

## 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. The 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 requires county farmland preservation plans be included in a county's comprehensive plan and that county comprehensive plans and farmland preservation plans be consistent. 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 WCCDP. The Waukesha County Farmland Preservation Plan was completed in early 2011 and was incorporated as Appendix "D" of the WCCDP as part of the 2011 WCCDP amendment process. The Farmland Preservation Plan is similar to the adopted Waukesha County Park and Open Space Plan (Appendix "A" of the WCCDP) 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 reorganizing 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.

Recognizing that land use plans should not be static documents, the WCCDP provides for an amendment process 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 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](http://www.waukeshacounty.gov/interactivemap), 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 amended the "Agricultural Preservation" land use category of the WCCDP to become the "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 WCCDP 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 and Appendix D (Farmland Preservation Plan), the WCCDP defers to the Farmland Preservation Plan.

## **Appendix D**

# **Waukesha County Farmland Preservation Plan<sup>1</sup>**

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<sup>1</sup> *This is an update to the 2011 Farmland Preservation plan that was adopted as an 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 law made significant revisions to Chapter 91 Wisconsin Statutes, which has been home to Wisconsin’s farmland preservation law since 1977. These revisions continue over 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 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

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 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.

### 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. Below 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.

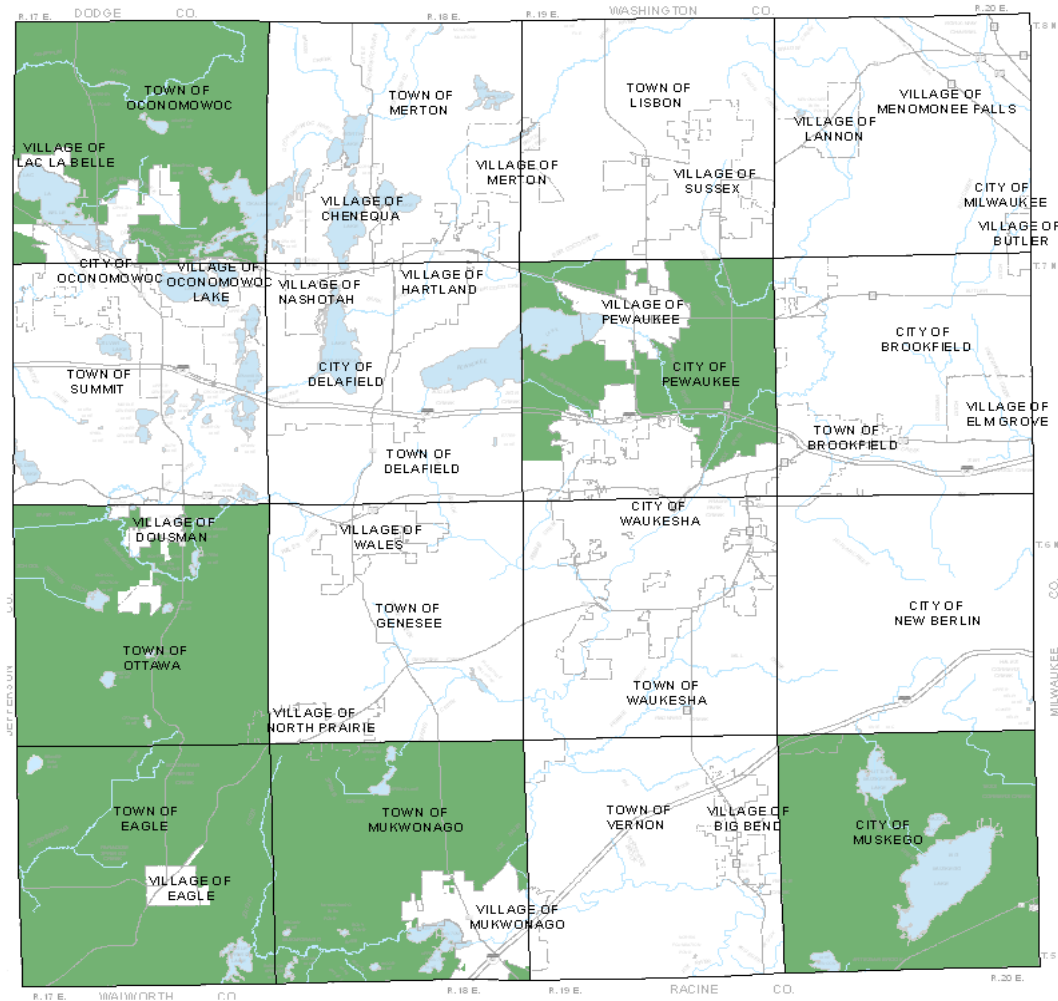
**1996** - *“A Development Plan for Waukesha County Wisconsin” was adopted by the Waukesha County Board*. This four-year planning effort represents the first county-wide development plan prepared in the state of Wisconsin. It established a consistent set of planning objectives, principles and standards 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. 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 five 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 four-year planning process. This comprehensive plan serves as an update to the 1996 Waukesha County Development Plan and as the foundation to 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**

Waukesha County underwent a substantial planning effort to update the plan in accordance with the 2009 Working Lands Initiative law. 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.

### **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. 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 Comprehensive 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 category. All four of the requests were 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 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 have 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 sea 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 the west of the Kettle Moraine, with some variable topography. Elevations are generally between 800- to 900-feet amsl. The farmland preservation area in the Town of Oconomowoc is generally flat, with a few areas of low-lying depressions. Two meandering river basins are responsible for some variable topography, particularly in the eastern part of Oconomowoc with 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 isolated natural resource areas (INRA) 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, Waukesha County’s population in 2020 was 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, the Milwaukee Metropolitan Area was the 31<sup>st</sup> largest metropolitan area in the United States.

