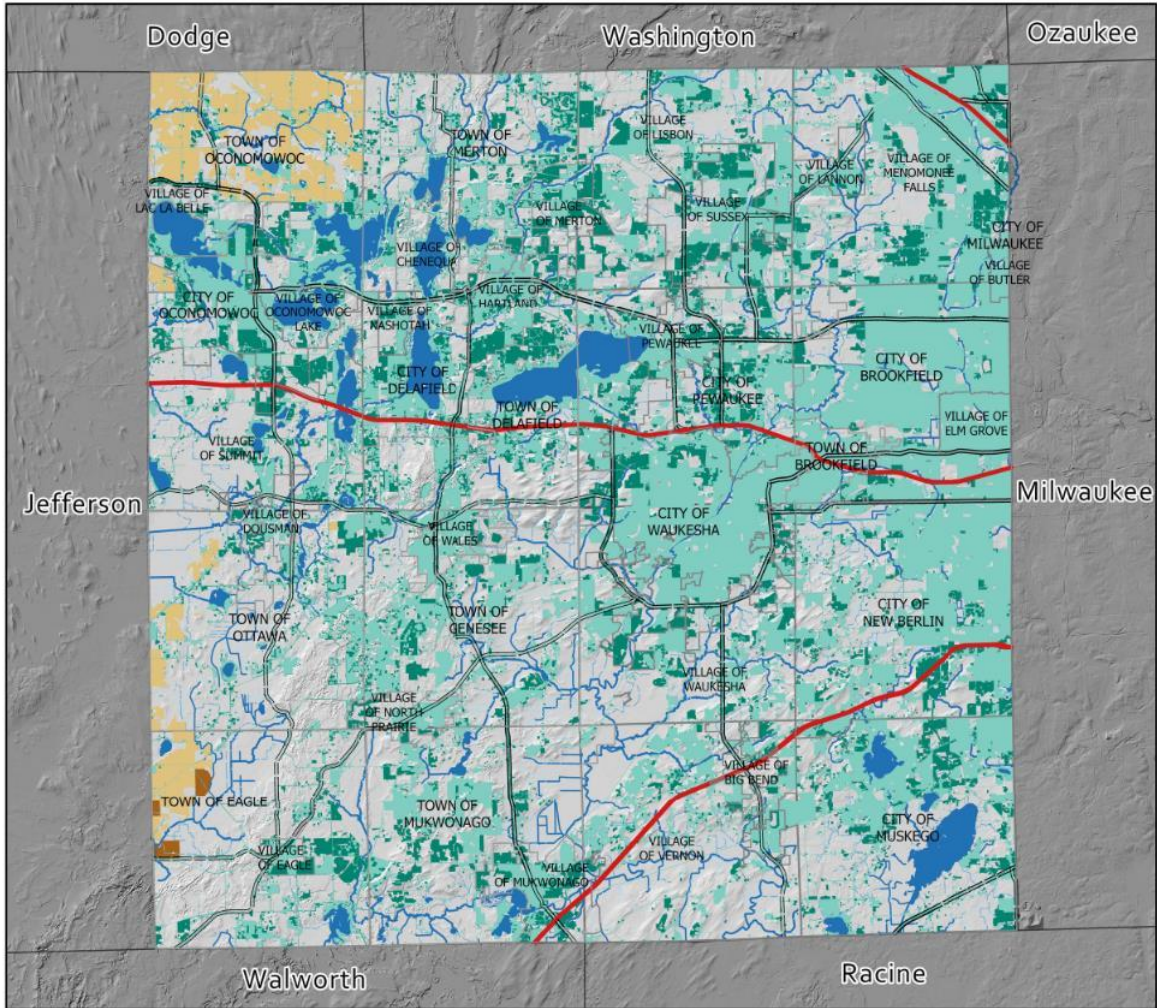
¹⁰ “A Cautionary Reply for Farmland Preservation”, Tom Daniels, Professor of Geography and Planning, University at Albany, State University of New York, 1999; Also served as Director of the Lancaster County, PA farmland preservation program for nine years.

exceptions, the 17 square miles designated for farmland preservation in the 1996 plan have generally been preserved.

2011 Waukesha County Farmland Preservation Plan

Map D2-6 shows that the farmland preservation areas from the 2011 plan remained almost entirely intact, indicating that the plan was very successful in preventing urban encroachment in the designated farmland preservation areas within Eagle, Ottawa and Oconomowoc. The remainder of the county continues to experience urbanization, with an additional 36,000 acres of residential and urban growth since 1996. The loss of farmland outside of farmland preservation areas was anticipated because much of the remaining farmland within the county is highly fragmented and/or located within urban service areas.

MAP D2-6 **URBAN LAND USE & FARMLAND PRESERVATION PLANNING** **WAUKESHA COUNTY: 1995-2020**



Legend

- 1995 Urban / Residential Lands
- New Urban / Residential Lands 1995-2020 (36,286 ac)
- 1996 Farmland Preservation Areas
- 2011 Farmland Preservation Areas



Source: SEWRPC & Waukesha County



Chapter 3

FARMLAND PRESERVATION TOOLS, PLANNING STANDARDS AND RECOMMENDATIONS

FARMLAND PRESERVATION TOOLS

Prior to formulating farmland preservation objectives, standards and recommendations, it is important to have a baseline understanding of some of the various tools available to accomplish farmland preservation. Land use plans, zoning, farmland preservation agreements and tax credits are the more conventional and well known tools that communities in Waukesha County have utilized for a decade or more. ~~Purchase and transfer of development rights are programs that have been utilized extensively in other parts of the country but are still relatively new concepts in Wisconsin. The State's new farmland preservation law also brings forward new programs such as~~ Agricultural Enterprise Areas (AEAs) and Purchase of Agricultural Conservation Easements (PACE) are programs that offer financial tools via a voluntary and competitive process. ~~Purchase and transfer of development rights are other programs used across the country to preserve farmland.~~ Below is a brief description of these more commonly used farmland preservation tools and how they may be applied in Waukesha County.

Land Use Plans

~~Waukesha County adopted the second generation Waukesha County Comprehensive Development Plan (WCCDP) pursuant to Section 66.1001 of the Wisconsin Statutes. The State's Comprehensive Planning Law also calls for local municipalities to adopt local land use plans in order for communities to be able to implement zoning, subdivision and official mapping ordinances. Land use plans guide the use of land over time and are critical tools in farmland preservation planning. Most communities in Waukesha County adopted new or revised local land use plans, consistent with the WCCDP, in the past couple of years in response to the State's requirement that all communities adopt a comprehensive plan by January 1, 2010. Local communities will need to again consider reviewing and updating their plans with regards to farmland preservation, as most local plans were adopted prior to the Working Lands Initiative becoming law in 2009. The new farmland preservation law requires consistency between the county farmland preservation plans and county comprehensive plans. Because the county plan is representative of local plan designations, local plan review and update will need to be considered with the adoption of the farmland preservation amendment to the 2009 WCCDP.~~

Land use plans guide the use of land over time and are critical tools in farmland preservation planning. The State's Comprehensive Planning Law calls for local municipalities to adopt local land use plans in order for communities to be able to implement zoning, subdivision and official mapping ordinances. As such, most communities in Waukesha County have adopted local land use plans. State law requires consistency between county farmland preservation plans and county comprehensive plans. Municipalities will need to consider updates to their local land use plans with the adoption of the farmland preservation amendment to the WCCDP. Waukesha County is currently engaging in a process to update the 2009 WCCDP that will continue to incorporate the farmland preservation plan as a plan element.

Housing density bonuses are an available tool that may be incorporated into comprehensive plans in order to concentrate development at heightened densities if either farmland or open space areas are preserved at specified levels. For instance, the WCCDP provides for a 30% housing density bonus in all of the WCCDP residential and rural residential land use categories when a minimum of 40% of a site is conserved for open space or farmland uses. ~~(See pages 7-35, 7-36, 9-9 and 9-10 of the WCCDP).~~ Such density increases may help to preserve farmland by offsetting development pressure elsewhere and may allow for smaller farm units to remain within an otherwise urbanizing area. Such small farm units may be appropriate for emerging agricultural sectors such as organic farms or community-oriented cooperatives that often operate on smaller tracts.

Zoning

~~As noted in Chapter 7 of the 2009 WCCDP, a~~ zoning ordinance divides a community into districts for the purpose of regulating the use of land and structures and seeks to confine certain land uses to areas of the community which are particularly well suited to those uses, thereby encouraging the most appropriate use of land throughout the community. Consequently, zoning is an important tool for protecting farmland.

Pursuant to Chapter 91, farmland preservation zoning ordinances must comply with the following basic standards:

- Farmland Preservation zoning districts where land uses are limited must be clearly designated.
- Maps must clearly identify Farmland Preservation zoning districts.
- Types of land uses allowed in each Farmland Preservation zoning district must be clearly identified.
- The Farmland Preservation Zoning Ordinance must be substantially consistent with the Farmland Preservation Plan.

~~As noted previously, six~~ Only three communities in Waukesha County ~~currently continue to~~ have Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) certified agricultural preservation zoning ordinances. ~~Those~~ These communities are:

- Town of Eagle
- ~~Town of Mukwonago~~
- ~~City of Muskego~~
- ~~City of Pewaukee~~
- Town of Ottawa
- Town of Oconomowoc

The Towns of Oconomowoc and Ottawa are under the jurisdiction of the Waukesha County Zoning Code and the Waukesha County Shoreland and Floodland Protection Ordinance. The ~~other four communities~~ are Town of Eagle is certified under their local zoning ordinances. These zoning ordinances have been submitted to DATCPPC for review that complies in accordance with Section 91.36 and 91.38 of the Wisconsin Statutes. Chapter 91 of the Wisconsin Statutes specifies that the certification of these ordinances will expire on December 31, 2012. Communities and counties that wish to have a new ordinance certified must comply with the new provisions of the law and submit an ordinance to DATCP for review that

~~complies with Sections 91.36 and 91.38 of the Wisconsin Statutes.~~ Pursuant to Chapter 91, farmland preservation zoning ordinances must comply with the following basic standards:

- ~~• Farmland Preservation zoning districts where land uses are limited must be clearly designated.~~
- ~~• Maps must clearly identify Farmland Preservation zoning districts.~~
- ~~• Types of land uses allowed in each Farmland Preservation zoning district must be clearly identified.~~
- ~~• The Farmland Preservation Zoning Ordinance must be substantially consistent with the Farmland Preservation Plan.~~

Communities with lands designated as farmland preservation areas must also update their farmland preservation zoning ordinances every 10 years to enable ~~have amended their zoning codes to be~~ will need to take steps to amend their zoning codes to become ~~compliant with State standards, so that~~ landowners ~~in those areas whose lands which~~ are zoned for farmland preservation to will be eligible for the available \$7.50/acre tax credit. In Agricultural Enterprise Areas, landowners in a certified farmland preservation zoning district would be eligible for a \$10/acre credit if they also sign an agreement to keep their land in agricultural use for at least fifteen years. Certification of ordinances will remain valid for a maximum of ten years. ~~Communities will need to review and monitor zoning ordinances and consider amendments as needed over time.~~

Chapter 91 sets forth a new Conditional Use option for accommodating residences in farmland preservation areas. Local municipalities will need to consider whether the Conditional Use option for residences within farmland preservation areas would be effective. In addition, Chapter 91 sets forth some new optional concepts for farmland preservation including Base Farm Tract designation and non-farm residential clusters. The law states the ratio of nonfarm residential acreage to farm acreage must be at least one dwelling unit per 20 acres of land, and that no more than four nonfarm dwelling units may exist on any base farm tract. ~~The new law establishes a required maximum density standard for farmland preservation zoning districts of one dwelling unit per 20 acres of land.~~

Similar to land use plan category density incentives, housing density bonuses are an available tool that may be incorporated into local zoning codes in order to concentrate development at heightened densities if either farmland or open space areas are preserved at specified levels. For instance, the Waukesha County Shoreland and Floodland Protection Ordinance provides for variable housing density bonuses in all residential zoning districts via a Planned Unit Development process, provided that a minimum of 40% of a given site is conserved for open space or farmland uses. ~~(See pages 85-89 of the Waukesha County Shoreland and Floodland Protection Ordinance).~~ Waukesha County's R-3 Residential District density provisions can be increased by 40% if ~~both~~ municipal sewer ~~and water are is~~ available and the minimum required 40% open space or farmland area is preserved in perpetuity. ~~Similar to land use plan density incentives,~~ such zoning density increases may help to preserve farmland by offsetting development pressure elsewhere and may allow for smaller farm units to remain within an otherwise urbanizing area. Such small farm units may be appropriate for emerging agricultural sectors such as organic farms or community-oriented cooperatives that often operate on smaller tracts.

Agricultural Enterprise Areas (AEA)

The new farmland preservation law ~~establishes a program that allows for~~ provides DATCP with the ability to designate by administrative ~~rule order~~ certain lands as Agricultural Enterprise Areas in order to foster agriculture in certain designated geographic regions. DATCP defines an AEA as a contiguous land area devoted primarily to agricultural use and locally targeted for agricultural preservation and agricultural

development.¹ The premise of the AEA program is to support agriculture in targeted areas where there is a commitment to agricultural preservation in order to bolster agricultural investment. Designation as an AEA is voluntary, with those who elect to participate being eligible for greater tax benefits, as discussed in the following sections. The program allows for a minimum of five individual farm owners to submit a petition for consideration with the support of their local government. -There currently is no minimum size for an AEA, but state law requires the DATCP to give higher priority to any AEA application that contains at least 1,000 contiguous acres.

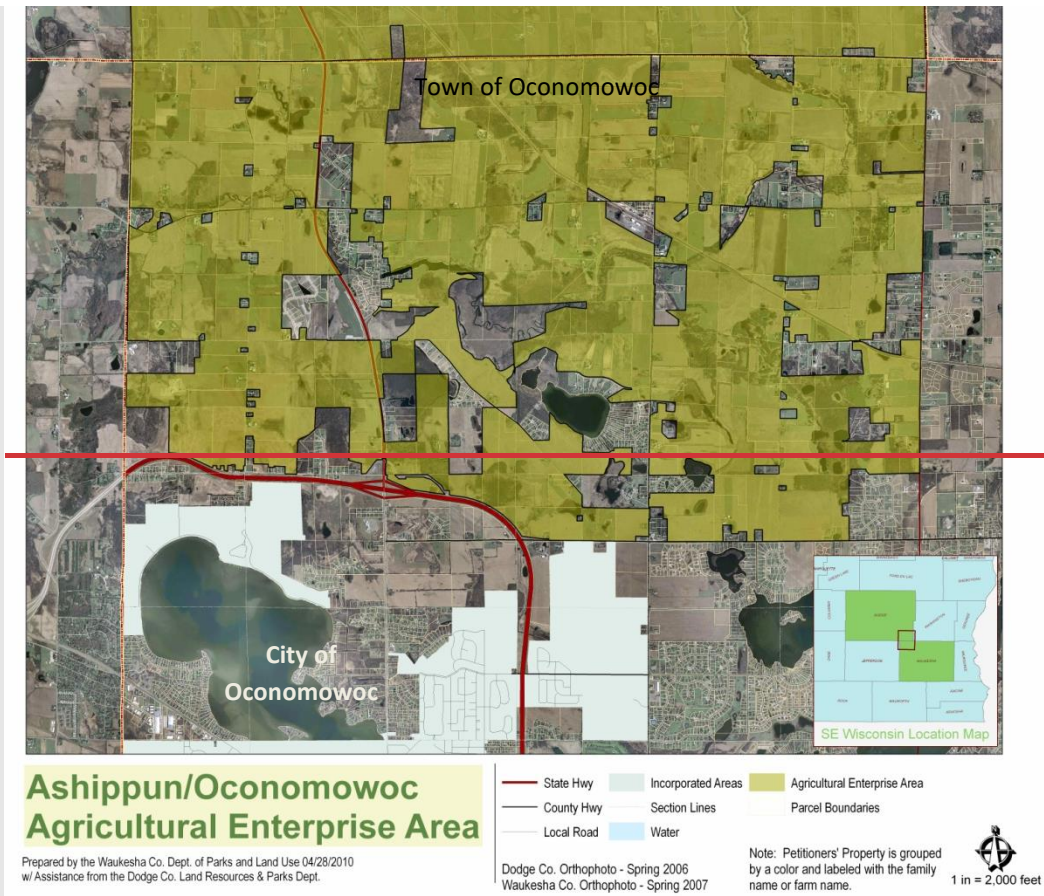
In Waukesha County, the Town of Oconomowoc ~~teamed-up~~partnered with the Town of Ashippun, their community neighbor to the north in Dodge County, to successfully petition DATCP for AEA designation in 2010. The AEA includes the majority of the Town of Ashippun and a little more than the northern half of the Town of Oconomowoc, which is experiencing significant urbanization pressures in the southern portion of the town. In 2018, an owner of an 80-acre farm parcel in the Town of Merton successfully petitioned DATCP to modify the adjacent Oconomowoc-Ashippun AEA through a Minor Boundary Modification Request. The Waukesha County portion of the AEA encompasses ~~10,252~~9,575 acres (1~~56~~5-square miles) ~~in the Town of Oconomowoc~~, as shown in Map D3-1. ~~It is made up of 74% agricultural lands and 2334% natural areas, with 85% of the parcels within the AEA being 35 acres or greater.~~ This AEA is discussed more in the planning standards section of this chapter.

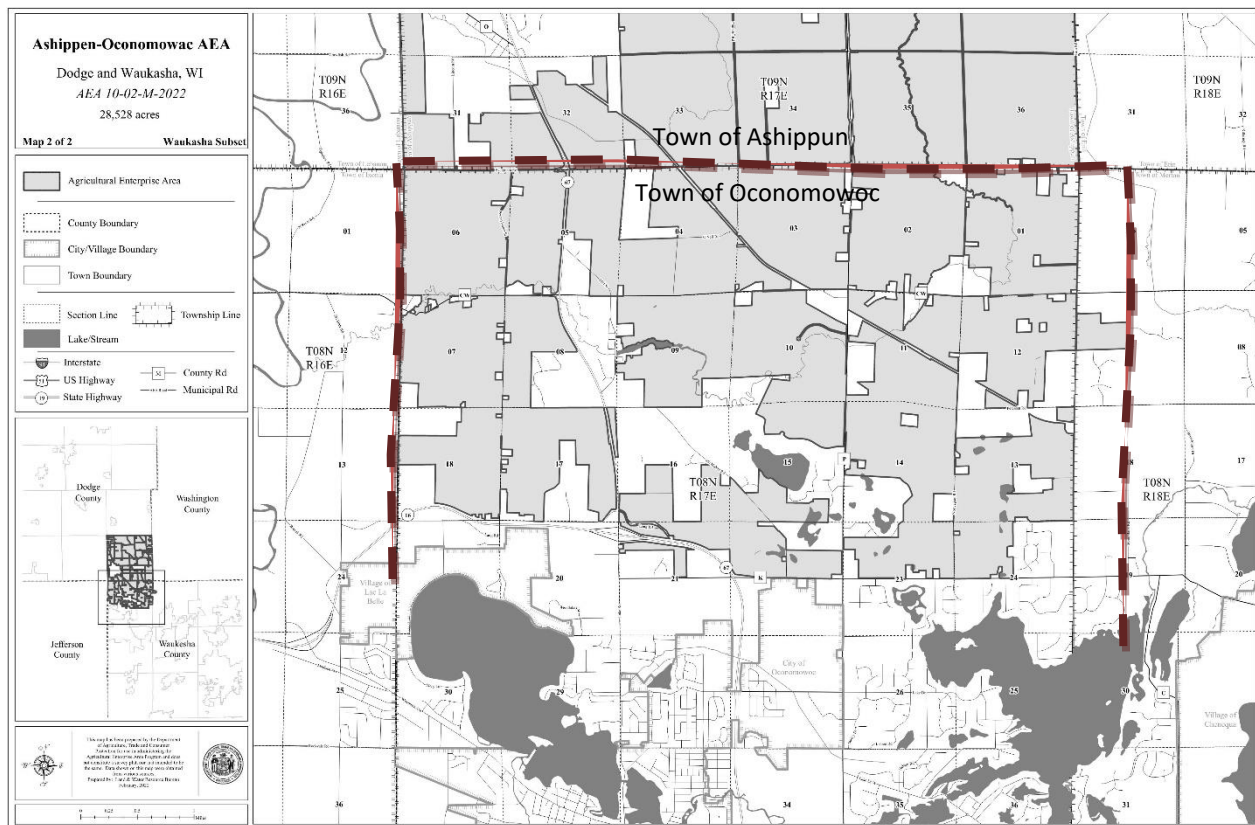
Map D3-1

Town of Oconomowoc Portion of the Ashippun/Oconomowoc Agricultural Enterprise Area

Town of Ashippun

¹ *Agricultural Enterprise Areas informational piece, Wisconsin Department of Agriculture, Trade and Consumer Protection, July 2009.*





Farmland Preservation Agreements

A Farmland Preservation Agreement is a contract between the landowner and the State of Wisconsin committing the subject property to remain in agricultural use for at least 15 years. The farmland preservation agreement is recorded on the property through the county Register of Deeds and stays with the property under any transfer of ownership. An executed agreement made the landowner eligible for an income tax credit based on a sliding scale of income and property taxes.

Thousands of Farmland Preservation Agreements were executed across Wisconsin since they were first offered in 1978. They were primarily targeted to rural counties that did not have zoning ordinances. However, from 1989-1991, they were also offered to other landowners whose property was designated as a farmland preservation area in a certified county Farmland Preservation Plan, but the local community had not adopted a certified exclusive agricultural zoning ordinance. As of 2023, five (5) farmland preservation agreements are in effect in Waukesha County, ~~which were executed during this three year window~~ none of which were established prior to 2009.

~~Under the 2009 revisions to the State's Farmland Preservation laws, o~~ Today, only landowners in AEAs can enter into a new Farmland Preservation Agreements or extend existing agreements beyond their original term. ~~The tax credits were also revised.~~ This is discussed in more detail below.

Purchase of Development Rights (PDR)/Purchase of Agricultural Conservation Easements (PACE)

Purchase of Development Rights involves the use of public or private funding to acquire the development rights of privately held land. In exchange for monetary considerations, lands are restricted from being developed in perpetuity. Such programs can be utilized to protect either natural areas or farmland. ~~The Working Lands Initiative provides a new voluntary program for purchase of development rights, which is known as the Purchase of Agricultural Conservation Easement program. Only lands that are designated for~~

farmland preservation within a county's newly certified farmland preservation plan are eligible for participation in the program. DATCP defines agricultural conservation easements as follows: *An agricultural conservation easement prohibits development that would make the land unavailable or unsuitable for agricultural use. Easements are voluntary and allow a landowner to be compensated for limiting development on his or her farmland. Easements are permanent and are carried over to subsequent landowners if the property is sold.*²

The PACE program is currently a State pilot program that provides state funds for up to 50% of the cost of purchasing agricultural conservation easements. Transaction costs can be included in the allowable 50%. Both the development value and the agricultural value of land must be computed, and the difference in the development value versus agricultural value is the maximum amount of the easement value that the State can assist in purchasing.

The PACE program provides funding to interested local government or non-profit organizations that wish to assist in purchasing such easements from willing landowners. The program is entirely voluntary, requiring a willing buyer and a willing seller. Local governments or non-profit organizations may elect to contribute funds towards the 50% of easement value that the State cannot subsidize, or a landowner may donate all or part of the unfunded 50% of the development value. Lands with conservation easements obtained through this program cannot be developed for non-agricultural purposes. Permanent deed restrictions must be recorded against the land through the county Register of Deeds, explicitly stating the restrictions on its future use.

PACE is a competitive program where various criteria are utilized to rank applications for consideration. The State has initially allocated \$12 million for the program during the 2009-2011 state fiscal years. During 2010, nearly half of this allocation was awarded. DATCP has indicated that the program targets lands that are under some degree of development pressure but not so much that preserved farms would be an island in an otherwise developed area.

According to a 2004 study by the American Farmland Trust, there were dozens of PDR programs operating across the country and the creation of many more were being discussed. They studied the top 46 programs and produced a report that can be found at www.farmland.org. Some highlights of comparisons for the programs they studied² include:

1. Most local programs are found in the suburban and semi-rural parts of major metropolitan areas, with county populations of more than 100,000 and rapid population growth.
2. State governments provide most easement funds, with lesser amounts coming from local taxes (counties, towns, special purpose districts/property tax, sales tax, bonding, etc.), federal funds and nonprofit sources. Of the 46 programs, 30 were operated by county governments. Three-fourths of the programs were funded by a combination of funding sources.
3. While there is a potential to use easements to complement local planning and land use policies in protecting farmland, few agricultural easement programs work in this way. One reason is that easement activities and local planning often are managed by separate organizations.

² PACE-Purchase of Agricultural Conservation Easements informational piece, Wisconsin Department of Agriculture, Trade and Consumer Protection, July 2009 (<http://workinglands.wi.gov>).

4. On average, the 46 programs had been in operation for 21 years as of 2002.
5. Voters approved bond issues and revenue for 21 programs, on multiple occasions in some communities.
6. As of 2002, the 46 programs held 877,000 farmland easement acres, representing more than 5,800 individual farms at a cost of \$1.8 billion. Easement acquisitions averaged \$2,000 per acre, but varied greatly among programs and often involved partial donations.

Another tool aimed at protecting agricultural lands is a program called Purchase of Agricultural Easements (PACE), which would compensate landowners in exchange for limiting or prohibiting development on agricultural lands. The Working Lands Initiative created the State's first ever PACE program, a new voluntary pilot program for the purchase of development rights. This program required a partnership with local entities in which the State and local entities would be co-holders of the easement. DATCP conducted one application period in 2010, under which 16 proposed easements were approved and enrolled in the program in perpetuity. The PACE program was defunded in the 2010-2012 biennium budget and additional funds for the purchase of new easements are not available at the state level.

Some counties and local entities continue to offer PACE or similar programs as part of their Farmland Preservation Plans. For example, the USDA Natural Resource Conservation Service administers the Federal Agricultural Conservation Easement Program (ACEP) to support the purchase of easements, similar to Wisconsin's PACE Program. PACE and ACEP are intended to strengthen the long-term protection of areas that have been planned and designated as farmland preservation areas in a certified farmland preservation plan. Agricultural conservation easements may also provide additional protection to areas that have been designated as agricultural enterprise areas.

The PACE program provides State funding for the purchase of agricultural conservation easements. An agricultural conservation easement prohibits development that would make the land unavailable or unsuitable for agricultural use. Easements are voluntary and allow a landowner to be compensated for limiting development on his or her farmland. Easements are permanent and are carried over to subsequent landowners if the property is sold. With an agricultural conservation easement, a landowner continues to pay property tax on the land at the current required rate.

Through the PACE program, DATCP will provide funding to cooperating local entities (local governments or non-profit organizations) for the purchase of easements from willing landowners. Local entities purchase the easements and may be reimbursed for up to 50 percent of the easement cost by the PACE program. The State and local entities will then be co-holders of the easement. Funding from DATCP for PACE has been limited, however the USDA Natural Resource Conservation Service administers the Federal Agricultural Conservation Easement Program (ACEP) to support the purchase of easements, similar to Wisconsin's PACE Program. PACE and ACEP are intended to strengthen the long-term protection of areas that have been planned and designated as farmland preservation areas. in Walworth Waukesha County.

To be eligible for PACE funds, the land must be within a farmland preservation area, as designated within a certified county farmland preservation plan. PACE funded easements are intended to strengthen areas that have been planned and designated as local farmland preservation areas in a certified county farmland preservation plan. Landowners must be willing to relinquish the easement or development rights. Proposed easements must protect or enhance waters of the State or other public assets and the location of the easement should be consistent with county and local farmland preservation plans. Agricultural conservation easements may also provide additional protection to areas that have been designated as agricultural enterprise areas.

Transfer of Development Rights (TDR)

The concept of Transfer of Development Rights is similar to that of purchase of development rights, ~~but differs in that with~~ However with TDR, developers seeking to increase density on a given parcel of land may purchase or transfer development rights from a property that would be preserved and the permissible density on a “receiving” parcel would potentially be increased or other incentives would be provided. Such a program can be complicated to initiate and administer but offers the opportunity for preserving farmland without the need for an outside funding mechanism. This technique has been utilized most heavily on the east coast but is another available option that local communities may wish to consider. A ~~recent 2007~~ study on national TDR programs identified nearly 200 such programs that ~~are were~~ active in the United States.³ In addition to the complexity of establishing and administering a TDR program, their limited use in Wisconsin may also be due to the lack of State enabling legislation and the complex, and often overlapping, array of planning and zoning authorities among various units and levels of government in Wisconsin.

An analysis of TDR programs that was published in the Journal of the American Planning Association suggested that two of the most critical factors leading to the success of TDR programs were adequate demand for bonus development rights and receiving areas that were very well situated to receive additional density. ~~Given the current economic climate, achieving adequate bonus density development could prove to be challenging. However, S~~ such a program may be an option for a community to consider ~~when conditions improve~~ in the absence of a local funding mechanism available to assist in purchase of development rights.

Farmland Preservation Income Tax Credits

~~As noted earlier, th~~ The 2009 state farmland preservation law revisions changed the eligibility requirements for farmland preservation tax credits. ~~The new~~ program directs tax incentives to lands zoned for farmland preservation and lands within AEAs. ~~The income tax benefits available in 2010-2023~~ are as follows:

- \$5.00 per acre for farmers with a new farmland preservation agreement within an AEA.
- \$7.50 per acre for farmers located within a certified farmland preservation zoning district.
- ~~\$10.00~~ per acre for farmers located within a certified farmland preservation zoning district and with a farmland preservation agreement within an AEA

There is current legislation proposed that would increase the tax benefit amounts stated above and reduce the minimum required length of a farmland preservation agreement from 15 years to 10 years. The proposed legislation also proposed a fourth category of farmland that would qualify for a tax credit: lands located in a farmland preservation area, but only to the extent that the acres are covered by an agricultural conservation easement. These changes provide additional incentives for property owners to enroll in the program.

The Wisconsin Farmland Protection Partnership Project

The Wisconsin Farmland Protection Partnership Project was created following the defunding of Wisconsin’s PACE program. It seeks to address the need for increased agricultural conservation easement funding

³ What Makes Transfer of Development Rights Work?, *Journal of the American Planning Association*, Winter 2009, Vol. 75, No. 1

throughout the state. Agricultural conservation easements help to slow the loss of vital agricultural land by offering permanent land protection. The Wisconsin Farmland Protection Partnership Project's goals include increasing the number of acres permanently protected, utilize easement dollars strategically, leverage partner contributions to access federal funding for conservation practices, increase farmland access and tenure opportunities for historically disadvantaged and underserved farms, and demonstrate to state decisionmakers that agricultural conservation easements can be an effective tool to preserve the agricultural land base of Wisconsin⁴. More information can be found at www.farmland.org.

FARMLAND PRESERVATION PLANNING STANDARDS AND RECOMMENDATIONS

~~As noted in Chapter 2 of the 2009 WCCDP, p~~Planning can be described as a rational process for formulating and achieving objectives. This Farmland Preservation Plan amendment's planning process includes The WCCDP and this Farmland Preservation Plan amendment draw upon the methodology of the SEWRPC 2035 Regional Land Use Plan for Southeastern Wisconsin in setting forth a planning process that is inclusive of establishing objectives, principles and standards. In concert with SEWRPC terminology, the 2009 WCCDP ~~These defines these~~ planning terms are defined as follows:

- Objective: a goal or end toward the attainment of which plans and policies are directed.
- Principle: a fundamental, primary, or generally accepted tenet used to support objectives and prepare standards and plans.
- Standards: a criterion used as a basis of comparison to determine the adequacy of plan proposals to attain objectives.

The formulation of objectives, principles and standards occurs in an incremental fashion so that plan standards and recommendations are established as a means of achieving objectives or goals. Plan implementation recommendations provide a design for the attainment of specific objectives and identify the actions that should be taken by various units of government to bring about plan implementation. The following sections describe the objectives, principals, standards and recommendations used in the development of this Farmland Preservation Plan amendment.

~~While Chapter 2 of the 2009 WCCDP set forth agricultural preservation objectives, principles and standards, this farmland preservation planning effort revisited these concepts in detail in light of the changes in state law relative to farmland preservation. The following sections represent an update to Chapter 2 of the 2009 WCCDP, describing revised objectives, principles, standards and recommendations used in the development of this Farmland Preservation Plan amendment. It should be noted, that like the 2009 WCCDP, the plan horizon for this plan is also 2035. This helps to ensure consistency between the two documents.~~

Farmland Preservation Objective #1

Identify sustainable blocks of productive agricultural lands to target for preservation.

⁴ American Farmland Trust. 2021. "Wisconsin Farmland Protection Partnership Project." www.farmland.org/project/wisconsin-rcpp/.

Principle

The preservation of productive agricultural land is important for meeting future needs for food and fiber. In addition, well managed agricultural areas can provide wildlife habitat, recharge groundwater aquifers, reduce downstream flooding, and help sustain environmental corridors and an ecological balance between plants, animals and local water resources. The preservation of agricultural areas also contributes immeasurably to the maintenance of the scenic beauty and cultural heritage of the County. Maintaining agricultural lands near urban areas can facilitate desirable and efficient production-distribution relationships, including community-supported agriculture operations. This close proximity may also play a key role as future biofuel technologies are developed.

The preservation of large blocks of productive agricultural land can enable the continuation of commercial farming and agricultural-related businesses, encourage long-term agricultural investments, and minimize land use and transportation conflicts between farming operations and urban or residential areas.

Formulation of Farmland Preservation Standards

Since the standards used to identify and map farmland preservation areas in the county form the foundation of this plan, their formulation demands a thorough and thoughtful consideration of alternatives. ~~Therefore, it should be no surprise that the standards formulation process occupied a major portion of the advisory committee's meeting time during 2010. This plan preserves the five square mile "sustainable block" criterion that was part of the 2011 farmland preservation plan. The five square mile block concept has origins to The farmland preservation planning standards from the 2009 WCCDP, were used as the starting point for this planning process. Similar to the preparation of the and the 1998 draft Farmland Preservation Plan update, the five square mile criteria used to define a "sustainable block" of farmland quickly became the focus of much of the discussion.~~ Some of the 1998 text explaining the difficulties of preserving small blocks of farmland was repeated in the 2009 WCCDP, and remains relevant in 2011-2023 as well:

"While the recognition in a land use plan of smaller blocks of farmland may enable a larger number of farmers to qualify for tax credits, the maintenance of long-term agricultural use within such smaller blocks in an urbanizing region such as Southeastern Wisconsin has proven to be very difficult. Among those reasons frequently cited to explain that difficulty is the following:

- 1. Relatively large blocks of farmland are necessary to support such agriculture-related businesses as distributors of farm machinery and parts and farm supplies. Scattered, relatively smaller blocks of farmland do not provide the critical mass necessary for such agribusiness support enterprises. Consequently, farmers remaining in such smaller blocks must travel ever-increasing distances for support services.*
- 2. In many cases, smaller blocks of farmland are merely remnants of formerly larger blocks which have been subject to intrusion by urban residential development. This intrusion has resulted in significant urban-rural conflicts, including problems associated with the objection by residents of urban-type land subdivision developments to odors associated with farming operations; to the use of fertilizers, herbicides and pesticides, and other agriculturally related chemicals; to the noise associated with the operation of farm machinery during the early and late hours of the day; and to the movement of large farm machinery on rural roads being used increasingly for urban commuting.*
- 3. For most farming enterprises, the economies of scale require relatively large tracts of land, frequently involving many hundreds of acres. The breakup of large blocks of farmland by urban*

intrusion makes it more difficult for farmers to assemble such larger tracts either through ownership or rental arrangements. Tract assembly is thus complicated by scattered field locations, resulting in costly and inconvenient related travel distances and, therefore, in unproductive time and higher fuel consumption.

4. *In agricultural communities on the fringe of urbanizing areas, there is often a declining interest among the next generation of farmers to continue farm operations. This is particularly true where alternative land uses are perceived to be available. This phenomenon is reinforced by the rigors of day-to-day farm life when compared with urban lifestyles.”*

Preserving smaller blocks of farmland is certainly a plausible and even laudable goal for any local community. ~~Generally speaking, T~~he scale of farming operations on smaller farmland tracts, such as raising vegetable crops for local markets, may not pose the same type of land use challenges that larger more commercialized farming operations commonly experience. Objective #1 focuses on maintaining “sustainable blocks” of agricultural lands in an attempt to address the types of concerns stated above. While it will not resolve all these problems, the agricultural sector has recognized that preserving a critical mass of productive farmland in designated areas seems to have the best chance of success.

Nevertheless, there was concern by some on the [2011](#) plan advisory committee that only focusing on preserving large blocks of farmland would unnecessarily preclude landowner participation in the AEA and PACE programs, which were not yet available when the 2009 WCCDP was adopted. To address this concern, a secondary farmland preservation planning standard was developed to support the designation of future AEAs in the county which could be made up of smaller blocks of farmland. The next section describes both sets of farmland preservation standards that were used to develop this plan. ~~Following the “primary” standard is an explanation of revisions made to the criteria compared to the 2009 WCCDP. Similarly, the “secondary” standard is followed by explanation of the revisions made to distinguish it from the primary standard.~~

Primary Standard – Farmland Preservation Areas ~~(Changes from 2009 WCCDP underlined)~~

To be designated as “Farmland Preservation” in this plan, lands must be committed to remain in agricultural use for at least 15 years, in accordance with State law, and meet specific criteria for individual parcels as well as criteria to achieve a qualifying contiguous block of land, as described below. Development within the “Farmland Preservation” land use category is restricted to a maximum density of one dwelling unit per 35 acres of land:

Total Farmland Preservation Area (contiguous block):

1. Planned ^a land use is agricultural, primary/secondary environmental corridor or isolated natural areas, as defined by SEWRPC ^a;
2. Five (5) square miles of “contiguous” lands, meaning all connecting lands are at least 1000 lineal feet in width – including adjacent communities, but not including transportation corridors;
3. Seventy-five percent (75%) is land ownership parcels of 35 acres or more;
4. Seventy-five percent (75%) is existing agricultural or open/unused land uses; and ^b

Every Parcel Within the Farmland Preservation Area:

5. Land use is agricultural, which may also include primary and secondary environmental corridors or isolated natural areas, as defined by SEWRPC ^a;

6. Outside of any planned and refined sewer service area boundary, unless the parcel has an existing or planned agricultural preservation easement^c ;
- ~~7. Seventy five percent (75%) agricultural or open/unused (rural) land uses; and~~^b
7. Fifty percent (50%) of agricultural soils are Land Capability Class I or II, or soils of “Statewide Importance”, as defined by NRCS.^d

Explanations of Changes made to the 2009 WCCDP Standards:Footnotes

^a The word “planned” ~~was added to the first land use criteria to exempt~~ existing farmland that is planned for non-farm related uses in a community adopted Comprehensive Plan. Examples include county-owned agricultural land that is planned for a future county park, or existing agricultural land that is planned for low density residential development in an adopted town Comprehensive Plans. All land uses are consistent with SEWRPC definitions, ~~except as described on page D2-10 of this plan for the 2010 agricultural land use update conducted by Waukesha County staff.~~ “Agricultural” lands include cropland, pastureland, orchards, farmsteads, and other contiguous specialty agricultural or open/unused lands.

~~^b Moving the 75% agricultural land use criteria from a parcel-based criteria to a preservation area-based criteria helps minimize remnant or “island” parcels within the preservation area that do not meet the criteria. The intent was to minimize future chances of conflicting land uses being introduced on the remnant parcels. It should be noted that establishment of “contiguous blocks” is strictly a screening process of 2010 land uses to identify qualifying contiguous blocks of land, and does not in any way project or regulate future land use conditions.~~

~~^c The word “refined” was added to the sewer service area criteria because a portion of the Town of Oconomowoc Farmland Preservation Area is within an unrefined sewer service area, which means no development is planned or anticipated to occur in this area within the next 15 years. Significant facilities planning and design would be required prior to municipal sewer service being extended to this area.~~

~~^{bd} Applying this criterion only to soils on agricultural land versus all land, and including soils of “statewide importance” helps minimize “island” parcels within the preservation area that do not meet the soils criteria~~^{ona}. The “statewide importance” category expands the acceptable soils list to include wet and droughty soils and fields with slopes up to 12%. ~~Both changes were made to~~This minimizes future chances for conflicting land uses being introduced on those parcels.

Secondary Standard - Unrefined Areas to Consider for Future Agricultural Enterprise Area (AEA) Designation

These areas do not meet one or more of the above noted Farmland Preservation Area criteria. The area boundaries are considered to be draft in nature and would be refined at the request of the local government if and when an AEA was proposed in the future. For these areas, Waukesha County would support a locally led effort to designate an AEA and amend this plan in the future, as long as the proposed AEA is limited to agricultural or open/unused land use categories, including natural areas (see Primary Standard), and meets the following minimum criteria:

Total Agricultural Enterprise Area (changes from “Primary” Farmland Preservation standard underlined)

1. Planned land use is agricultural, primary/secondary environmental corridor or isolated natural areas;
2. One thousand (1000) acres^a of “contiguous” lands, meaning all connecting lands are at least 1000 lineal feet in width - including adjacent communities, but not including transportation corridors;
3. Sixty percent (60%)^b is land ownership parcels of 35 acres or more;

4. Sixty percent (60%)^b is existing agricultural or open/unused land uses; and

Every Tax Parcel Within the AEA:

5. Outside of any planned sewer service area boundary.
6. Fifty percent (50%) of agricultural soils are Land Capability Class I or II, or soils of “Statewide Importance”, as defined by NRCS.

Explanations of Differences from the “Primary” Standard:

^a The block size criteria was reduced from 5 square miles to 1000 acres to allow for smaller farmland preservation blocks to be proposed for AEA additions to the plan at the request of a local government. This block size was based on the state statutory requirement for DATCP to give higher priority to farmland blocks of at least 1000 acres in size during the ranking of AEA applications.