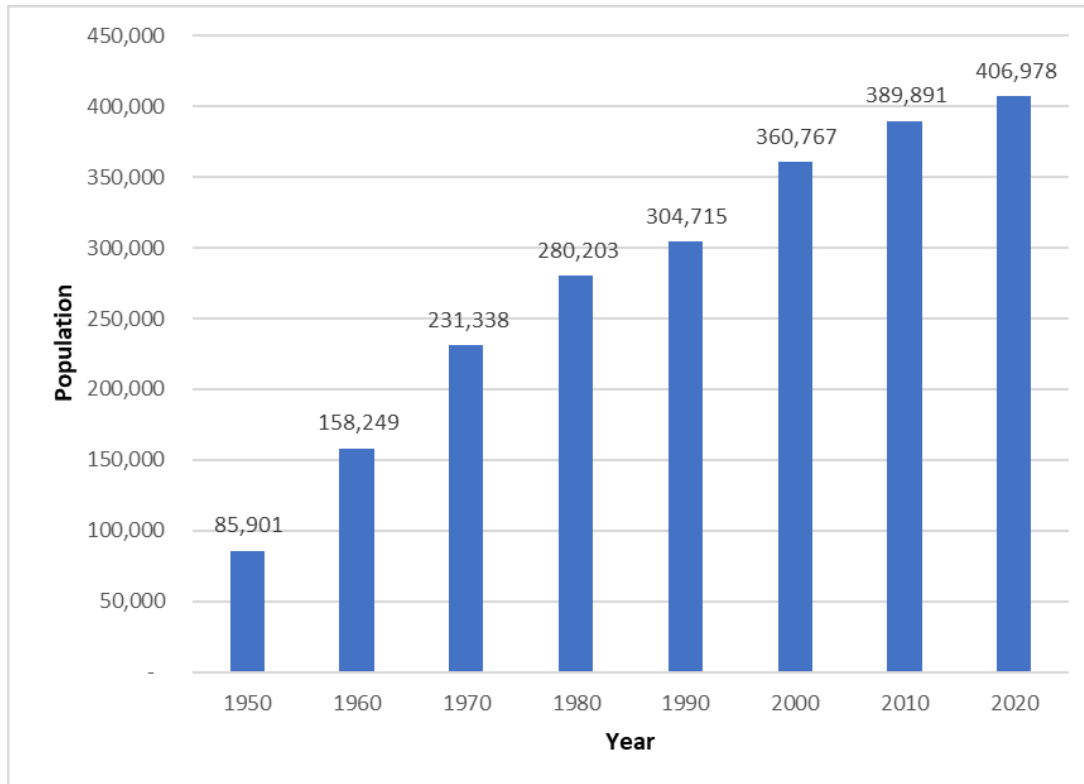
The following discussion highlights certain statistics that characterize the county’s growth and development trends. Population and job growth have been significant factors in fueling the conversion of lands out of agricultural use in the county. Inclusion of such development and population trend information is critical to understanding the challenge of planning for farmland preservation in a suburbanizing county within a major metropolitan area.

### **Population Growth 1950-2020**

Waukesha County added at least 20,000 people in every decade from 1950 to 2010, with growth exceeding 70,000 persons per decade in the 1950s and 1960s (See Figure D2-1). 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%. 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.

According to the U.S. Census Bureau, Waukesha County’s population represented 19.8% of the seven-county southeastern Wisconsin region in 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.

**Figure D2-1  
Population Growth in Waukesha County  
1950 -2020**

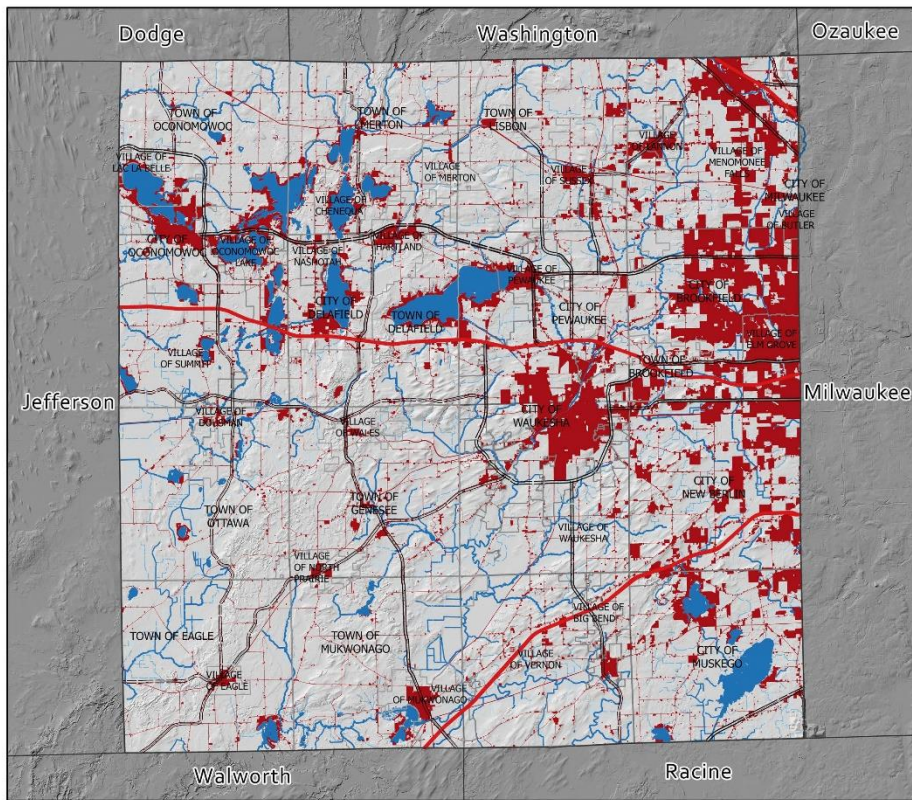


### **Distribution of Population**

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. 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 in 2020. Maps D2-1 and D2-2 show the changing pattern of development in the county 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, allowing for additional growth in those areas that were often agricultural lands. An estimated 17.6%, or 71,712 county residents, lived in unincorporated areas of Waukesha County in 2020, approximately 2.5% less than in 2005. This decrease is largely due to two towns, Vernon and Waukesha, incorporating by 2020.