^b The percent for land parcels of 35 acres or more, and the percent in agricultural land use were both dropped from 75% to 60% for the area criteria to better allow for local AEA proposals. A land information system review of agricultural blocks that did not meet the “primary” standards showed that the 75% thresholds would significantly limit AEA proposals for smaller blocks unless it was reduced. The thresholds for these criteria were not dropped lower than 60% because it may result in AEA proposals geared more toward open space protection rather than true farmland preservation purposes.

Analysis Process Using a Geographic Information System (GIS)

Applying the above noted criteria to all farmland in Waukesha County required a robust GIS analysis using a wide variety of land data sets. A screening process was first completed to identify qualifying contiguous blocks of land, followed by a detailed parcel and soils analysis, as briefly described below:

1. Planned sewer service areas were excluded from the map first to avoid all areas planned for future urban development. This eliminated 5048% of the county, shown as a grey area in Map D3-2;
2. The remaining ~~2020~~2010-agricultural land use and natural area data layers (defined under the primary standard discussion) were then analyzed to identify and delineate contiguous blocks that met either the primary or secondary farmland preservation standards. This resulted in eleven mapping units totaling 48,42858,863 acres or 163% of the county, as shown in Map D3-2 and Exhibit A and summarized in Table D3-1; The 2011 plan had shown 48,428 total acres meeting the primary or secondary standards, which did not include Map Unit #1 (Oconomowoc).
3. For each of the eleven blocks delineated under step 2, percentages of 35-acre parcels and agricultural land uses were determined and summarized in Table D3-1;
4. For each of the eleven blocks delineated under step 2, a parcel level analysis was completed for land use and soils. To make the cut, each parcel needed to include an “agricultural” land use, as defined in footnote “a” in the primary standard. Soils were mapped as prime agricultural (class I/II), statewide importance, or other soils. Percentages in the first two soil categories were calculated for each parcel meeting the primary standard, and for the area as a whole for those blocks only meeting the secondary standard. Further details on this analysis are provided on the next page.

Summary of Farmland Targeted for Preservation (Primary Standard)

Map D3-2 shows the ~~draft~~-farmland areas of Waukesha County that meet the primary criteria for Farmland Preservation Areas, which is also summarized in Table D3-1. There are ~~10,264~~14,624 total farmland acres targeted for farmland preservation, making up ~~11~~20% of all farmland in the county as of ~~2010~~2020. Of this

total, ~~7,383~~10,362 farmland acres, of which 6,926 acres is farmland outside of the environmental corridor, are located in the Map Unit #1 in the Town of Oconomowoc. Ninety-two percent of these lands are located within the existing AEA, as shown on Map D3-1, and make up 70% of the total acres targeted for farmland preservation in the county. Changes in Oconomowoc are quite minor from the last plan. Approximately 10 acres were amended out of the category in 2014 and 2021 and twelve other parcels of less than 10 acres each are proposed to be removed from the plan to better reflect existing residential use and to match the existing AEA designation, making up 70% of the total. ~~The vast majority of the Oconomowoc lands targeted for farmland preservation are located within the existing AEA, as shown earlier on Map D3-1.~~ Map Unit #2 in NW Merton includes one 80-acre farm that was designated as Farmland Preservation after the property owner received approval from DATCP to enter into the adjacent Oconomowoc-Ashippun AEA in 2018. ~~The other remaining~~ 30% of the lands targeted for farmland preservation are located in Map Unit #4 along the western borders of the Town of Ottawa (~~981,048 acres~~) and the northwestern corner of the Town of Eagle. The Town of Ottawa contains 1,688 acres targeted for farmland preservation, with 1,098 acres located outside of environmental corridors and the Town of Eagle contains 2,574 acres targeted for farmland preservation, with 1,765 acres located outside of environmental corridors. Therefore, Map Unit #4 has a total of 4,262 acre targeted for farmland preservation, with 2,801 of those acres being cultivated farmland outside of environmental corridors. (1,833 acres) for a total of 2,881 acres. The change in acreage from one plan to the next is influenced by the land designations contained within the SEWRPC land use inventory and how this data is being presented in this plan update.. Therefore, some of the gains or losses in acreage are not necessarily a result of new parcels being added or removed from the farmland preservation category. In Eagle, no parcel changes were made or are proposed, and in Ottawa, the changes reflect the addition of the Cramer farm which was amended into a farmland preservation category in 2014 pursuant to the extra-territorial land use plan of the Village of Dousman consistent with the wishes of the owner and an amendment which removed a 4.5 acre parcel of DNR land from the category in 2014. It should be noted that the ~~draft~~ parcels targeted for farmland preservation in these two towns are rather dispersed and only qualify due to the large contiguous area of farmland directly west in Jefferson County, sometimes separated by environmental corridor from the Ottawa farmland. A review of Jefferson County's ~~draft Farmland Preservation Plan~~ Agricultural Preservation Plan (adopted February 9, 2021) shows contiguous agricultural lands along these borders targeted for preservation, which supports the Farmland Preservation designation in this plan. The Kettle Moraine State Forest, which traverses the Towns of Eagle and Ottawa, creates a natural divide between intact farm areas in the western part of these towns and the more developed areas located east of the forest. Lands within these towns that met plan criteria and that are designated for Farmland Preservation in respective adopted local land use plans have been mapped within the Farmland Preservation category for this planning effort.

Exhibit A, at the end of this report contains a more detailed view of each of the townships that contain these ~~draft~~ targeted farmland preservation areas, along with a summary table of acres of each farmland category in each township. The maps in Exhibit A also include a ~~2022~~2019 air photo with the farmland and environmental corridors color coded. This detailed analysis was used to create the final Farmland Preservation Plan Maps, which are shown in Exhibit B and discussed at the end of this chapter. It should be noted that, consistent with the primary standard criteria, parcels that do not contain any agricultural lands were not included in the Farmland Preservation maps.

Summary of Unrefined Areas to Consider for Future AEA Designation (Secondary Standard)

Map D3-2 also shows the areas of Waukesha County that meet the secondary criteria for future AEA designation. There are ~~24,738~~20,283 total acres in the unrefined areas to consider for future AEA designation, making up ~~28~~7% of all farmland in the county as of ~~2019~~2020. The mapped areas are divided

into ten map units, as summarized in ~~Figure-Table~~ D3-1. The table breaks apart the agricultural land use acreage from the agricultural and open/unused land uses combined acreage, which were identified in the criteria. This helps illustrate how much acreage is truly agricultural within each map unit.

Map Units 4, 5, 7, 8 and 10 all meet the 5 square mile criteria, but fall short in other areas. The most common reasons for not meeting the criteria are a larger percentage of environmental corridors or lack of support by the local community, ~~as defined above.~~ Unit 2 (Merton) would meet all the Primary Standard criteria as a contiguous extension of Unit 1 (Oconomowoc), except for the lack of community support. -A similar situation exists for Map Unit 10 (Fox River/Vernon), especially given that much of the farmland in Vernon is contiguous to large farmland tracts in Racine County to the south. Units 3, 6, 9 and 11 do not meet the 5-square mile criteria. Map Unit 9 (SW Eagle) would meet the larger block size when considering the large contiguous farmland blocks to the south in Walworth County. However, it falls short in other criteria due to high percentage of environmental corridor and lack of support by the local government.

Soils Analysis of all Farmland Preservation Categories

Map D3-3 shows how the different soils classifications are distributed throughout the planned Farmland Preservation Areas and Unrefined Future AEA map units. Under the above noted parcel level standard: *“Fifty percent (50%) of agricultural soils are Land Capability Class I or II, or soils of “Statewide Importance”, as defined by NRCS.”* A detailed GIS analysis was conducted for all parcels shown on the Final Farmland Preservation Plan Map (Exhibit B), which showed that all the parcels met this criterion.

Map D3-3 also shows the soil classifications within the Unrefined Areas to Consider for Future AEA Designation. However, no parcel level analysis was conducted in these areas at this time. This type of analysis would be done when a new proposed AEA boundary was submitted to the county for consideration. Given the expansion of the criteria to include soils of “Statewide Importance”, however, it is not anticipated to be a difficult standard to meet for the vast majority of parcels within these map units.

Farmland Preservation Objective #2

Minimize land use conflicts in designated farmland preservation areas.

Principle

Land Use conflicts and intrusion of non-farm uses into areas planned for farmland preservation threatens the continued viability of farming in such areas. Encroachment of non-farm development into such areas can affect site drainage, inflate land values, create more vehicular conflicts for movement of farm equipment and lead to other complaints from non-farm neighbors relative to dust, noise, odors and other farming related activities.

Standard A

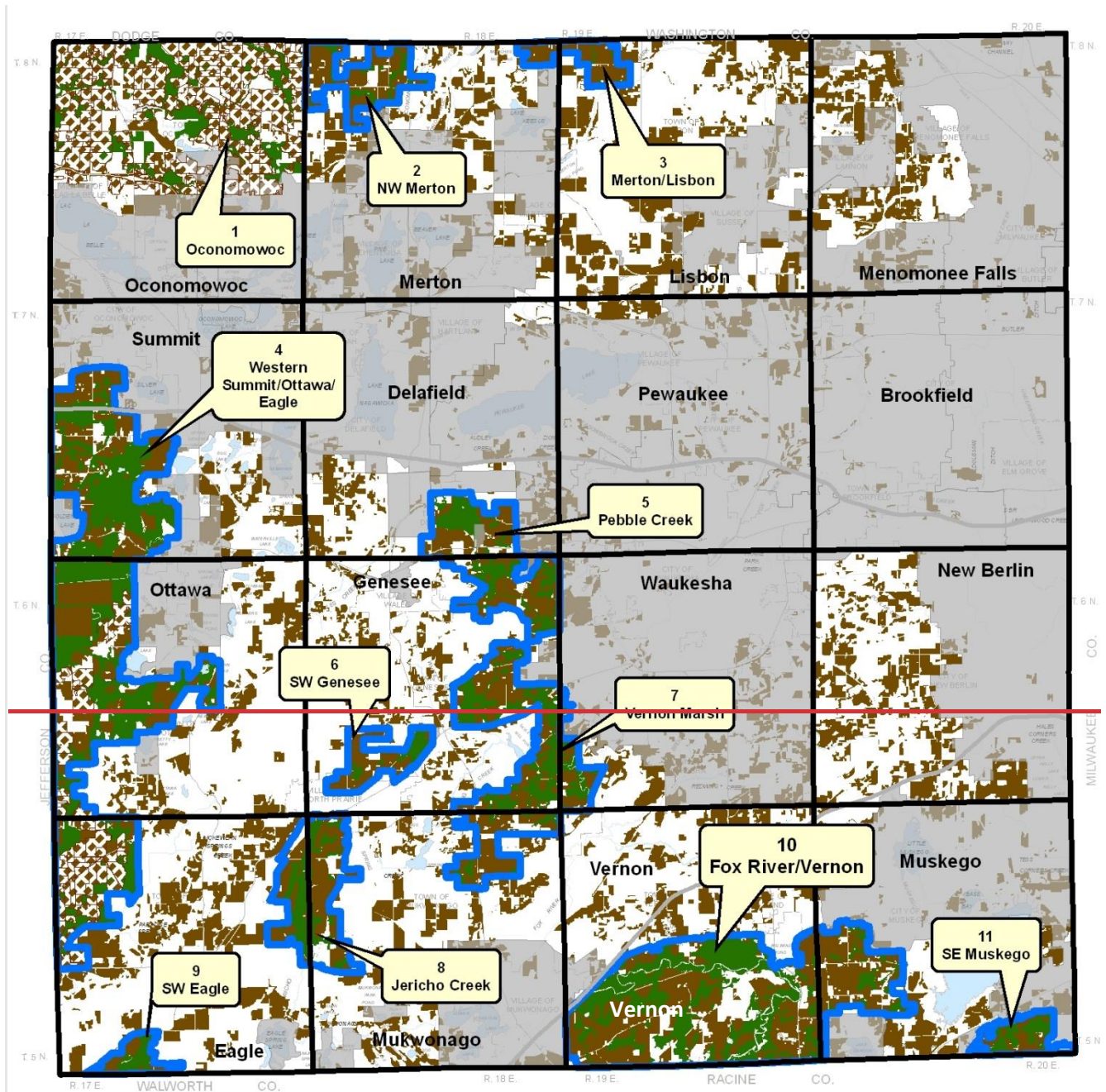
All communities that maintain an agricultural land base should re-examine local land use plans and zoning codes relative to agriculture, farmland preservation and land use and consider land use plan and zoning code amendments every ten years by December 2012 to ensure ~~that~~ the ~~new~~ provisions of the State’s farmland preservation law and the County Farmland Preservation Plan are incorporated into their local plan documents and implementing ordinances.

Implementation Recommendations - Land Use Plans

1. Local communities should consider designating lands identified as Farmland Preservation Areas in the County Farmland Preservation Plan in similar local plan categories to maintain consistency between local and county plans and to ensure protection of prime farmland.
2. Communities that contain areas designated in the County Farmland Preservation Plan as either Farmland Preservation Areas or possible Agricultural Enterprise Areas (AEAs) should consider setting forth a process by which they would amend their local land use plans to support locally initiated efforts by land-owners to petition for designation of potential AEAs.

Map D3-2

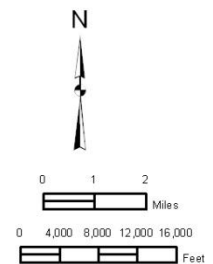
~~Farmland Targeted for Preservation and Future Consideration for AEA Designation: Waukesha County~~



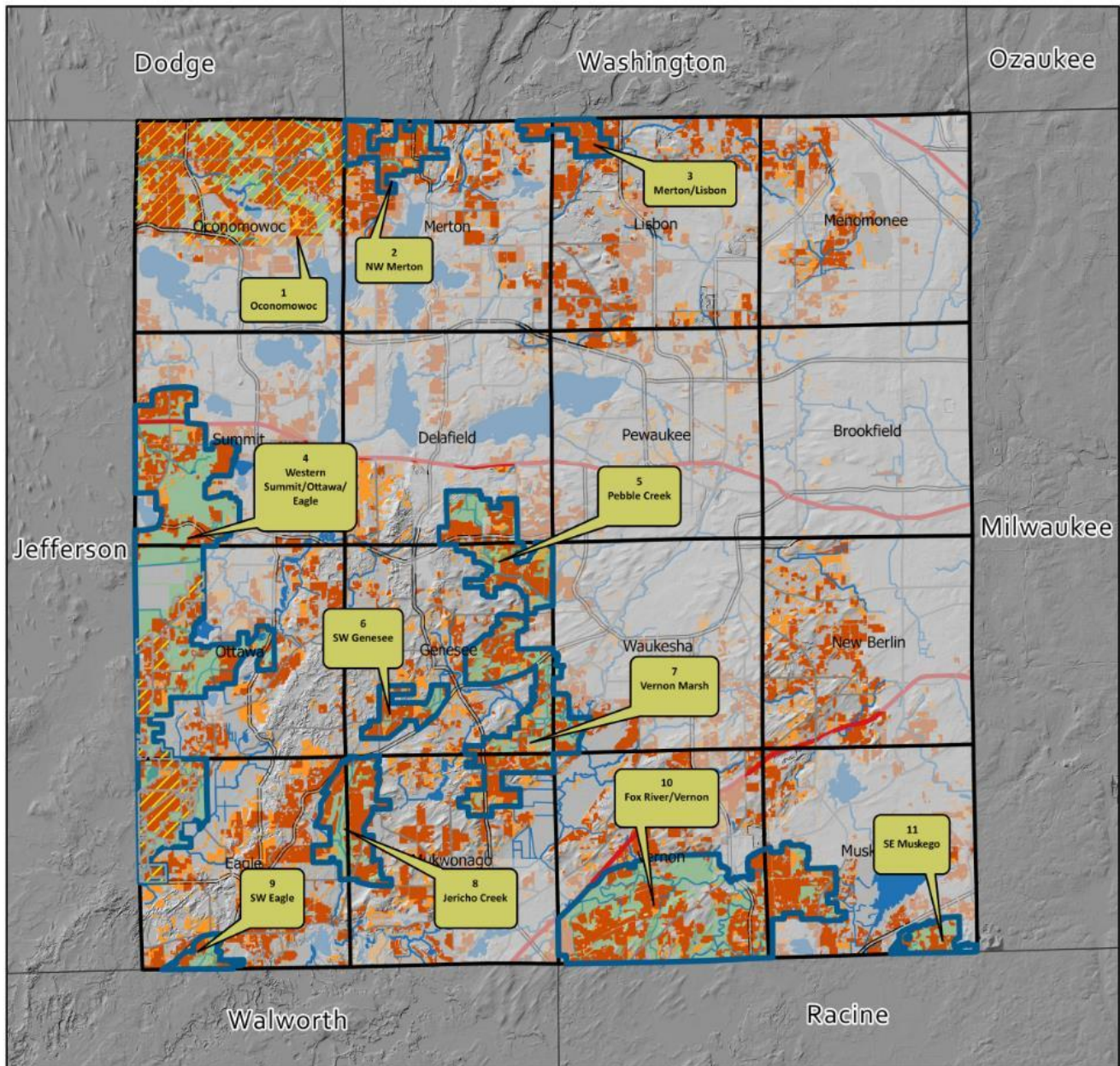
Legend

- Unrefined Future AEA Map Units (>1000 acres)
- Farmland Preservation Area
- Planned Sewer Service Area
- Environmental Corridor within Targeted FP/AEA Map Units
- Farmland

Source: Waukesha County & SEWRPC



MAP D3-2 **Farmland Targeted for Preservation and** **Future Consideration for AEA Designation** **Waukesha County**



- Unrefined Future AEA Map Units (>1000 acres)
- 2011 Farmland Preservation Areas
- Unused Rural Land Use: 2020 County
- Agricultural Land Use: 2020 County
- Environmental Corridor within Targeted FP/AEA Map Units
- Proposed Sewer Service Area: 2022

Source: SEWRPC & Waukesha County



Table D3-1
Summary of Map D3-2 Numbered Areas in Waukesha County:
Farmland Targeted for Preservation and Future Consideration for AEA Designation

Map Unit #	Map Unit Name	Map Unit Acres	Square Miles	% Parcels >35 ac.	% Agric. Land Use	Total Farmland Acres	Farm. Pres. Planned Ac. In Local Plans
Targeted Farmland for Preservation*							
1	Oconomowoc	7,383	11.5	76%	95%	7,383	7,383
Unrefined Areas to Consider for Future Agricultural Enterprise Area Designation							
2	NW Merton	2,048	3.0	84%	79%	1,609	0
3	Merton/Lisbon	1,028	0.6	90%	89%	919	0
4	Western Summit/Ottawa/Eagle	16,869	26.0	77%	51%	5,757	2,881*
5	Pebble Creek	3,898	6.0	64%	60%	2,334	0
6	SW Genesee	1,279	2.0	86%	71%	907	0
7	Vernon Marsh	5,936	9.3	76%	62%	3,659	0
8	Jericho Creek	3,234	5.0	80%	58%	1,875	0
9	SW Eagle	707	1.0	77%	62%	437	0
10	Fox River/Vernon	12,423	19.0	62%	54%	6,720	0
11	SE Muskego	1,006	1.6	74%	52%	521	0
Subtotals:		48,428 ac.	73.5 mi²			24,738 ac.	10,314 ac.

* There are 2,881 acres of farmland targeted for preservation within the Map Unit #4 (Western Summit/Ottawa/Eagle), which is included in the subtotal at the bottom of the table.

Source: Waukesha County

Table D3-1
Summary of Map D3-2 Numbered Areas in Waukesha County
Farmland Targeted for Preservation and Future Consideration for AEA Designation

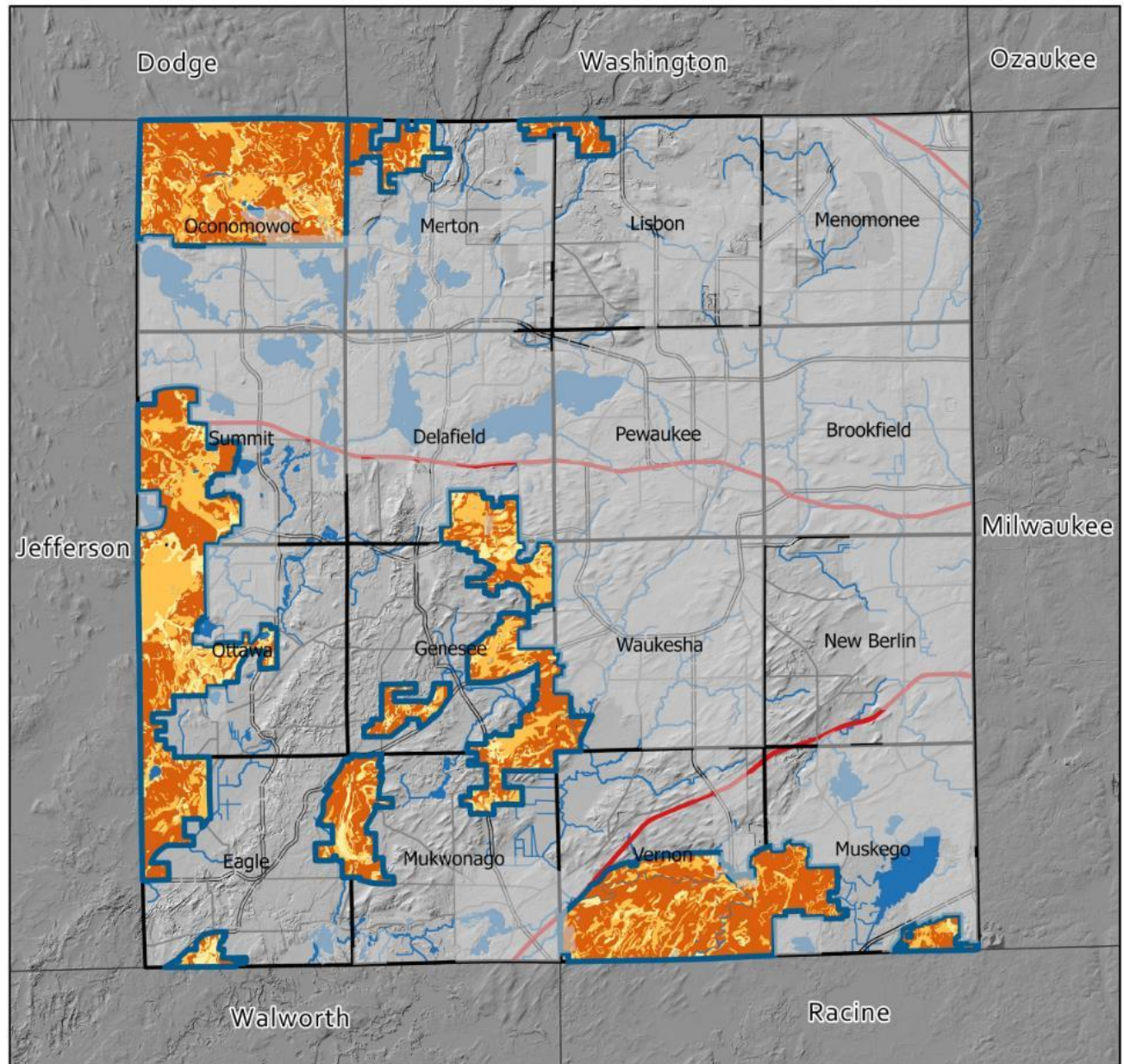
<u>Map Unit #</u>	<u>Map Unit Name</u>	<u>Map Unit Acres</u>	<u>Square Miles</u>	<u>% Parcels >35 ac.</u>	<u>Ag. Land Use Only (% and total acres)</u>	<u>Ag. and Open/Unused Rural Land Use (% and total acres)</u>	<u>Farm Pre. Planned Ac. in Local Plans**</u>
<u>Targeted Farmland for Preservation*</u>							
<u>1</u>	<u>Oconomowoc</u>	<u>10,362</u>	<u>16.0</u>	<u>85%</u>	<u>67%</u> <u>6,926</u>	<u>73%</u> <u>7,542</u>	<u>10,362</u>
<u>Unrefined Areas to Consider for Future Agricultural Enterprise Area Designation</u>							
<u>2</u>	<u>NW Merton</u>	<u>1,971</u>	<u>3.0</u>	<u>66%</u>	<u>73%</u> <u>1,430</u>	<u>77%</u> <u>1,521</u>	<u>80</u>
<u>3</u>	<u>Merton/Lisbon</u>	<u>1,028</u>	<u>0.6</u>	<u>85%</u>	<u>86%</u> <u>884</u>	<u>89%</u> <u>912</u>	<u>0</u>
<u>4</u>	<u>Western Summit/Ottawa/Eagle</u>	<u>17,019</u>	<u>26.6</u>	<u>75%</u>	<u>41%</u> <u>4,331</u>	<u>46%</u> <u>7,821</u>	<u>2,8014,262*</u>
<u>5</u>	<u>Pebble Creek</u>	<u>3,898</u>	<u>6.0</u>	<u>64%</u>	<u>48%</u> <u>1,865</u>	<u>59%</u> <u>2,295</u>	<u>0</u>
<u>6</u>	<u>SW Genesee</u>	<u>1,279</u>	<u>2.0</u>	<u>82%</u>	<u>52%</u> <u>660</u>	<u>66%</u> <u>841</u>	<u>0</u>
<u>7</u>	<u>Vernon Marsh</u>	<u>5,936</u>	<u>9.3</u>	<u>72%</u>	<u>47%</u> <u>2,811</u>	<u>56%</u> <u>3,319</u>	<u>0</u>
<u>8</u>	<u>Jericho Creek</u>	<u>3,234</u>	<u>5.0</u>	<u>73%</u>	<u>58%</u> <u>1,867</u>	<u>62%</u> <u>2,004</u>	<u>0</u>
<u>9</u>	<u>SW Eagle</u>	<u>707</u>	<u>1.0</u>	<u>70%</u>	<u>50%</u> <u>352</u>	<u>58%</u> <u>411</u>	<u>0</u>
<u>10</u>	<u>Fox River/Vernon</u>	<u>12,423</u>	<u>19.0</u>	<u>61%</u>	<u>46%</u> <u>5,711</u>	<u>51%</u> <u>6,362</u>	<u>0</u>
<u>11</u>	<u>SE Muskego</u>	<u>1,006</u>	<u>1.6</u>	<u>67%</u>	<u>46%</u> <u>458</u>	<u>49%</u> <u>488</u>	<u>0</u>
<u>Subtotals of Map Units 1-11</u>		<u>58,863</u>	<u>90.1</u>	<u>-</u>	<u>27,295</u>	<u>33,516</u>	<u>13,24314,626</u>

* There are ~~2,801~~4,626 acres of farmland targeted for preservation within the Map Unit #4 (Western Summit/Ottawa/Eagle), which is included in the subtotal at the bottom of the table.

**Farmland Preservation Planned Acres in Local Plans includes both cultivated acres and environmental corridor acres within farmland preservation areas.

MAP D3-3

USDA Soil Classifications in Waukesha County Areas Targeted for Farmland Preservation or Future Consideration for AEA Designation



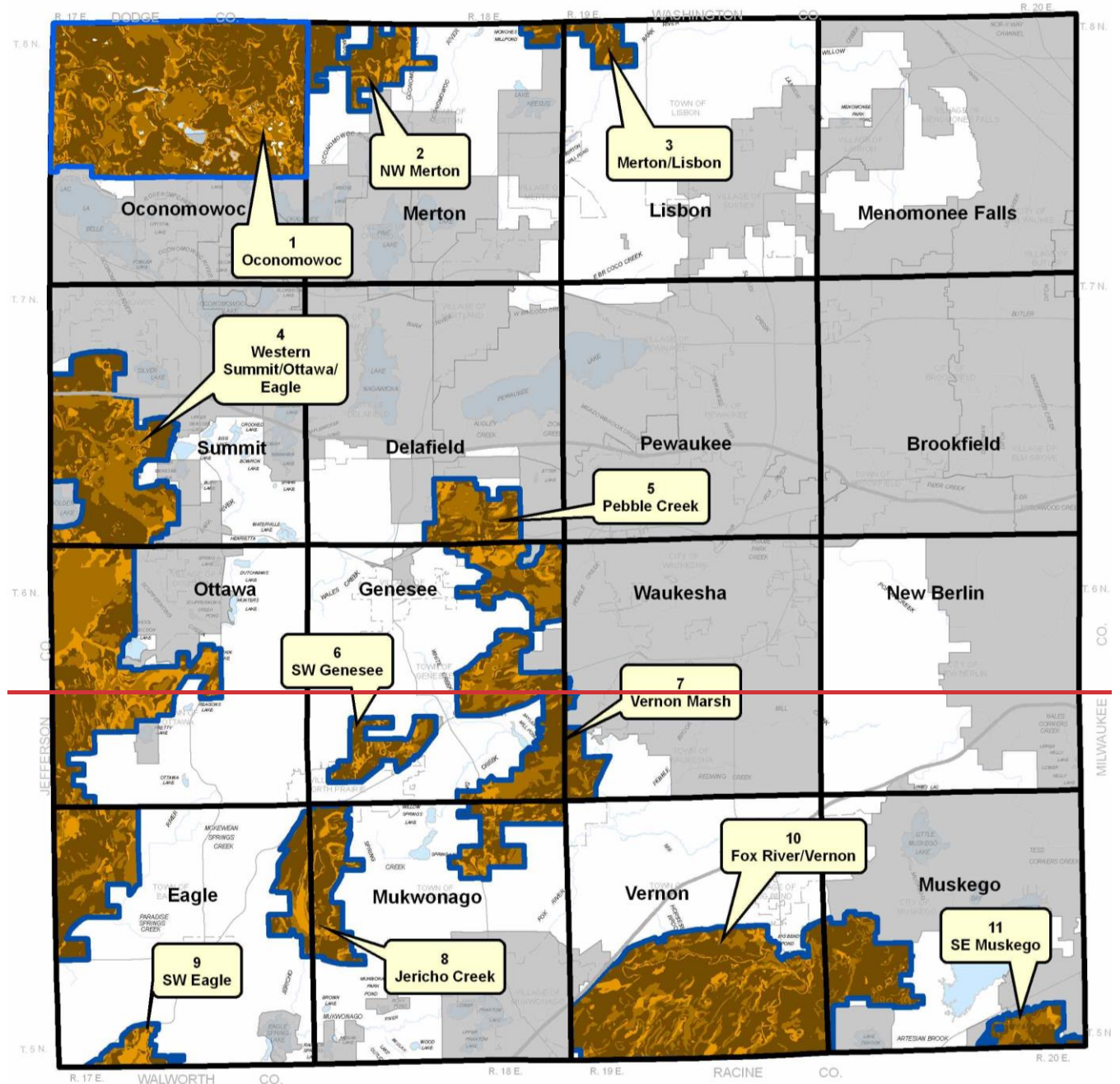
- Prime Agricultural Soils
- Soils of Statewide Importance
- All Other Soils
- Targeted Areas (Farmland Pres./Future AEA)
- Proposed Sewer Service Area: 2022



0 4 8 12 Miles

Source: SEWRPC & Waukesha County

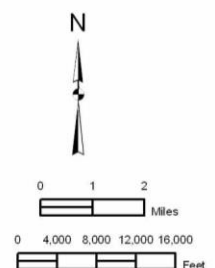
Map D3-3
USDA Soil Classifications in Waukesha County Areas Targeted
for Farmland Preservation or Future Consideration for AEA Designation



Legend

- Prime Agricultural Soils
- Soils of Statewide Importance
- All Other Soils
- Planned Sewer Service Area
- Targeted Areas (Farmland Pres./Future AEA)

Source: Waukesha County & SEWRPC



3. Land use plan categories should be defined to discourage development of non-agricultural uses in farmland preservation areas.
4. Farmland preservation land use plan categories should be created to allow for no more than one dwelling unit per 20 acres in accordance with Statutory requirements.
5. Those communities that wish to preserve agricultural lands that are not designated as farmland preservation areas or potential AEAs within this County Farmland Preservation Plan should consider local land use plan categories to protect additional lands.

Implementation Recommendations - Zoning Codes

1. Communities that have an agricultural land base should consider updating their local zoning ordinances to ensure that the ordinances are consistent with the recommendations of their local land use plans regarding farmland preservation and that ordinances contain appropriate zoning districts to ensure protection of farmland.
2. Local communities that contain lands designated as Farmland Preservation areas or potential AEAs in the County Farmland Preservation Plan should consider amending their zoning ordinances to meet ~~the new provisions of~~ the State's Farmland Preservation law to protect farmland and to make ordinances eligible for certification by DATCP. Certification by DATCP makes farmers with lands zoned for farmland preservation eligible for tax credits.
3. Local communities that wish to have their zoning ordinances certified by DATCP should submit their draft ordinances to DATCP for review at least 90 days in advance of the expiration date of their local ordinances, ~~which in Waukesha County is December 31, 2012.~~ A copy of the draft ordinance should also be sent to the Waukesha County Department of Parks and Land Use for review.
4. Farmland Preservation zoning district standards should strictly restrict non-farm development activities within such zones.
- ~~5. Those communities that wish to have their zoning ordinances certified should include language in their ordinances that discloses that, in accordance with State law, a conversion fee must be collected if an owner designated for farmland preservation petitions successfully to rezone out of an agricultural preservation category.~~

Standard B

All land use and zoning decisions are made in accordance with the adopted County Farmland Preservation Plan.

Implementation Recommendations

1. Land use decisions for areas within and bordering farmland preservation areas should be carefully considered to minimize potential agricultural land use conflicts and to strictly limit non-farm development within farmland preservation areas.
2. Development review checklists for rezoning requests and land use plan amendments should be modified to note a requirement for compliance with the Farmland Preservation Plan.

Standard C

All land use plans and zoning codes should be reviewed to consider removal of barriers to increased housing densities in areas not designated for farmland preservation. ~~-Increases in H~~housing density should be ~~increased-considered~~ in non-farmland preservation areas to preserve undeveloped lands and farmland. Land Use Plans should be analyzed to consider the carrying capacity of lands, natural resources and availability of municipal services in determining allowable increased densities.

Implementation Recommendations

1. Land Use Plans and Zoning Codes should allow for housing density to be highest in areas served by municipal sewer and other urban services. Heightened permissible densities in urban service areas can lessen development pressure upon agricultural lands elsewhere. (For example, the WCCDP provides for such a density bonus incentive within all residential and rural residential land use categories- ~~See pages 7-35, 7-36, 9-9 and 9-10 of the WCCDP~~ and the Farmland Preservation Tools section of this plan pertaining to Land Use Plans and Zoning).
2. Housing density bonuses should be considered for conservation design developments in order to both preserve natural areas and to preserve other undeveloped lands and farmland elsewhere.

Farmland Preservation Objective #3

Encourage agricultural investment and promote farmland incentive programs for areas designated as farmland preservation areas.

Principle

State tax credits and other assistance programs such as ~~PACE and~~ AEA and the Wisconsin Farmland Protection Partnership Project can help keep agriculture viable by providing financial incentives to farmers to re-invest in their farms and keep their land in agricultural use.

Standard

All communities containing farmland preservation areas should maintain ~~adopt~~ a DATCP certified farmland preservation zoning ordinance ~~by December 2012~~ and establish a process for supporting other agricultural assistance programs ~~by December 2013~~.

Implementation Recommendations

1. Local and county zoning codes should be amended for certification by DATCP in order to make farmers in farmland preservation areas eligible for enhanced tax benefits.
2. Local units of government and Waukesha County should support viable AEA applications and other financial incentives ~~and PACE applications~~ by establishing a sponsorship process for such applications.
3. Communities should disseminate information to the farm community to make them aware of the potential benefits of being located within a designated AEA ~~or participating in PACE~~.
4. County and local planning staff should provide technical support to individuals or organizations wishing to pursue an AEA ~~or PACE~~ application.

5. Communities should review local land use plans and zoning codes to remove impediments to agricultural development and investment.
6. Communities that wish to preserve farmland that does not meet the County Farmland Plan criteria should consider investigating alternative methods for farmland preservation such as transfer of development rights.
7. State agricultural non-point source water pollution control standards should be enforced by Waukesha County for all Farmland Preservation Program participants in accordance with state program rules and regulations.

FINAL WAUKESHA COUNTY FARMLAND PRESERVATION PLAN

Exhibit B contains the final Farmland Preservation Plan Maps that resulted from all of the previously discussed planning standards and site analysis under Farmland Preservation Objective #1. There are ~~three~~ four maps in Exhibit B – one for each of the ~~three-four~~ towns that contain lands that met all of the criteria for the Primary Standard for Farmland Preservation. ~~To meet the DATCP's mapping standards for Farmland Preservation Plan certification purposes, the scale was enlarged, parcel boundaries were added to this map and entire parcels were mapped as "Farmland Preservation" if any portion of the parcel met the "primary standard" noted under Objective #1.~~ The environmental corridors and other natural areas within these parcels are shown as an overlay designation rather than a separate planned land use, as previously done for the 2009 WCCDP and county zoning. ~~Using this mapping method, t~~The areas included in the Farmland Preservation Plan include 10,362,566 acres for the Town of Oconomowoc, ~~1,688,14~~ acres for the Town of Ottawa and 2,574,601 acres for the Town of Eagle. ~~Of course, t~~These total acres are ~~considerably~~ higher than those shown in Table DA-1 due to the fact that non-farmland acres are included in the totals, as required by DATCP. The Town of Merton only has one 80-acre parcel that is planned for Farmland Preservation. This landowner petitioned DATCP to amend the adjacent Oconomowoc-Ashippun AEA boundary to include his property and petitioned the County for the property to be designated as Farmland Preservation. Additional outreach to other Merton landowners with farm holdings was done at the same time to gauge interest, but there were no other interested landowners. Therefore, this property remains the only parcel planned for Farmland Preservation, as shown in Map DB-4.

The parcels mapped as "Farmland Preservation" in Exhibit B includes all farmlands mapped as "Prime Agricultural" areas on the 2009 WCCDP Recommended Land Use Plan Map for Waukesha County and includes additional lands that met the stated plan criteria for inclusion. ~~The~~ is previous plan amendment (Appendix D) ~~change~~ s the "Prime Agricultural" land use category in the 2009 WCCDP to a new "Farmland Preservation" category, and the definition of the Prime Agricultural category on Page 7-23 of the 2009 WCCDP is replaced by the criteria specified under the Primary Standard-Farmland Preservation Areas standard of this plan under Farmland Preservation Objective #1. ~~The~~ maximum permissible density for the "Farmland Preservation" category remains one dwelling unit per 35 acres.

Implementation Recommendations for Farmland Preservation and Future Unrefined AEA Areas

1. The Towns of Oconomowoc, Merton, Eagle and Ottawa should maintain the farmland preservation land use and zoning designations in the areas identified in Exhibit B (Maps DB-1 through DB-~~43~~) and consider refining the preservation boundaries as needed.
2. The Towns of Merton and Vernon and the City of Muskego should carefully review Map Units 2 and 10, as shown on Map D3-2, consider refining the boundaries to identify sustainable blocks

of productive agricultural lands that meet the primary farmland preservation or future AEA criteria noted above, and amend their local land use plans accordingly.

3. Other local communities should review all Map Units identified for future consideration for AEA designation, as shown on Map D3-2 and consider whether they would support preserving any of the remaining blocks of farmland located within their jurisdiction.
4. Farmland Preservation areas should be reviewed periodically to ensure that mapped boundaries are representative of updated sewer service area boundaries and are complimentary to amended or new boundary agreements that contain a land use component. Where such agreements exist, Waukesha County should consider modification of the farmland preservation plan boundaries to reflect future jurisdictional transfers that have been established as part of a binding boundary agreement.
5. If any community has questions about the farmland preservation standards, the resulting Farmland Preservation Plan Maps shown in Exhibit B, or the future AEA area boundaries shown on Map D3-2; or would like assistance with designating a farmland preservation or AEA area within their community, they should contact the Waukesha County Department of Parks and Land Use.

Farmland Preservation Plan Amendment Process

Map VII-2 in the 2009 WCCDP and the Farmland Preservation Plan is continually updated on the Waukesha County [GIS](#) Internet mapping site. The same is planned for the Farmland Preservation Plan Maps shown in Exhibit B. The county process for amending this plan, including any map revisions or adding a future AEA, would include the following:

1. Local government submits a request to the County for support of a proposed AEA application, including a detailed map of the proposed AEA and any supporting documentation.
2. County reviews the proposed AEA to determine compliance with the above noted minimum criteria.
3. If the application meets all the minimum criteria, a resolution would be advanced to the Waukesha County Board of Supervisors to support the AEA application to DATCP.
4. Local government would amend their land use plan and applicable zoning codes to include the AEA.
5. The local government applies to the County for a Farmland Preservation Plan amendment in accordance with the annual plan revision process described in the 2009 WCCDP. (Note: An out of cycle plan amendment can also be done under unique circumstances.)

Note: If the AEA program is eliminated at the state level, or DATCP does not approve the AEA application, the plan amendment process described above would not change, except the role for DATCP may change.

PLAN SUMMARY

As documented in this plan, farmland preservation has remained an elusive endeavor in Waukesha County since the freeway system was constructed in southeast Wisconsin in the 1960's. By the time the first county Farmland Preservation Plan was adopted by the Waukesha County Board in 1984, development patterns around the county were already ~~pretty~~-well established, and the plan did little to change those patterns as related to farmland. When the 1996 County Development Plan was prepared, it focused farmland preservation efforts on large blocks of remaining farmland at that time, making up only about 12% of the farmland within county. To date, those efforts have been largely successful, albeit limited in scope. It

should be noted however, that other land use regulations over the past 40 years have helped prevent water pollution and related health concerns from failing septic systems, preserved natural areas, floodplains, shorelands and environmental corridors, and minimized runoff pollution, flooding and other environmental damage from construction site erosion and post-construction storm water when development did occur.