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



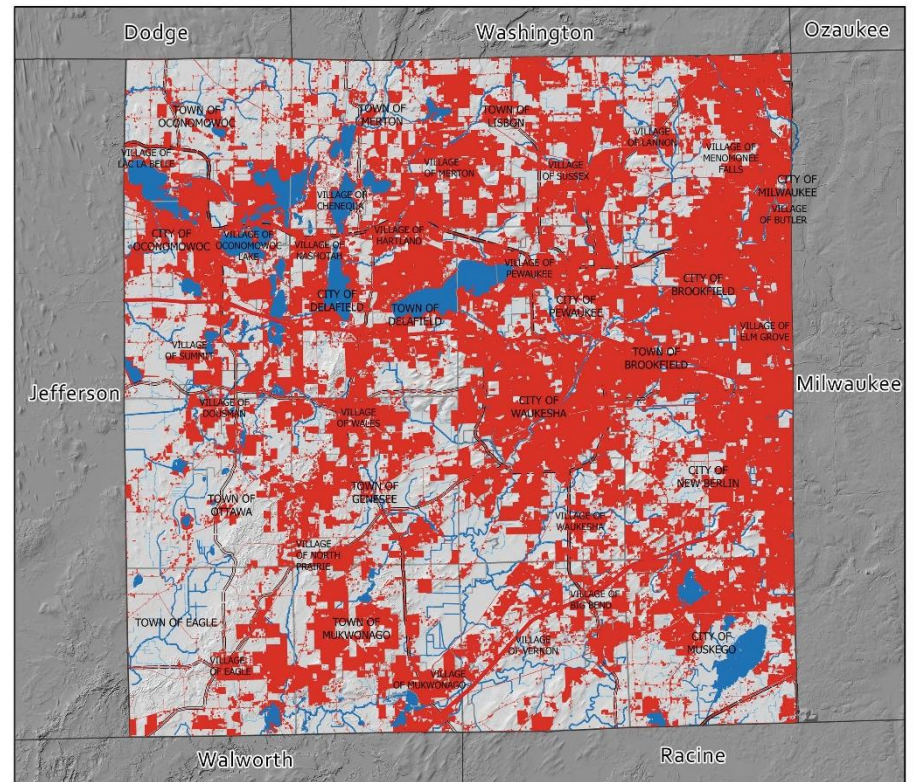
**Legend**

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, the average household size fell from 3.51 persons per household in 1950 to 2.42 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. 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.

## Economic Growth and Land Use Projections

SEWRPC projects that between 2010 and 2050, the county will add 91,500 residents (24% increase), 43,200 households (28.3% increase) and 69,500 jobs (25.8% increase). 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. It is anticipated that urban uses will continue to consume more land in the future, converting rural acreage to residential, commercial or industrial uses.

The 2011 Farmland Preservation Plan identified an abundance of vacant residential lots in the county after analyzing local assessment data and subdivision plats. This vacancy was primarily due to a surge in platting that occurred, followed by a severe economic recession. As is evident in Table 2-1, residential development occurred at a much slower rate from 2010 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**

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

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, Communications, and 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 titled "*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 operates 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 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 reuse 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 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 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* (Map 1.21) recommendations show a few segments of new roadway proposed within the county, but they are located outside of the designated farmland preservation areas. Therefore, the recommended road improvements 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, 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.



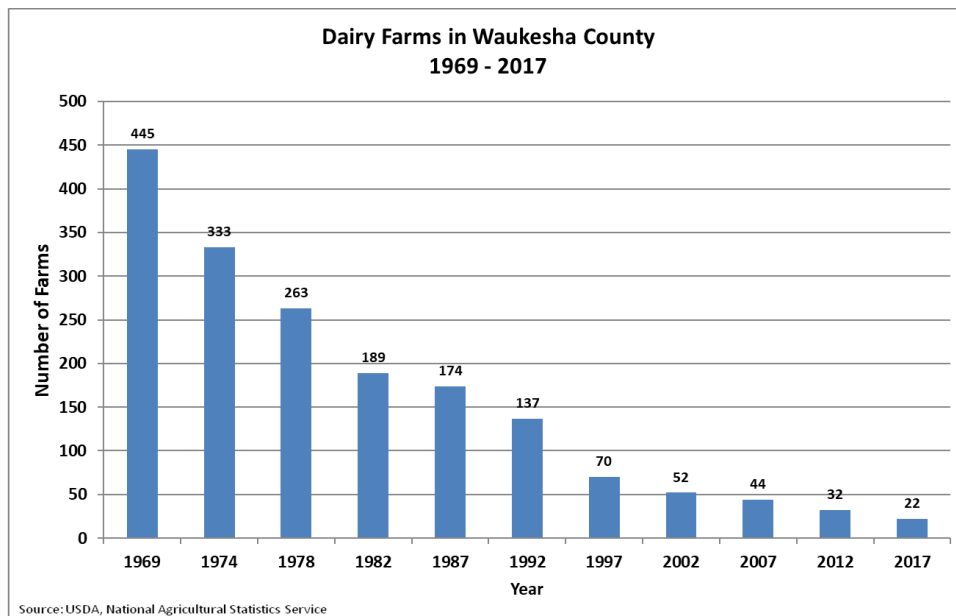
## AGRICULTURAL DATA AND TRENDS

### Dairy and Livestock

Between 1918 and 1959, Waukesha County assumed the title of “Cow County USA” partly due 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.<sup>1</sup>

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-eight years later in 2017, the number of dairy farms dropped 95% to 22, while milk cows dropped to 1,627, an 89% 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. This includes beef cows, swine, sheep, mink and chickens. However, local inventories show the number of horse stables increased from 33 sites in 1975<sup>2</sup> to 94 sites in 2023<sup>3</sup>. 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.