This plan was prepared to include updated statistics to the 2011 Farmland Preservation Plan and evaluate the continued success rate of past planning efforts. - was prepared to meet the 2009 state farmland preservation law changes by updating the 1984 Farmland Preservation Plan as an amendment to the 2009 WCCDP. This plan proposes continues to provide a dual set of farmland preservation standards. -The primary standard is consistent with the 1996 and 2009 County Development Plans.- Applying this standard to the county resulted in a series of three-four detailed Farmland Preservation Plan Maps, as presented in Exhibit B. -To address concerns expressed by the 2011 plan advisory committee, the 2011 ~~is~~ plan also proposeds a secondary set of farmland preservation standards that could be applied to farmland blocks of various sizes of at least 1000 contiguous acres, if a local community would choose to support such an effort. This secondary standard has been maintained in this plan. A summary of how both of these standards apply to the total remaining farmland base of Waukesha County is presented in Table D3-2 below.

Table D3-2
Summary of Farmland Categories in the Final Waukesha County Farmland Preservation Plan

Farmland Category/Description	Farmland Acres in Category	Percent of Total Farmland Acres
Farmland Located Within Planned Sewer Service Areas	<u>18,074</u> 21,420 ac.	2 <u>5</u> 3%
Farmland Located Outside of Planned Sewer Service Areas but in Blocks of Less than 1000 Contiguous Acres	<u>24,160</u> 35,774 ac.	3 <u>3</u> 9%
Farmland Located in Unrefined Areas to Consider for Future AEA Designation (see Exhibit A)	24,738 <u>20,283</u> ac.	2 <u>8</u> 7%
Farmland Located in Final Farmland Preservation Plan Maps (see Exhibit B)	10,264 <u>9,855</u> 83 ac.	1 <u>4</u> 1%
Total Farmland in Waukesha County: 2010 <u>2020</u>	<u>72,372</u> 400 <u>92,196</u> acres	100.00%

Table D3-2 shows farmland acres only, meaning that lands classified as wetlands or open/unused are excluded from the totals. Table D3-2 shows that 141% of the county farmland is currently in a farmland preservation land use category and mostly zoned as such. Approximately 287% of farmland is located in areas that could be designated for AEA classification in the future. The remaining 5862% of county farmland is either located in a planned sewer service area from an adjoining urban area (253%), or as of 2020~~10~~, is segmented into blocks of contiguous farmland less than 1000 acres (339%). Neither of these two farmland categories is targeted for preservation in this plan, but could nevertheless be protected at the local level if there was interest.

Exhibit A presents a township data summary of the proposed farmland to be preserved under this plan, including potential future AEA's. However, it should be noted that only the maps presented in Exhibit B contain Farmland Preservation Plan Maps certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection for purposes of satisfying the requirements under Chapter 91 Wisconsin Statutes. These maps will be used as a basis for future farmland preservation zoning ordinance amendments.

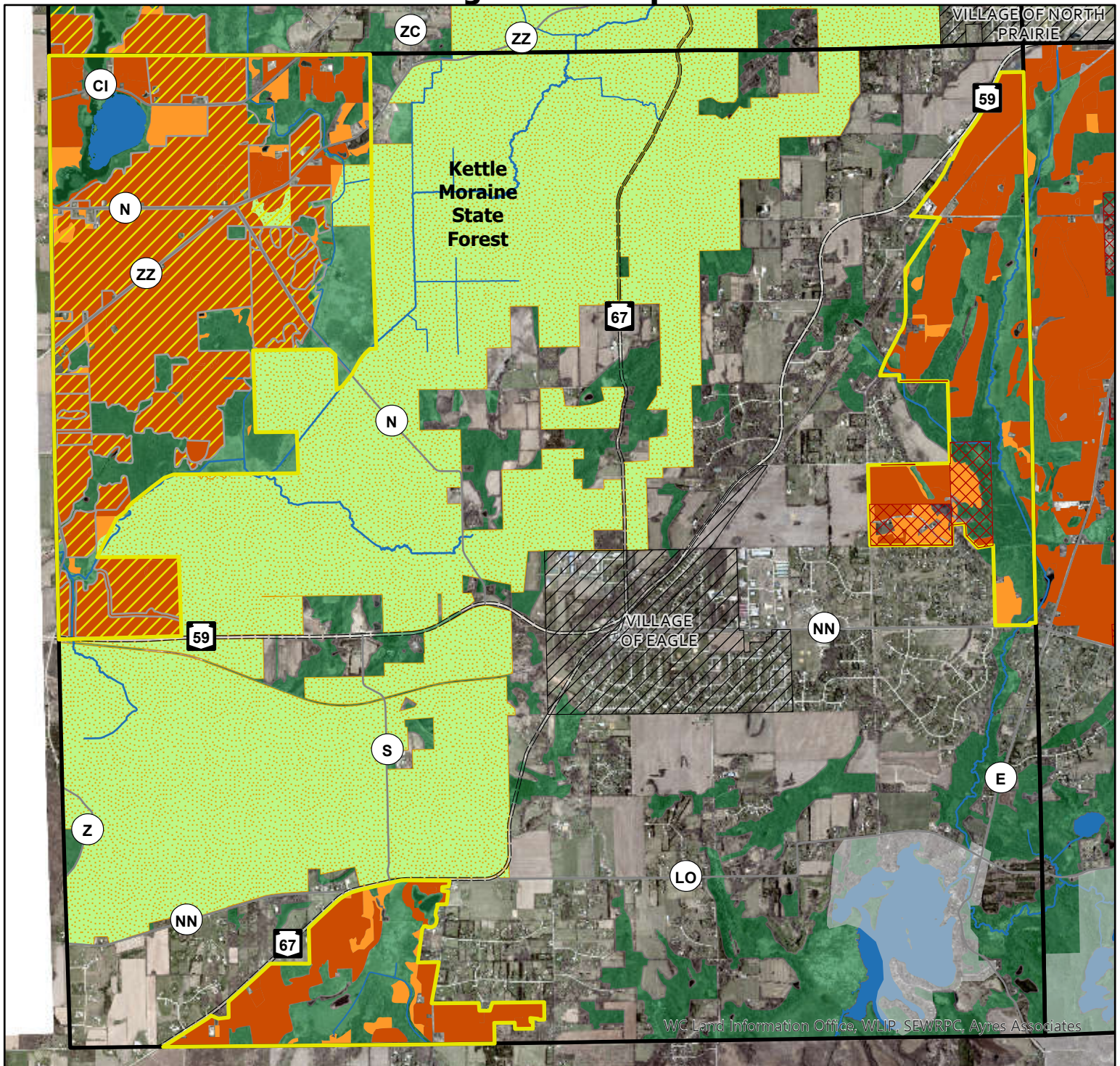
Exhibit A

Township Data Summary and Maps of
Farmland Preservation Plan

Waukesha County, Wisconsin

MAP DA-1

Farmland Preservation Plan and Unrefined Areas to Consider for Future AEA Designation Eagle Township



- Jericho Creek, Summit/Eagle/Ottawa, SW Eagle Unrefined Future AEA Map Units
- Farmland Preservation Area
- 2020 Agricultural Land Use
- 2020 Unused Rural Land Use
- Major State Owned Lands - Kettle Moraine State Forest
- Environmental Corridor: 2015
- Cities & Villages
- Condominiums & Subdivisions Within Future AEA Map Units
- Proposed Sewer Service Area: 2022



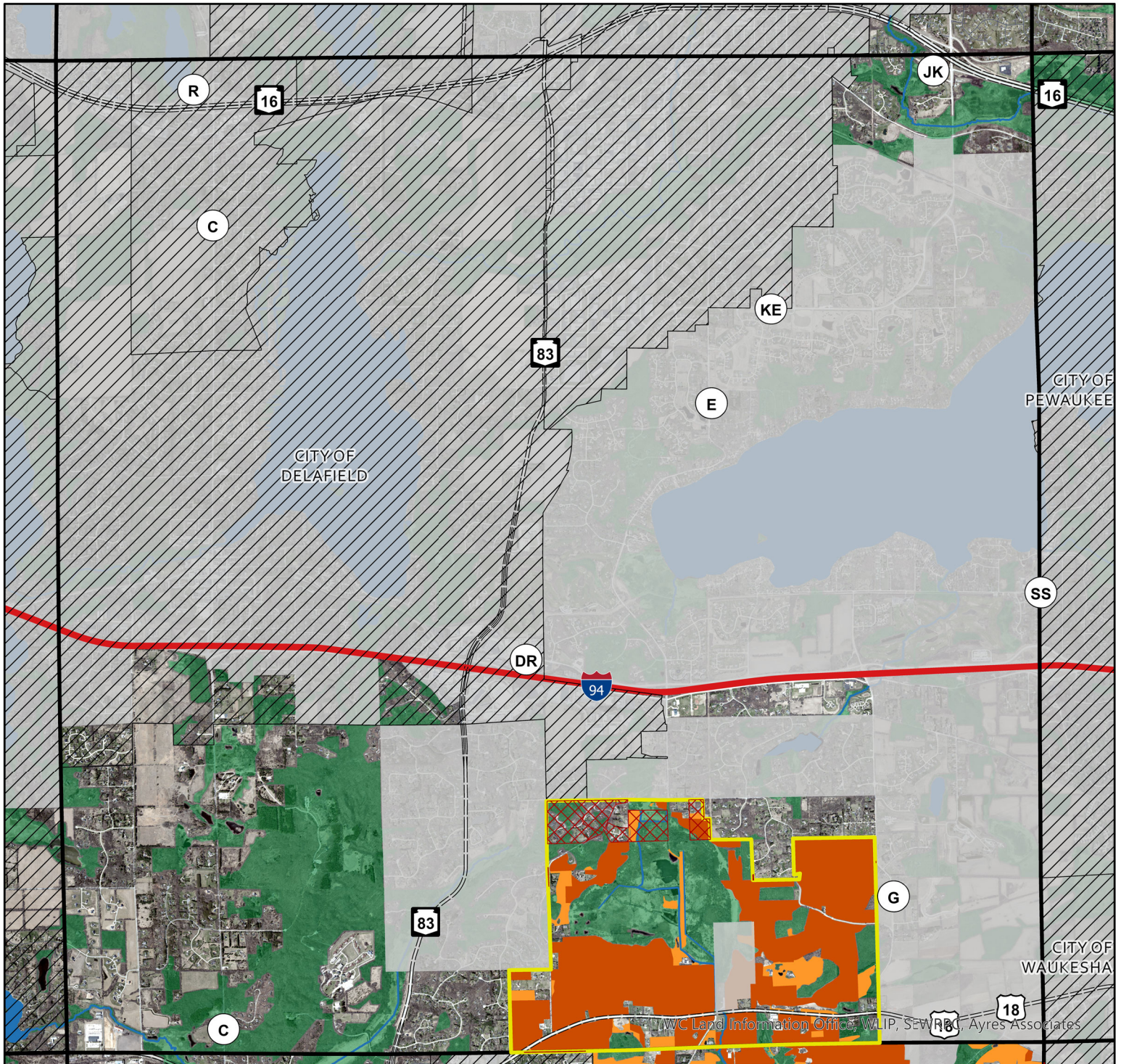
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Source: SEWRPC & Waukesha County

MAP DA-2

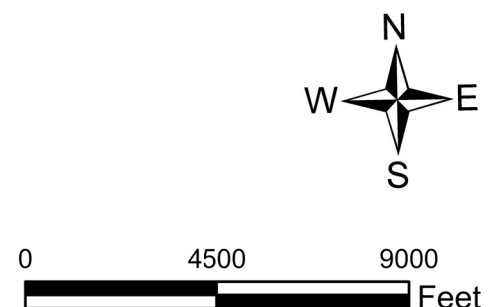
Unrefined Areas to Consider for Future AEA Designation

Delafield Township



- Pebble Creek Unrefined Future AEA Map Unit
- 2020 Agricultural Land Use
- 2020 Unused Rural Land Use
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022
- Cities & Villages
- Condominiums & Subdivisions Within Future AEA Map Units

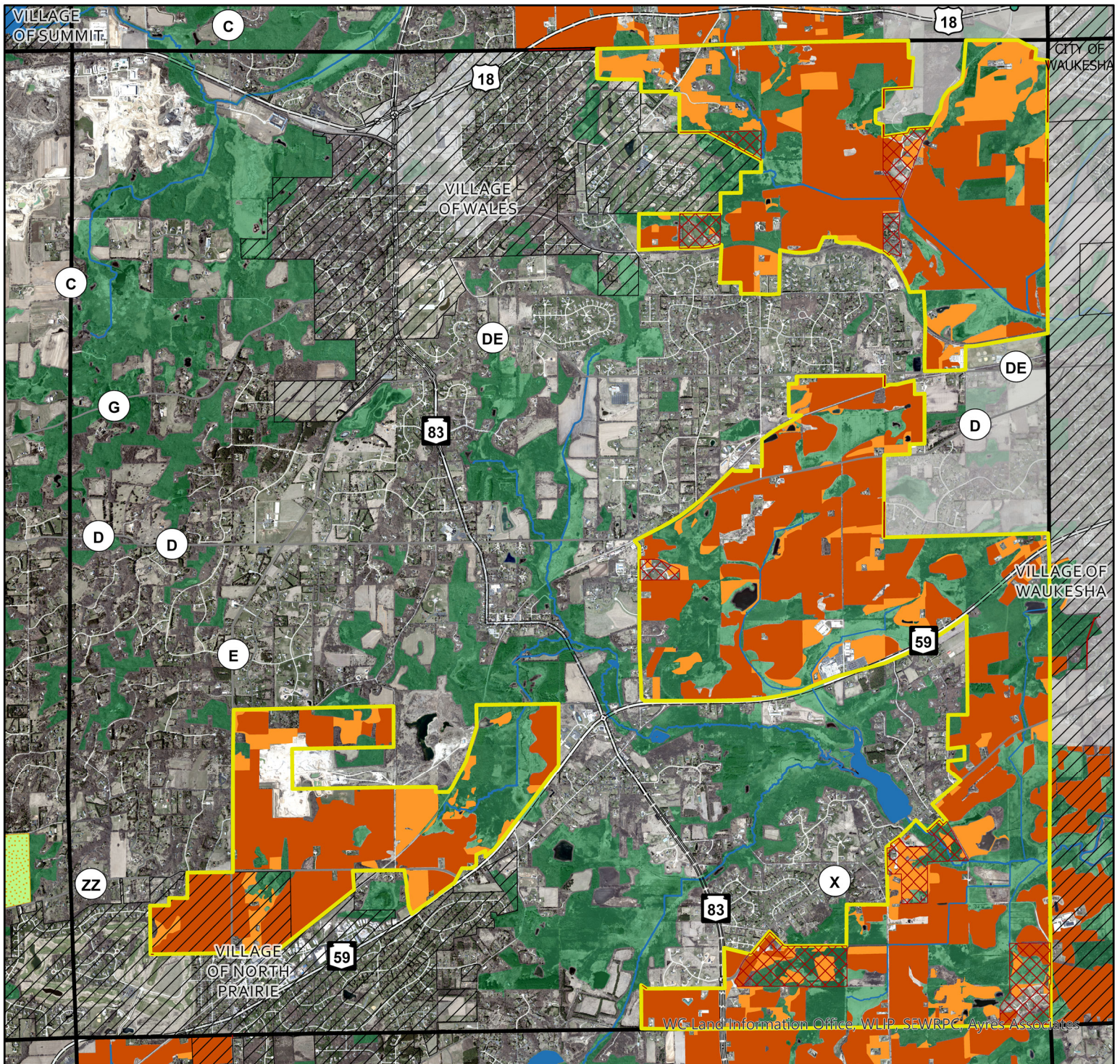
Source: SEWRPC & Waukesha County



MAP DA-3

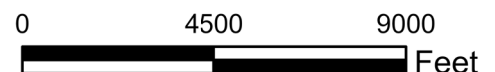
Unrefined Areas to Consider for Future AEA Designation

Genesee Township



- Pebble Creek, North Prairie & Vernon Marsh Unrefined Future AEA Map Units
- 2020 Agricultural Land Use
- 2020 Unused Rural Land Use
- Major State Owned Lands
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022
- Cities & Villages
- Condominiums & Subdivisions Within Future AEA Map Units

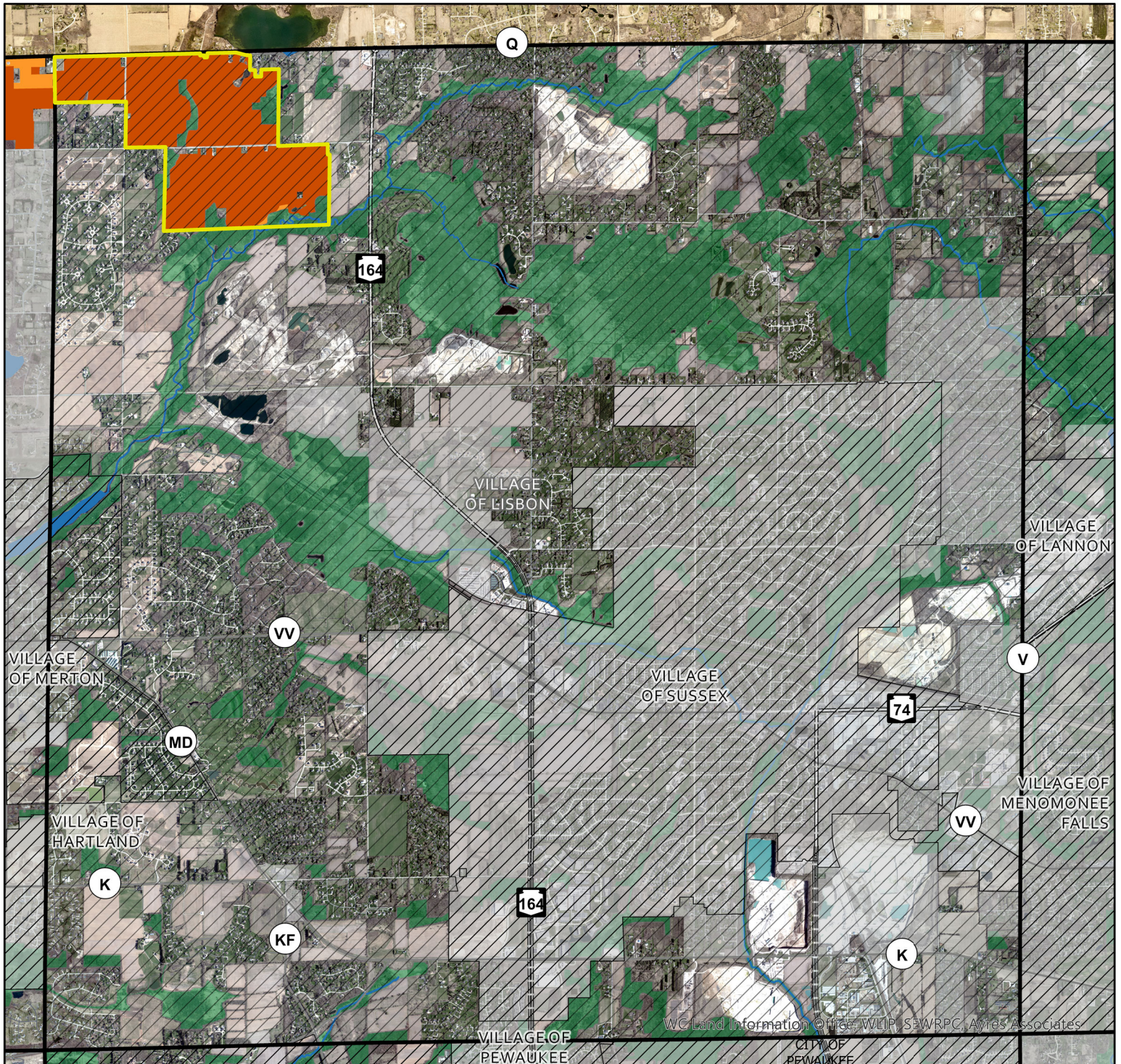
Source: SEWRPC & Waukesha County



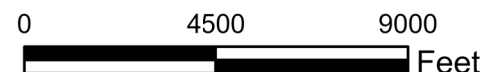
MAP DA-4

Unrefined Areas to Consider for Future AEA Designation

Lisbon Township



- Merton/Lisbon Unrefined AEA Map Unit
- 2020 Unused Rural Land Use
- 2020 Agricultural Land Use
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022
- Cities & Villages