<sup>1</sup> *Waukesha County Agricultural Land Preservation Plan (1998 draft)*

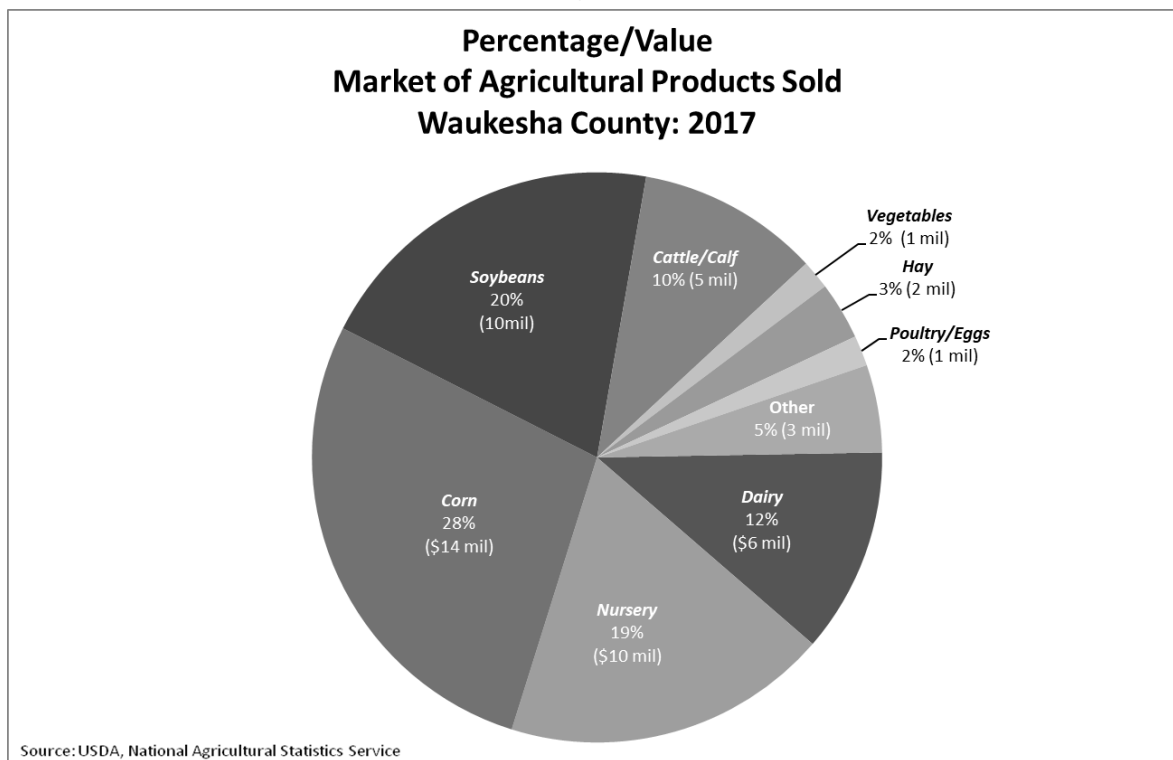
<sup>2</sup> *Technical Report #21 – “Sources of Water Pollution in Southeastern Wisconsin: 1975”, Southeastern Wisconsin Regional Planning Commission, September 1978.*

<sup>3</sup> *Waukesha County Department of Parks and Land Use-Land Resources Division, internal 2023 inventory.*

## Agricultural Products Sold

Figure D2-3 and Figure D2-5 show the top seven agricultural products sold in the county in 2017 and their market value over time, respectively. Together, these seven items make up 96% 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. Corn leads the market at 28%, an increase from 24% in 2007. Corn's market sales are equal to the amount of dairy, cattle, vegetables and hay products sold combined. Soybeans and nurseries/horticulture 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 crop, have decreased since 2007, from 24% to 19% in market sales. While soybeans make up 8% less of the market sales than corn, the acres planted to each are not that far apart. In 2017, corn was planted on 26,000 acres, while soybeans were planted on 25,000 acres of cropland in the county.<sup>4</sup>

Figure D2-3



USDA statistics show the number of cropland acres in Waukesha County declined about 43% over the past five decades, from 125,696 acres in 1969 to 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 D2-5 shows that when market values are presented in 2017 dollars, sales of agricultural products climbed quickly from \$100.7 million in 1969 to \$139.8 million in 1978. However, this was followed by a fairly steep decline in market value in the 1980's, 1990's and early 2000's. The net market value loss in agricultural products sold is 49% from 1969 to 2017, but 64% from 1978 to 2017.

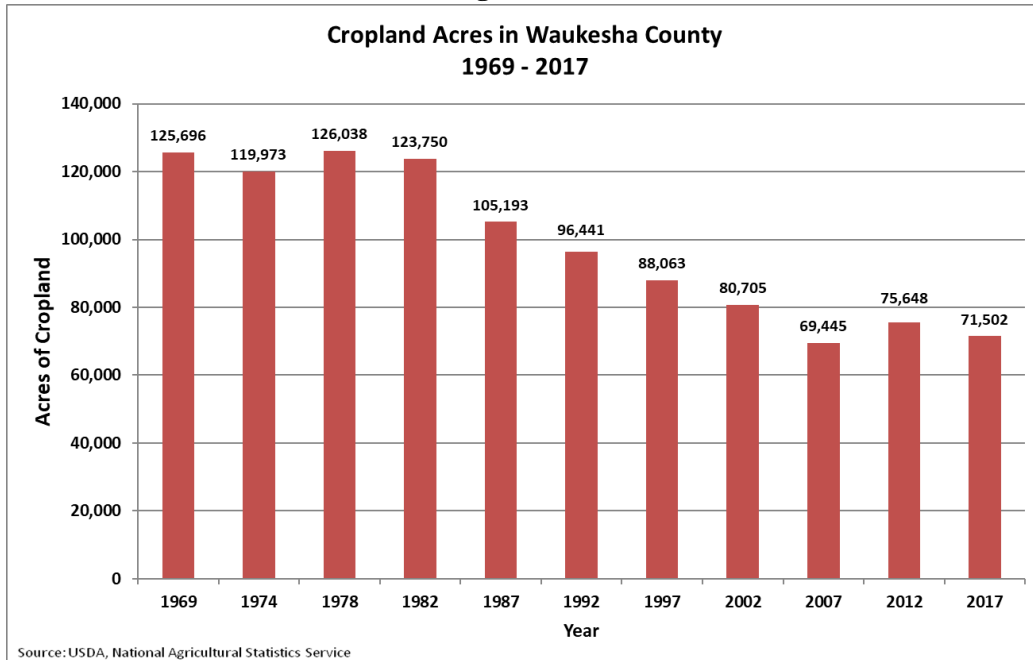
While much of the market value loss can be explained by the loss of farms and cropland, commodity prices also play a big role. For example, the average wholesale liquid milk price in Wisconsin in 1980 was \$12.69 per hundred weight (one-hundred pounds) while in 2022 the unit price was \$22.10.<sup>5</sup> If adjusted for inflation, the unit price in 2022 would need to be \$44.60 per hundred weight to have the same

<sup>4</sup> USDA – National Agricultural Statistics Service.

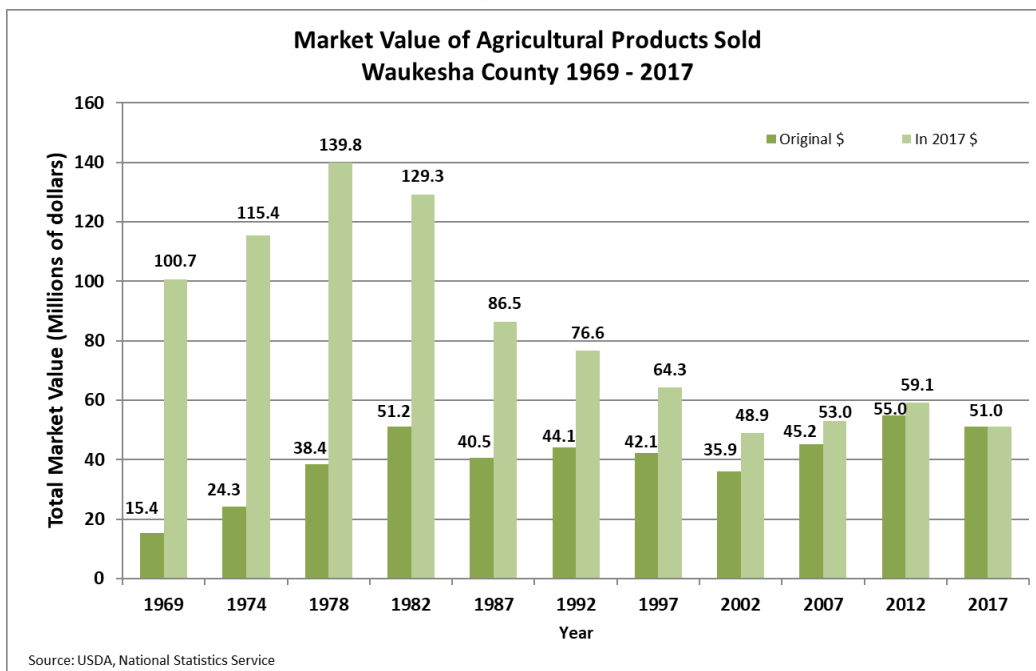
<sup>5</sup> Brian Gould, Agricultural and Applied Economics, UW Madison (<http://future.aae.wisc.edu/data>).

buying power that it did in 1980.<sup>6</sup> In other words, the milk price essentially dropped 50% 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 D2-5**