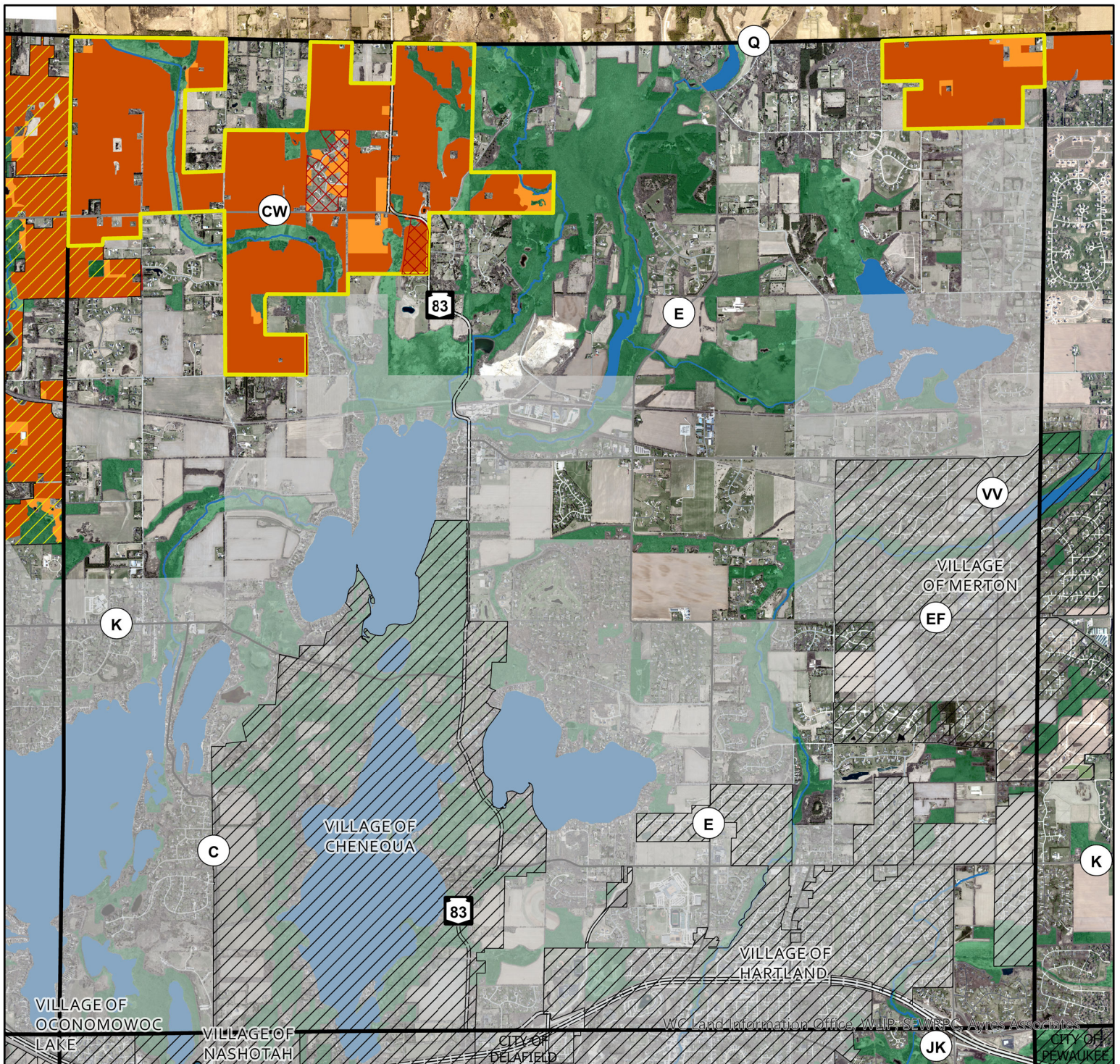


Source: SEWRPC & Waukesha County

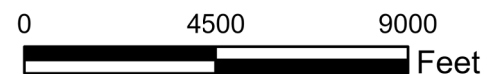
MAP DA-5

Unrefined Areas to Consider for Future AEA Designation

Merton Township



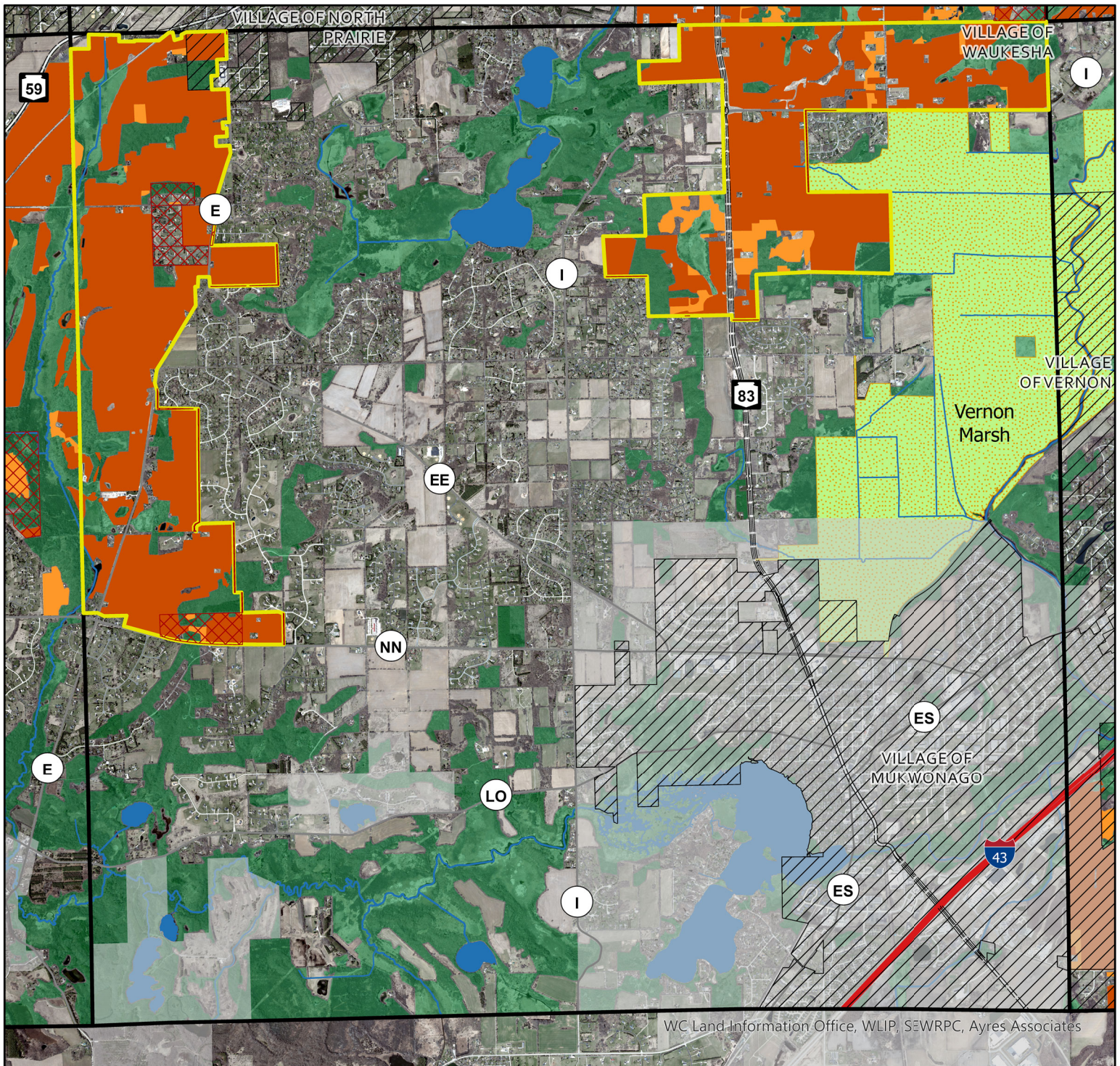
- Merton & Merton/Lisbon Unrefined Future AEA Map Units
 - Farmland Preservation Area
 - 2020 Agricultural Land Use
 - 2020 Unused Rural Land Use
 - Environmental Corridor: 2015
 - Proposed Sewer Service Area: 2022
 - Cities & Villages
 - Condominiums & Subdivisions Within Future AEA Map Units
- Source: SEWRPC & Waukesha County



MAP DA-6

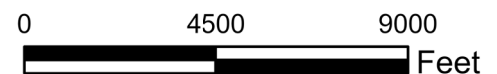
Unrefined Areas to Consider for Future AEA Designation

Mukwonago Township



WC Land Information Office, WLIP, SEWRPC, Ayres Associates

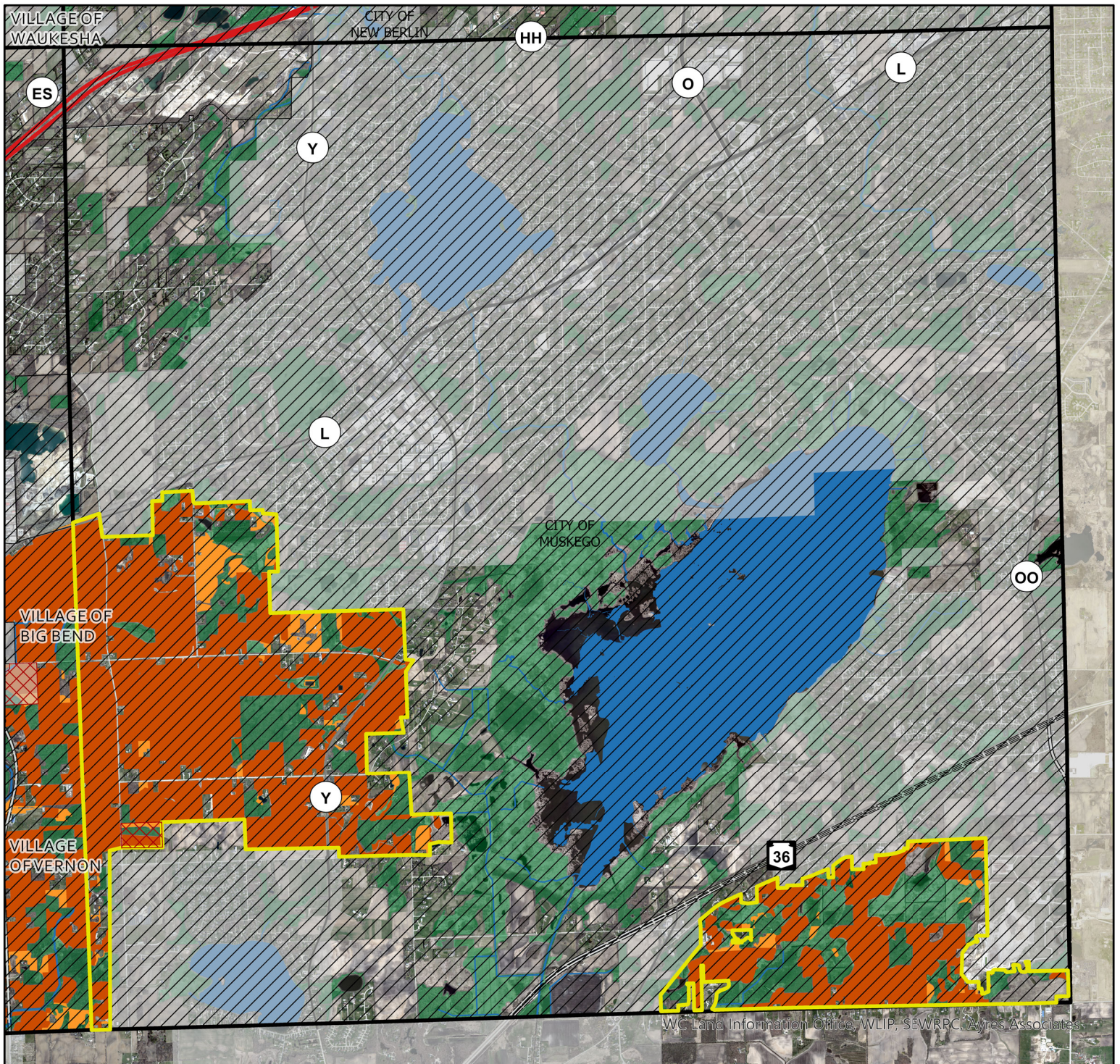
- Jericho Creek & Vernon Marsh Unrefined Future AEA Map Units
 - 2020 Agricultural Land Use
 - 2020 Unused Rural Land Use
 - Major State Owned Lands
 - Environmental Corridor: 2015
 - Proposed Sewer Service Area: 2022
 - Cities & Villages
 - Condominiums & Subdivisions Within Future AEA Map Units
- Source: SEWRPC & Waukesha County



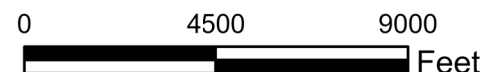
MAP DA-7

Unrefined Areas to Consider for Future AEA Designation

Muskego Township

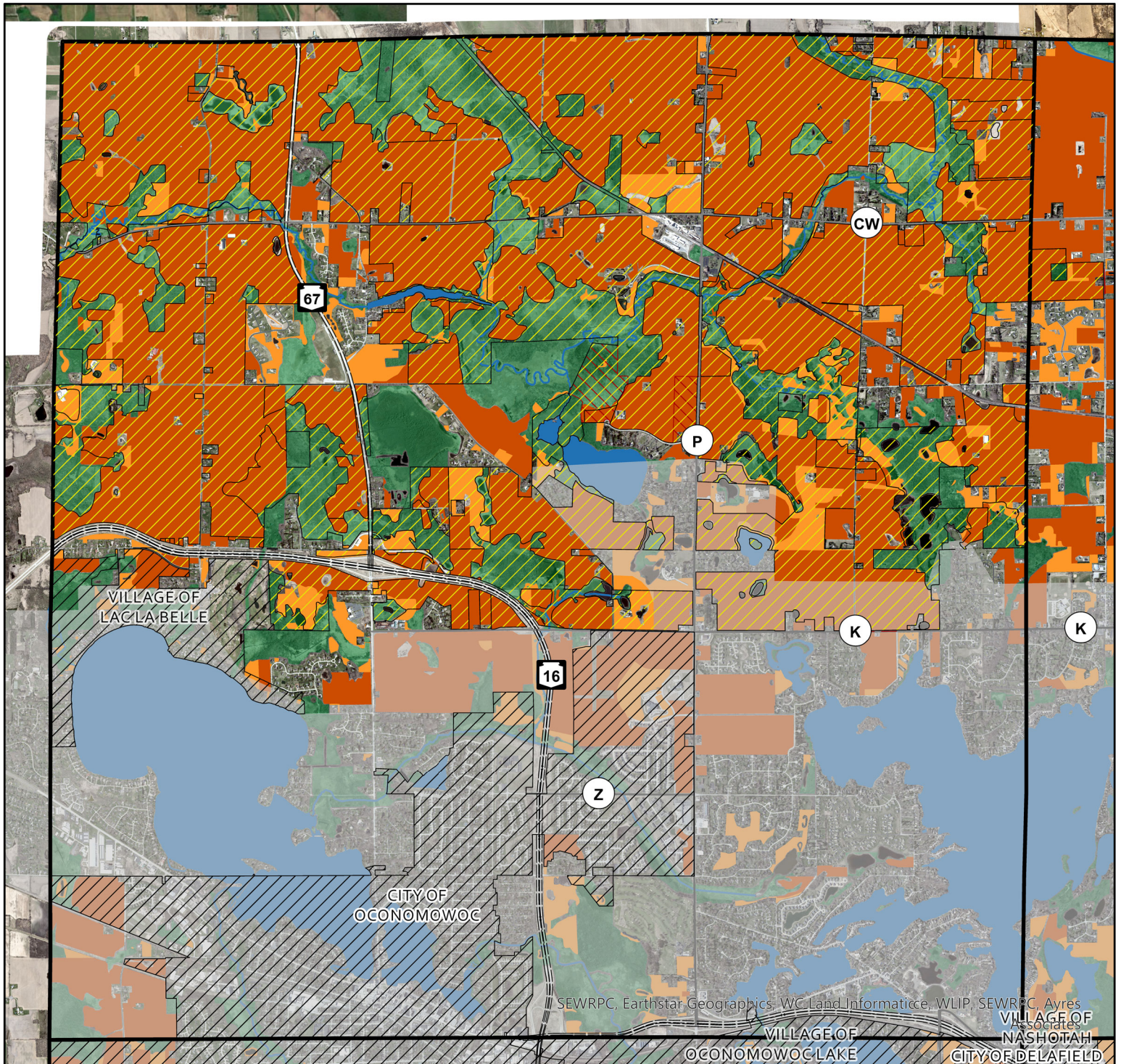









- Fox River & Muskego Unrefined Future AEA Map Units
- 2020 Agricultural Land Use
- 2020 Unused Rural Land Use
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022
- Cities & Villages
- Condominiums & Subdivisions Within Future AEA Map Units



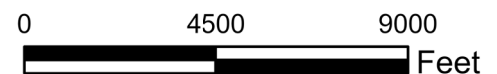
Source: SEWRPC & Waukesha County

MAP DA-8 Farmland Preservation Plan Oconomowoc Township



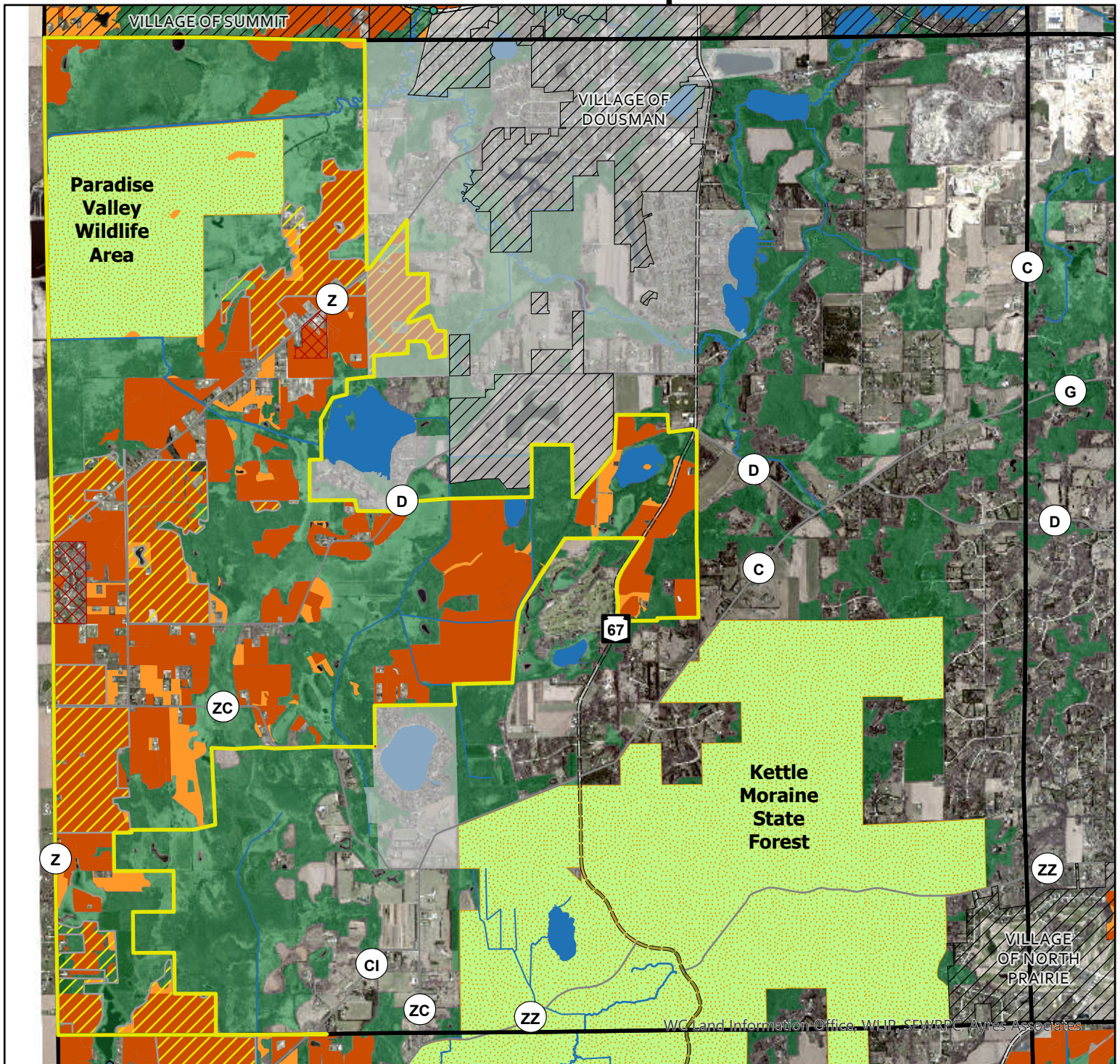
-  Farmland Preservation Area
-  Environmental Corridor: 2015
-  2020 Agricultural Land Use
-  2020 Unused Rural Land Use
-  Proposed Sewer Service Area: 2022
-  Cities & Villages
-  Condominiums & Subdivisions Within Future AEA Map Units

Source: SEWRPC & Waukesha County



MAP DA-9

Farmland Preservation Plan and Unrefined Areas to Consider for Future AEA Designation Ottawa Township



- Summit/Eagle/Ottawa Unrefined Future AEA Map Unit
- Farmland Preservation Areas
- 2020 Agricultural Land Use
- 2020 Unused Rural Land Use
- Major State Owned Lands
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022
- Cities & Villages
- Condominiums & Subdivisions Within Future AEA Map Units