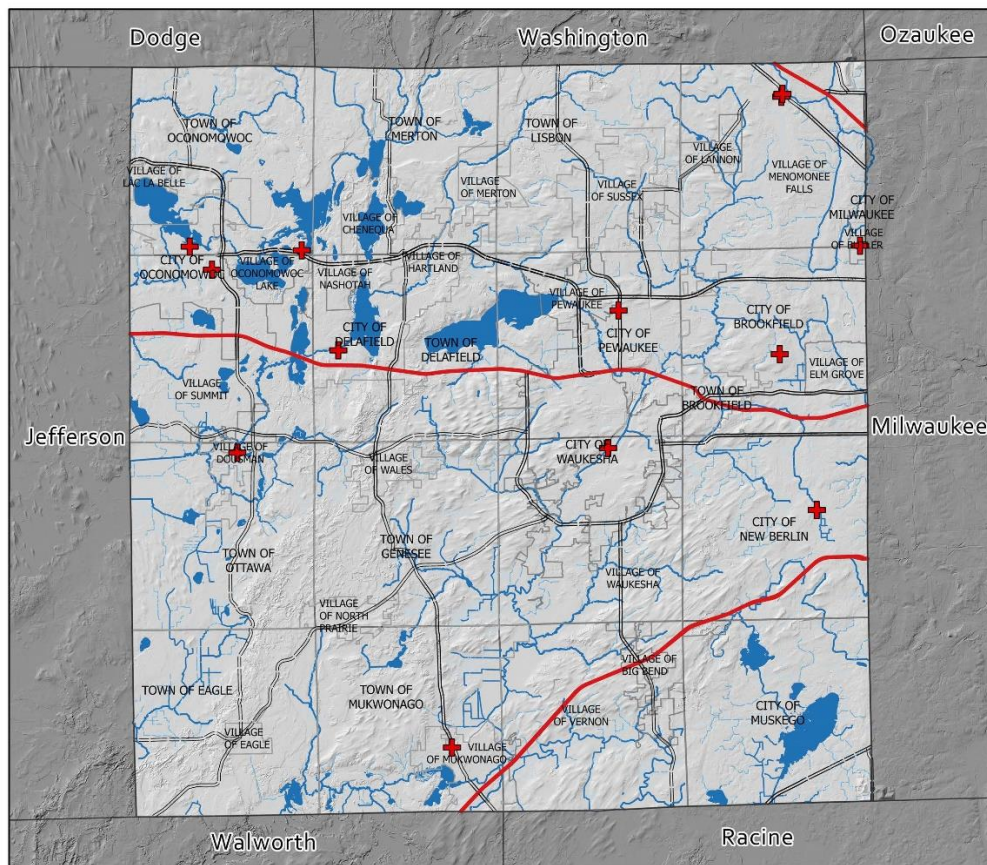


<sup>6</sup> US Bureau of Labor Statistics.  
D2-10

## 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 2017, 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<sup>7</sup>. 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.

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



### Legend

✚ Farmers Markets



Source: SEWRPC, WDNR, Wisconsin Farmers Market Association

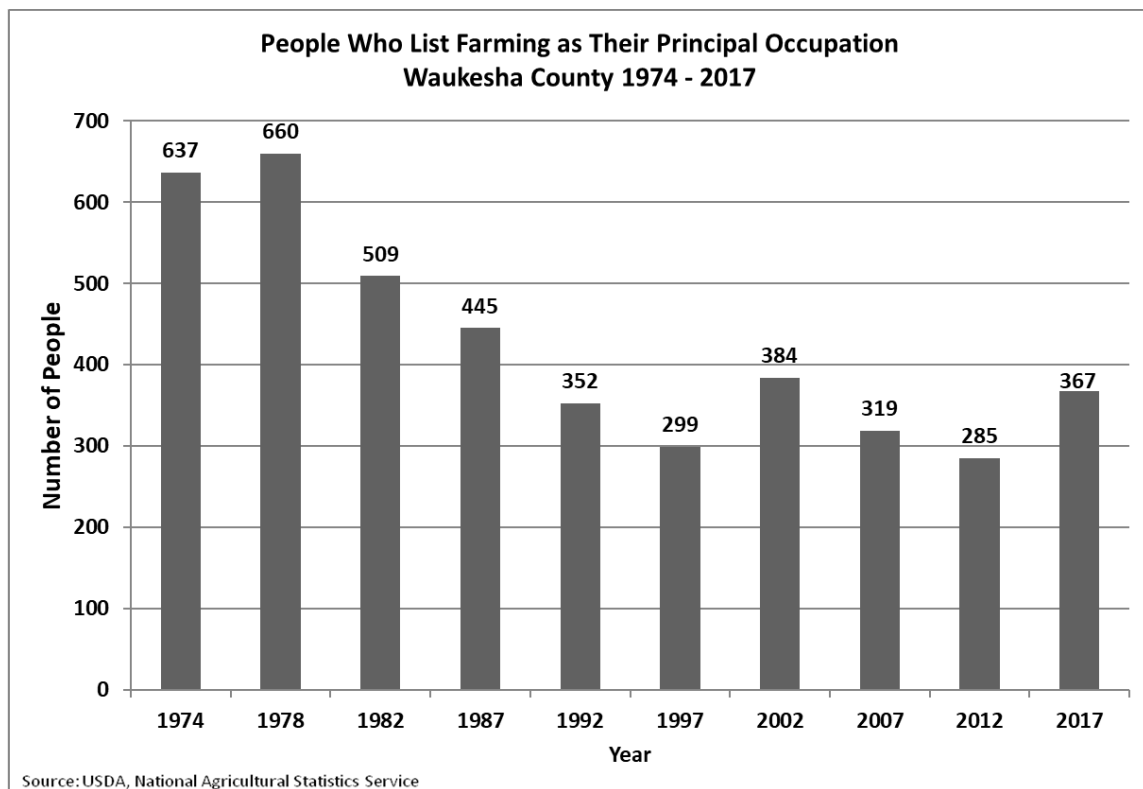


<sup>7</sup> UW-Madison Extension Waukesha County. (2019) *Agriculture Works Hard for Waukesha County*. <https://economicdevelopment.extension.wisc.edu/files/2021/10/Waukesha.pdf>

## Agricultural Employment

There are a number of different ways to measure the agriculture employment market. The 2017 Census of Agriculture takes a very direct approach, showing that 367 people listed farming as their principal occupation in Waukesha County. As shown in Figure D2-6, this is a 44% decline in the past 39 years. According to the U.S. Bureau of Economic Analysis, agriculture provided 647 jobs in Waukesha County in 2021, representing about 0.2% of the total job market in the county. However, a 2017 publication by UW—Madison Extension<sup>8</sup> says agriculture provided 4,616 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.

Figure D2-6



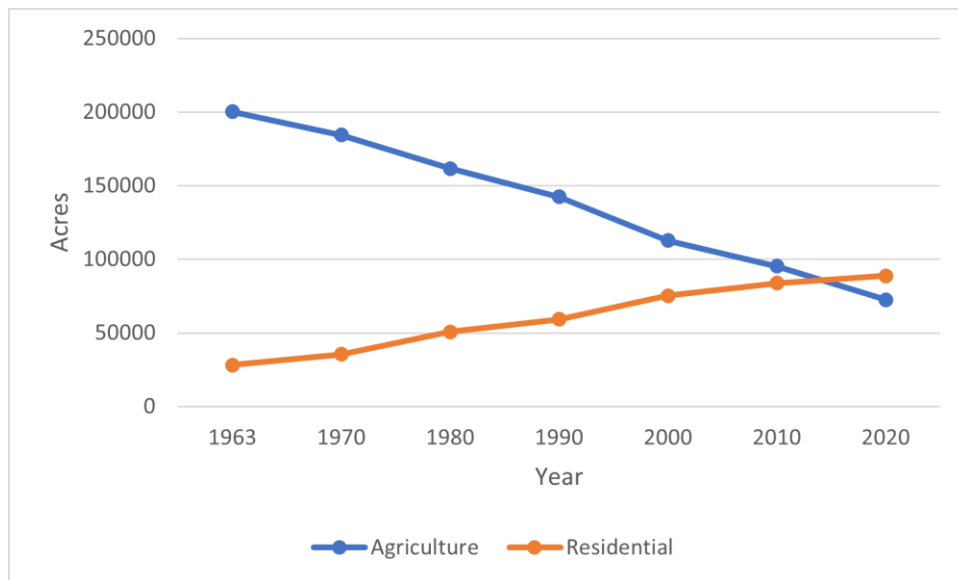
Source: USDA, National Agricultural Statistics Service

<sup>8</sup> “The Economics of Agriculture in Wisconsin Counties”, S. Deller and D. Williams, University of Wisconsin-Extension, March 2011.

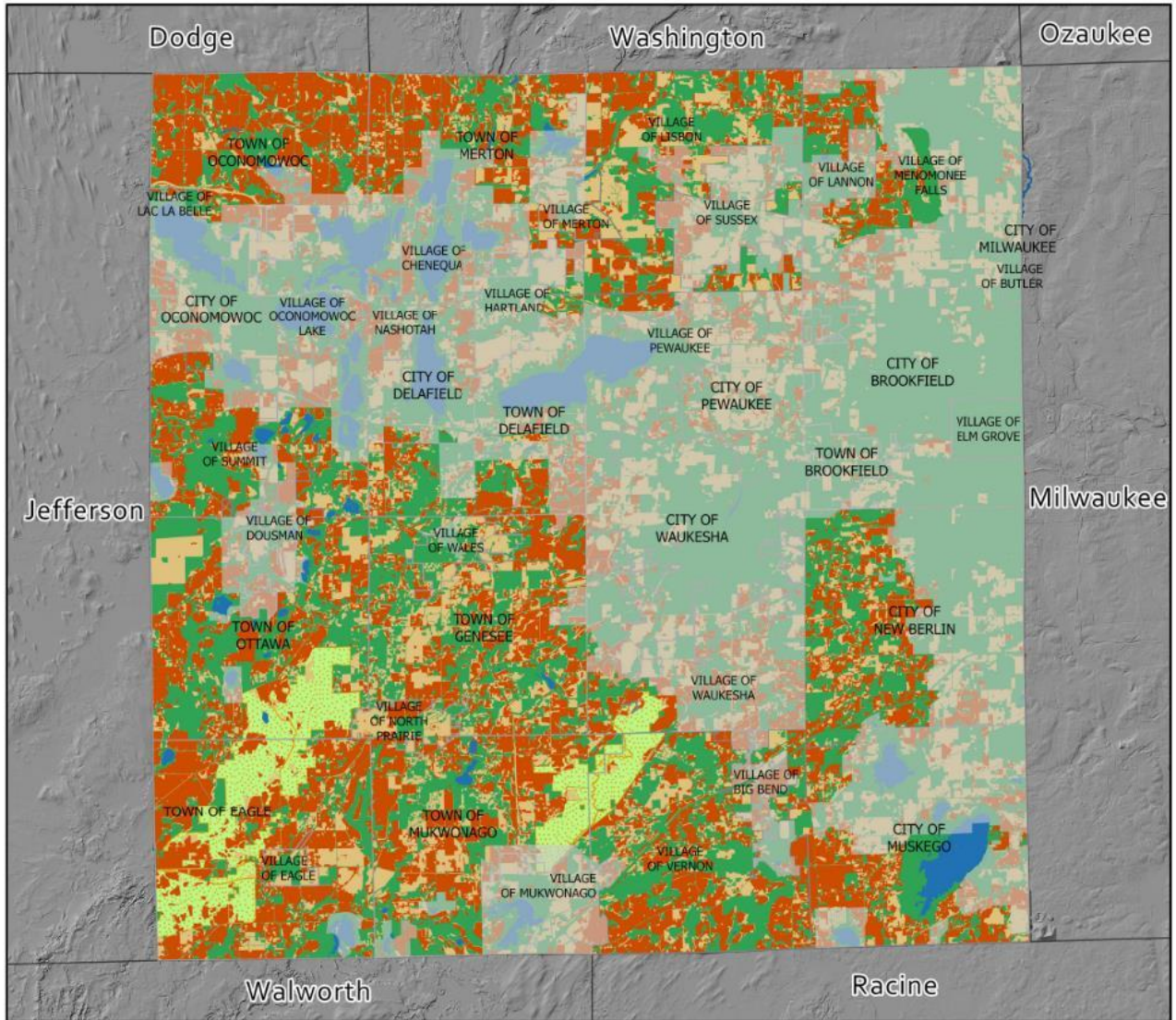
## Agricultural Land Use

The most significant change in land use in Waukesha County in recent decades has been the loss of agricultural land. Between 1963 and 2020, SEWRPC estimated that the county lost 107,469 acres of agricultural land. This averages to approximately 1,885 acres or about three square miles each year. The land absorption rate of agricultural lands lost is slowing, compared to the 3.73 agricultural 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 overall increase in residential land use over time still coincides with the overall loss of agricultural land, as noted in Figure D2-7. 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 D2-7**  
**Acres in Agricultural and Residential Use**  
**Waukesha County 1963 – 2020**



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



### Legend

- Agricultural Land Use: 2020
- Agricultural Lands Converted Since 1980
- Major State Owned Lands
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022



Source: SEWRPC & 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 D2-2 summarizes the known agricultural related businesses in Waukesha County. No specific sources are listed for the data in Table D2-2 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.