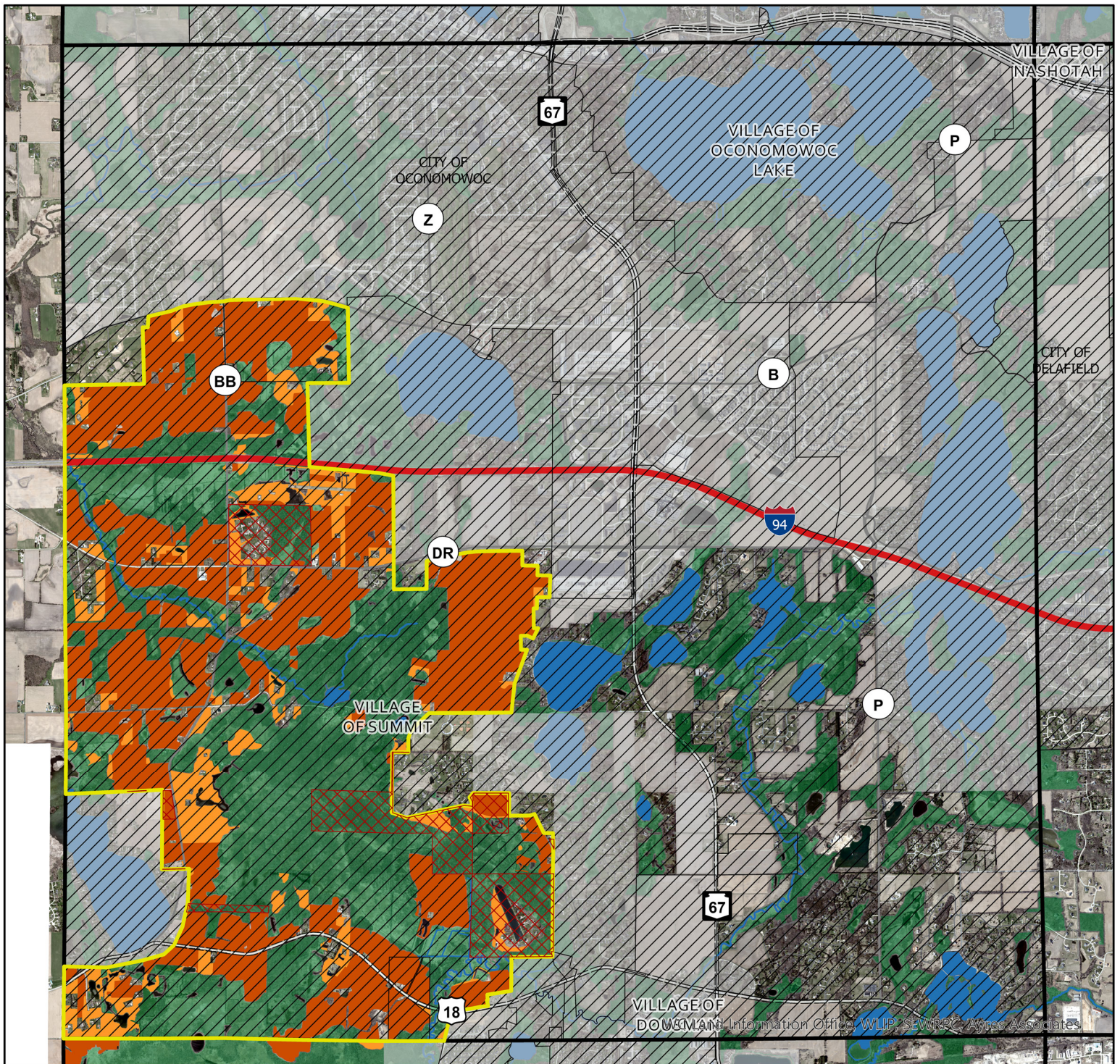
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Source: SEWRPC & Waukesha County

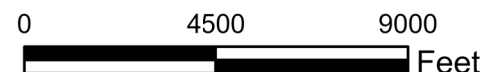
MAP DA-10

Unrefined Areas to Consider for Future AEA Designation

Summit Township



- Summit/Eagle/Ottawa Unrefined Future AEA Map Unit
- 2020 Agricultural Land Use
- 2020 Unused Rural Land Use
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022
- Cities & Villages
- Condominiums & Subdivisions Within Future AEA Map Units

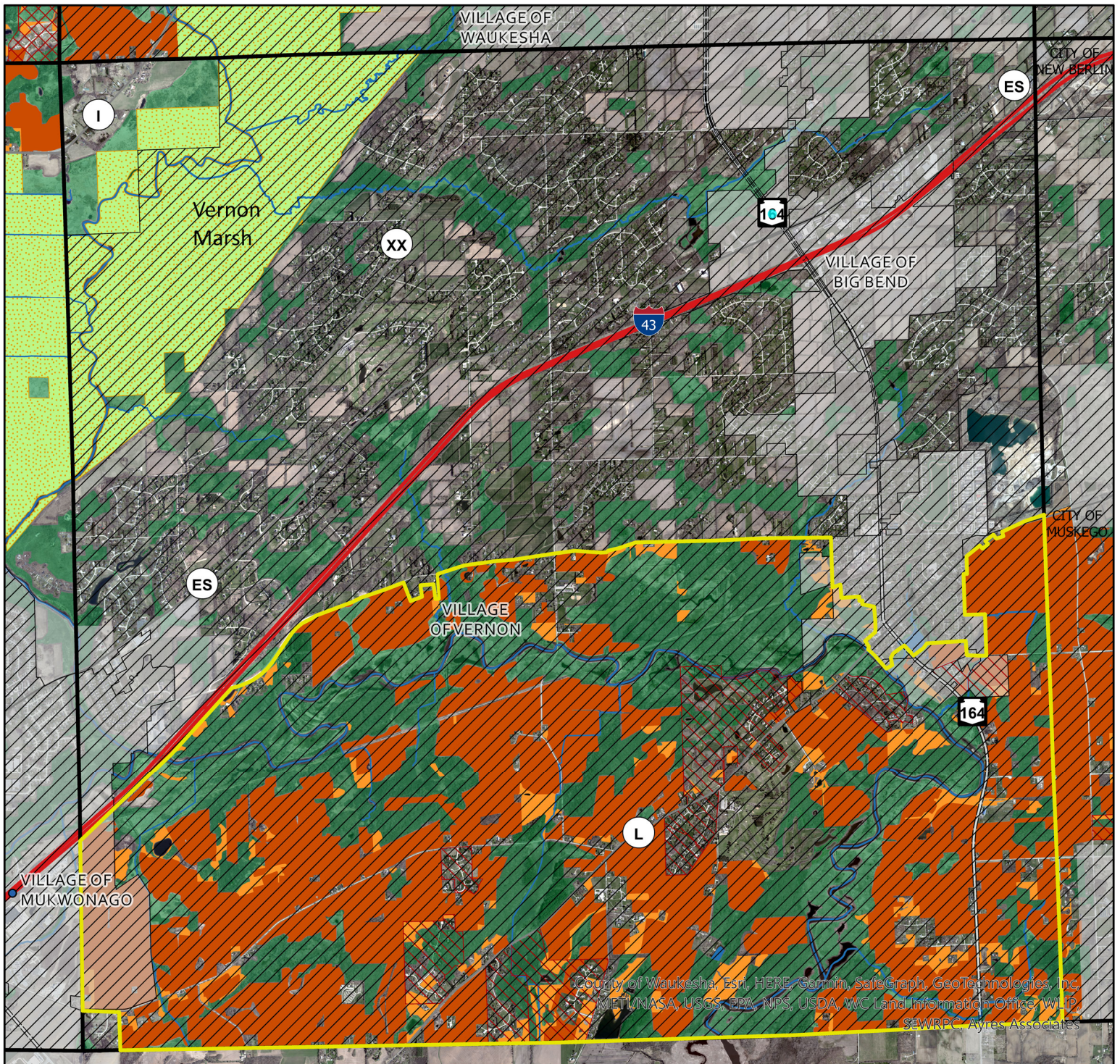


Source: SEWRPC & Waukesha County

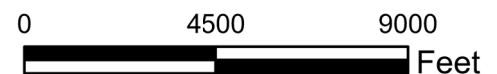
MAP DA-11

Unrefined Areas to Consider for Future AEA Designation

Vernon Township



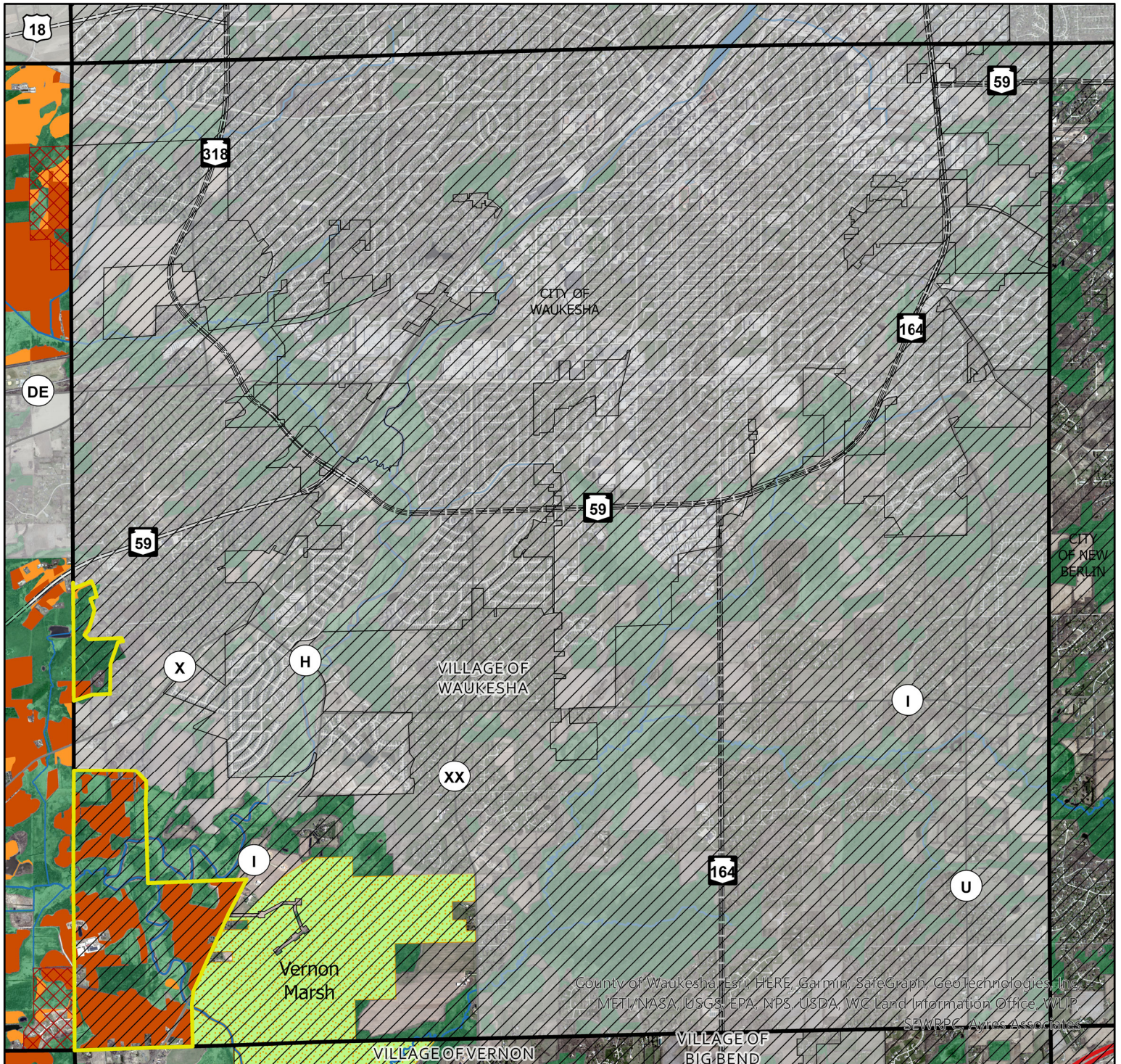
- Fox River Unrefined Future AEA Map Unit
 - 2020 Agricultural Land Use
 - 2020 Unused Rural Land Use
 - Major State Owned Lands
 - Environmental Corridor: 2015
 - Proposed Sewer Service Area: 2022
 - Cities & Villages
 - Condominiums & Subdivisions Within Future AEA Map Units
- Source: SEWRPC & Waukesha County



MAP DA-12

Unrefined Areas to Consider for Future AEA Designation

Waukesha Township



- Vernon Marsh Unrefined Future AEA Map Units
 - 2020 Agricultural Land Use
 - 2020 Unused Rural Land Use
 - Major State Owned Lands
 - Environmental Corridor: 2015
 - Proposed Sewer Service Area: 2022
 - Cities & Villages
 - Condominiums & Subdivisions Within Future AEA Map Units
- Source: SEWRPC & Waukesha County

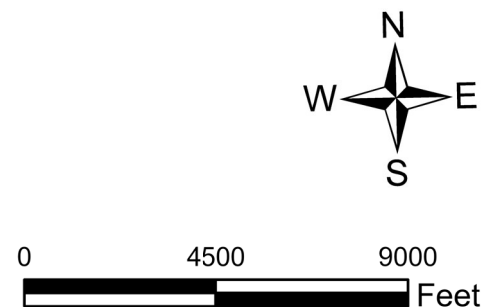


Table DA-1

**Township Summary of Farmland Preservation Plan Areas and
Unrefined Areas to Consider for Future AEA Designation***

Township Name (Map No.)	Total Agricultural (Acres)	Planned Farmland Preserv. (Acres) ***	Planned Farmland Preserv. (%)*	Unrefined Future AEA (Acres)	Unrefined Future AEA (%)*	Other Farmland (Acres)	Other Farmland (%)**
Eagle (DA-1)	6,903	1,765	25	1,165	17	3,973	58
Delafield (DA-2)	2,916	0	0	873	30	2,043	70
Genesee (DA-3)	4,716	0	0	3,124	66	1,592	34
Lisbon (DA-4)	5,332	0	0	622	12	4,710	88
Merton (DA-5)	5,775	66	1	1,756	30	3,953	69
Mukwonago (DA-6)	5,529	0	0	2,306	42	3,223	58
Muskego (DA-7)	4,903	0	0	2,025	41	2,878	59
Oconomowoc (DA-8)	8,495	6,926	82	0	-	1,569	18
Ottawa (DA-9)	5,083	1,098	22	1,637	32	2,348	46
Summit (DA-10)	5,272	0	0	2,261	43	3,011	57

Vernon (DA-11)	6,857	0	0	4,137	60	2,720	40
Waukesha (DA-12)	3,270	0	0	377	12	2,893	88
Totals =	65,051	9,855	-	20,283	-	34,912	-

* This chart does not include 7,414 acres of farmland in the Survey Townships of Brookfield, Menomonee Falls, New Berlin or Pewaukee because no farmland was designated in these areas for preservation or for a future Agricultural Enterprise Area.

** Percentages represent the percentage of farmland in the category within that township.

***The Planned Farmland Preservation acreage represents only cultivated acres within Farmland Preservation Areas

Exhibit B

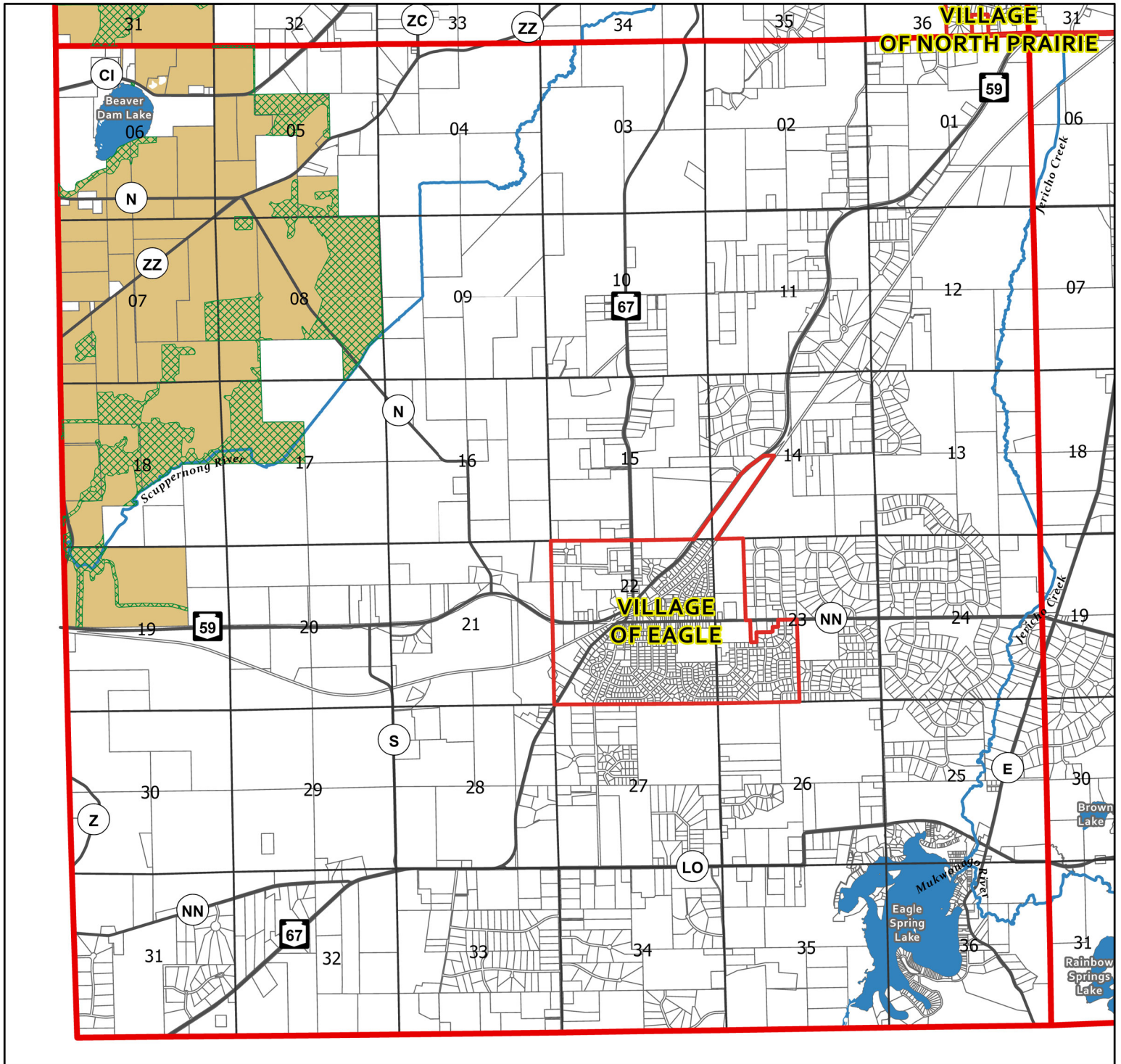
Final Farmland Preservation Maps

Waukesha County, Wisconsin

MAP DB-1

Farmland Preservation Plan Map

Eagle Township



- Farmland Preservation Area
- Environmental Corridor Overlay Within FPP Areas
- Municipal Boundary (Town/City/Village)
- Lakes & Ponds
- Rivers & Streams
- Roads
- Parcel Boundary
- Section Areas

Date: 8/23/23



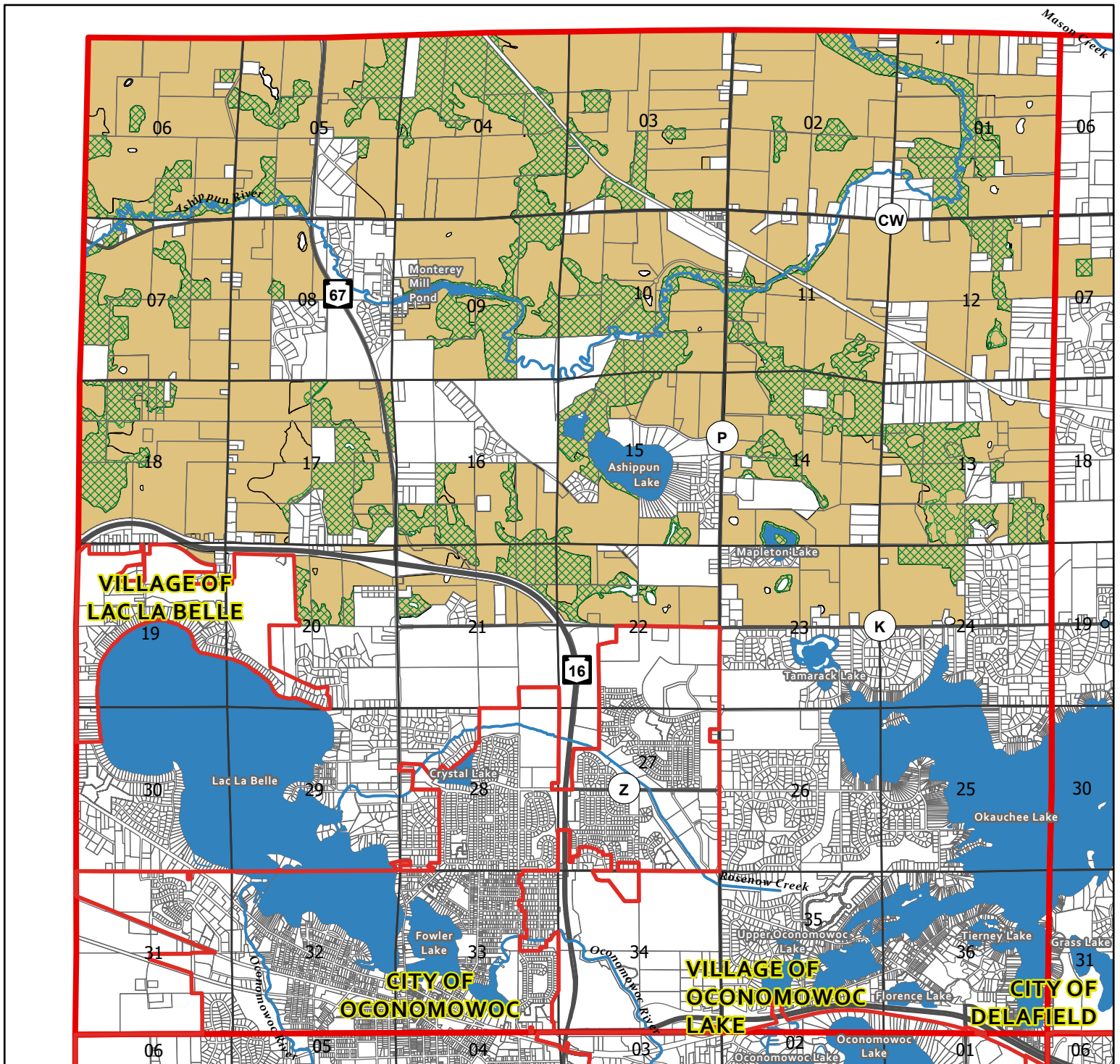
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Source: SEWRPC & Waukesha County

MAP DB-2

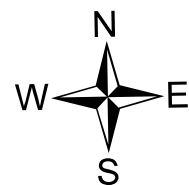
Farmland Preservation Plan Map

Oconomowoc Township



- Farmland
- Preservation Area
- Environmental Corridor Overlay Within FPP Areas
- Municipal Boundary (Town/City/Village)
- Lakes & Ponds
- Rivers & Streams
- Roads
- Parcel Boundary
- Section Areas

Date: 8/23/23



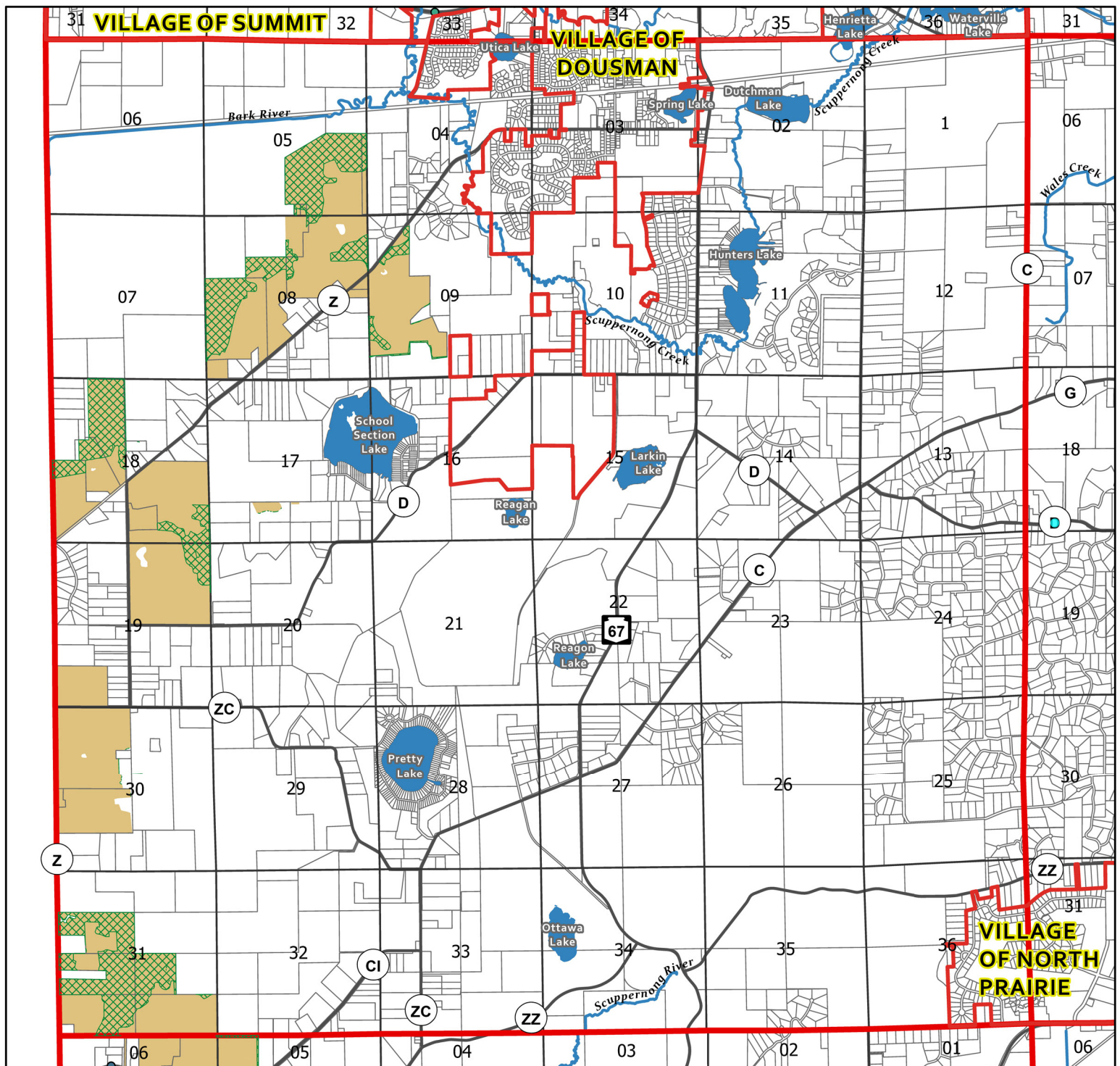
0 4500 9000 Feet

Source: SEWRPC & Waukesha County

MAP DB-3

Farmland Preservation Plan Map

Ottawa Township



- Farmland Preservation Area
- Environmental Corridor Overlay Within FPP Areas
- Municipal Boundary (Town/City/Village)
- Lakes & Ponds
- Rivers & Streams
- Roads
- Parcel Boundary
- Section Areas



Date: 8/23/23

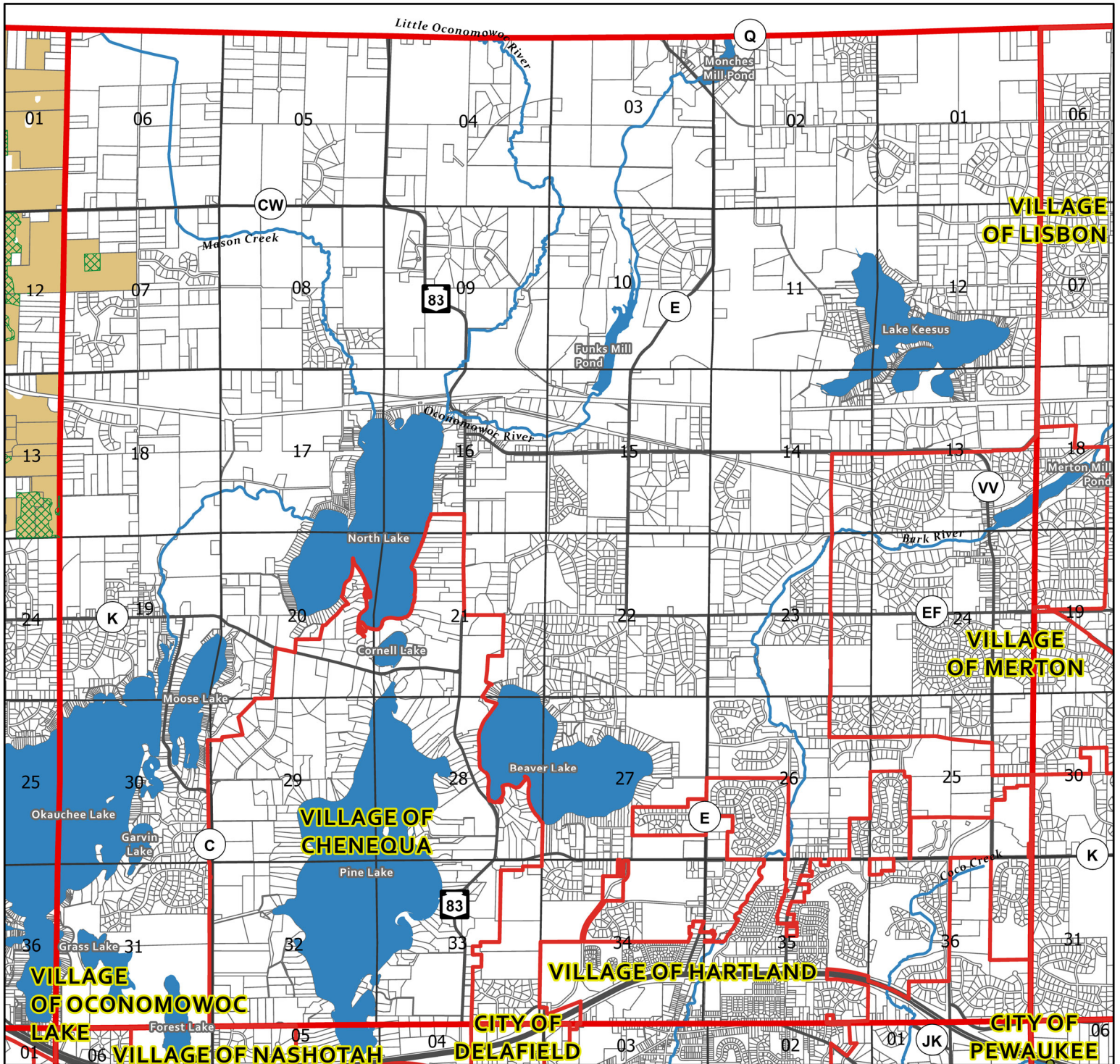
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Source: SEWRPC & Waukesha County

MAP DB-4

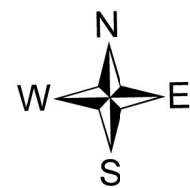
Farmland Preservation Plan Map

Merton Township



- Farmland Preservation Area
- Environmental Corridor Overlay Within FPP Areas
- Municipal Boundary (Town/City/Village)

- Lakes & Ponds
- Rivers & Streams
- Roads
- Parcel Boundary
- Section Areas



Date: 8/23/23

0 4500 9000 Feet

Source: SEWRPC & Waukesha County

Exhibit C

Public Hearing Notice

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be conducted by the Waukesha County Park and Planning Commission at 1:00 p.m., on Thursday, September 21, 2023, in Room AC 255/259, of the Waukesha County Administration Center, 515 W. Moreland Boulevard*, Waukesha, WI, 53188, to consider amendments to the Comprehensive Development Plan for Waukesha County adopted by the Waukesha County Board of Supervisors, on February 24, 2009. The Park and Open Space Plan and Farmland Preservation Plan appendices of the plan were last amended in 2018 and 2011, respectively. The proposed plan amendment requests include the following:

4. ***The Waukesha County Park and Planning Commission***, 515 W. Moreland Blvd., Waukesha, WI 53188, requests a comprehensive amendment to the Waukesha County Park and Open Space Plan, which is Appendix A of the Comprehensive Development Plan for Waukesha County. The proposed updated Park and Open Space Plan, associated maps, and a summary of the proposed amendments can be viewed online at <https://www.waukeshacounty.gov/ParksandOpenSpace> and is available for viewing and copying in the offices of the Waukesha County Planning and Zoning Division located in Room AC 230 of the Waukesha County Administration Center located at 515 W. Moreland Blvd., Waukesha, WI 53188. Public comments will be accepted until 4:00 pm on August 29, 2023.

Following this public hearing, staff will evaluate public input and prepare a formal recommendation to the Waukesha County Park and Planning Commission, Waukesha County Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors for final consideration.

For information regarding the Park and Open Space Plan update, Item No. 4, please contact Lynda Fink via email at lfink@waukeshacounty.gov or via phone at (262) 548-7790.

5. ***The Waukesha County Park and Planning Commission***, 515 W. Moreland Blvd., Waukesha, WI 53188, requests a comprehensive amendment to the 2011 Waukesha County Farmland Preservation Plan, which is Appendix D of the Comprehensive Development Plan for Waukesha County, in accordance with Chapter 91 of the *Wisconsin Statutes* that requires a 10-year recertification of the plan. The draft plan can be viewed online at www.waukeshacounty.gov/planningandzoning (see the “Special Projects” heading in the lower right portion of this webpage) and is available for viewing and copying in the offices of the Waukesha County Planning and Zoning Division located in Room AC 230 of the Waukesha County Administration Center located at 515 W. Moreland Blvd., Waukesha, WI 53188.

Following this public hearing, staff will evaluate public input in making a final staff recommendation for the above-cited issue to be presented to the Waukesha County Park and Planning Commission, Waukesha County Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors for final consideration.

For information regarding the Farmland Preservation Plan update, Item No. 5, please contact Rebekah Leto via email at rleto@waukeshacounty.gov or via phone at (262) 548-7790.

All interested parties will be heard.

A quorum of the Waukesha County Board or its Committees may be present.

***Please note: Due to controlled access screening, you must enter the building via the main entrance of the Courthouse, located at 515 W. Moreland Blvd.**

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd., Room AC 260
Waukesha, WI 53188

Legal Notice to be published in the
Waukesha Freeman on
Tuesday, August 22, 2023

Exhibit D

Timeline for Waukesha County 2023 Farmland Preservation Plan Update
and Approval Process

Exhibit D

Timeline for Waukesha County 2023 Farmland Preservation Plan Update and Approval Process

Event Date/Range	Summary of Event/Activity
January 12, 2023	Project Kickoff Meeting to review scope, assigned tasks and projected timeline
February – May, 2023	Updated statistical information in the plan from the Decennial Census, Agriculture Census Data and SEWRPC land use inventories
February – July, 2023	Updated Maps- Chapters 1, 2, and 3, Exhibit A and Exhibit B
February – July, 2023	Updated draft text of Chapters 1, 2 and 3
March 2023	Notified Towns of Oconomowoc and Ottawa of upcoming amendments
July 19, 2023	Submitted draft text and maps to 37 municipalities
July 19, 2023	Posted draft text and maps on Waukesha County website
July 19 – September 1, 2023	Public Comment Period on draft amendments (text and maps)
August 3, 2023	Submitted draft plan text to DATCP for comments
August 15, 2023	Received items to address from DATCP for final plan submittal
August 17, 2023	Introduction of proposed amendments to the Waukesha County Park and Planning Commission
September 5, 2023	Submitted GIS data to DATCP
September 21, 2023	Public Hearing was held (see Exhibit C)
September 27, 2023	Submitted Final Plan to Corporation Counsel for review and approval
October 6, 2023	Submitted Final Plan (text and maps) to DATCP for Certification
October 19, 2023 <i>(anticipated)</i>	Waukesha County Park and Planning Commission recommends County Board adoption of the 2023 Farmland Preservation Plan
November 21, 2023 <i>(anticipated)</i>	Waukesha County Land Use, Parks and Environment Committee recommends County Board adoption of the 2023 Farmland Preservation Plan.
November 28, 2023 <i>(anticipated)</i>	Waukesha County Board approves Ordinance #XXX-XX, adopting the 2023 Farmland Preservation Plan.

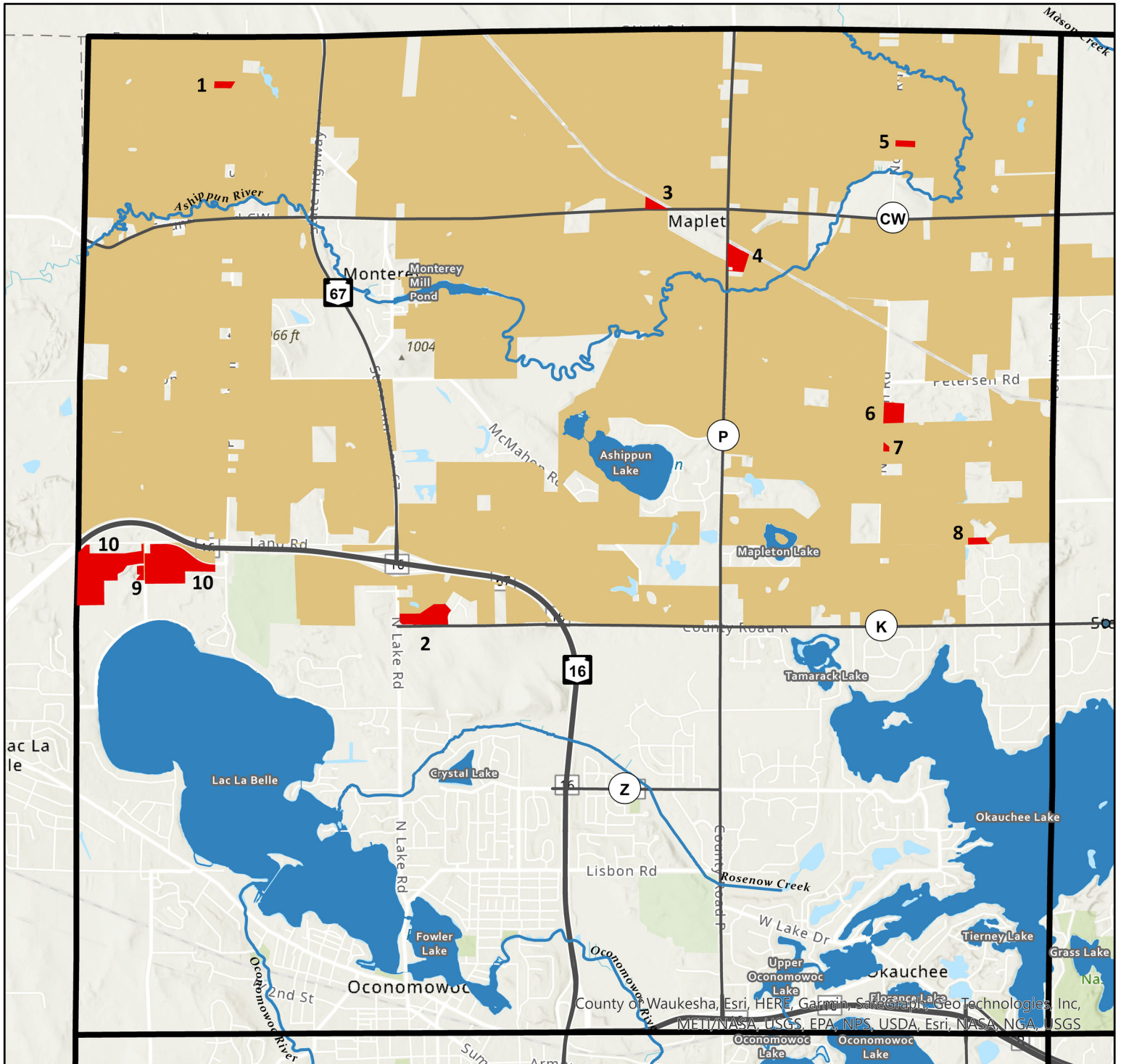
Exhibit E

Parcels to be removed from the Farmland Preservation Plan Designation
during the 2023 Farmland Preservation Plan Amendment

Farmland Preservation Plan Map

Proposed Parcels to be Removed from FLP

Oconomowoc Township



- Farmland Preservation Area
- Parcels to be Removed
- Lakes & Ponds
- Rivers & Streams
- Roads



0 4500 9000 Feet

Source: SEWRPC & Waukesha County

Parcels proposed to be removed from FLP Plan designation during 2023 FLP Plan amendments

Taxkey No.	Approx. Acres removed	General location	Justification	Proposed LUP Category
OCOT0453996001	3 acres	West of Pennsylvania St, near Washington County border	A-1 zoned developed parcel	Rural Density & Other Ag. Land
East portion of 0514992001	5.8 acres	East portion of Ocon. Landscape Supply parcel	Wetland complex b/w business and subdivision	Primary Environmental Corridor
OCOT0444997	3.5 acres	NW of Mapleton Village along railroad	A-1 and HG zoned developed parcel	Rural Density & Other Ag. Land
OCOT0474995 & .997	10 acres	East of CTH P in Mapleton Village	Church parcel-developed or wetland	Government & Institutional
OCOT0435996	3 acres	East of Norwegian Rd, north of CTH CW	A-1 developed parcel	Rural Density & Other Ag. Land
OCOT0482996	10 acres	East of Norwegian Rd, south of RR	No tillable acres; developed with SFR	Primary Environmental Corridor
OCOT0482997001	1 acre	East of Norwegian Rd, south of RR	A-5 zoned developed parcel	Rural Density & Other Ag. Land
OCOT0484990001	3 acres	North Pole Ln	R-2 zoned developed parcel	Primary Environmental Corridor & Suburban Density I
OCOT0506998, 0506999, 0506999001, ROW of Saeger Road, ROW of Lang Rd,	2.1 acres	South of hwy 16, North of Lac La Belle	Non-tillable, small, residential parcels and right of ways	Low Density Residential
LLV 0506996001 & 0505999010	96 acres	South of hwy 16, North of Lac La Belle	Parcels annexed to LLV	Recreational
Total	137.4 acres			