Many local businesses that serve a majority of non-farm customers 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 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 D2-2 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.

**Table D2-2  
Agricultural Infrastructure and Support Services in Waukesha County**

<b>Infrastructure or Support Service</b>	<b>Location (Township)</b>	<b>Notes/description</b>
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) Brookfield (1)	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
Gamay Foods Inc	New Berlin	Dairy flavors, enzyme modified dairy products, powder mixing/blending, Grade B processing
Life Way Foods	Waukesha	Kiefer milk processing plant, flavored and unflavored 32-ounce bottles made on site.
Lake Country Foods Inc	Oconomowoc	Ice cream, powder mixing/blending, powdering operation, Grade B processing
Nutrient Management Planners	None within Waukesha County	WI DATCP website – Certified Crop Advisors and Certified Professional Crop Consultants that serve Waukesha County
Waukesha County Farm Bureau	Madison	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.
Gwynn 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 recent 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 (greater than 35-acre parcels) to be planned for agricultural preservation. Map D2-5 shows all 183 square miles recommended for preservation, including parcels greater than 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 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.

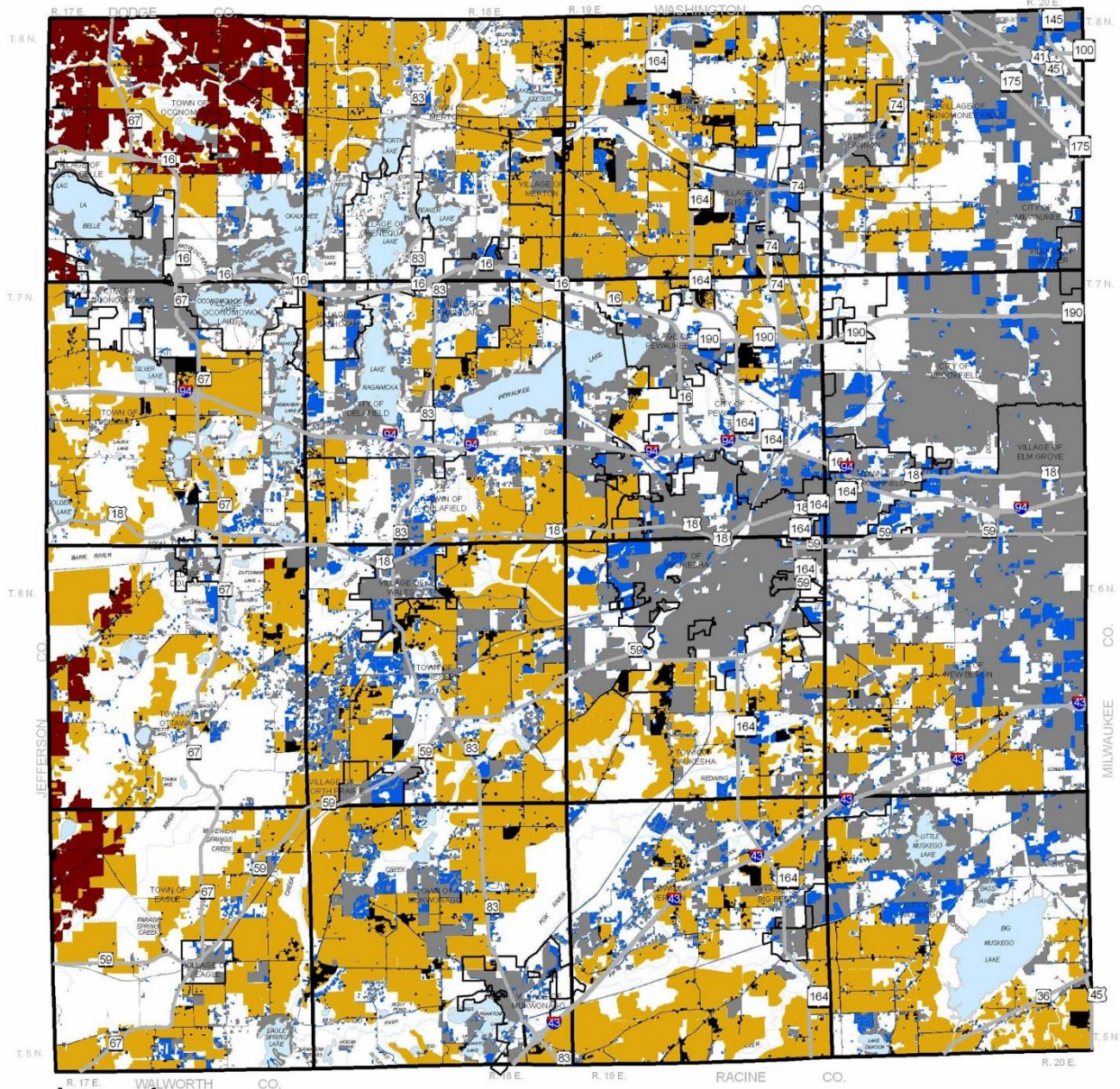
The 1996 Development Plan stipulated that lands planned as “Prime Agricultural Lands” had to be located in a block of at least five square miles. As noted earlier, the five square mile standard was used in the 1990 and 2000 Regional Land Use Plans for Southeastern Wisconsin, adopted by SEWRPC in 1966 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”<sup>9</sup> 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.

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<sup>9</sup> “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.

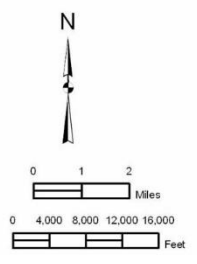
# Map D2-5 Urban Land Use and Farmland Preservation Planning Waukesha County: 1980-1995



## 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



## **2009- A Comprehensive Development Plan for Waukesha County**

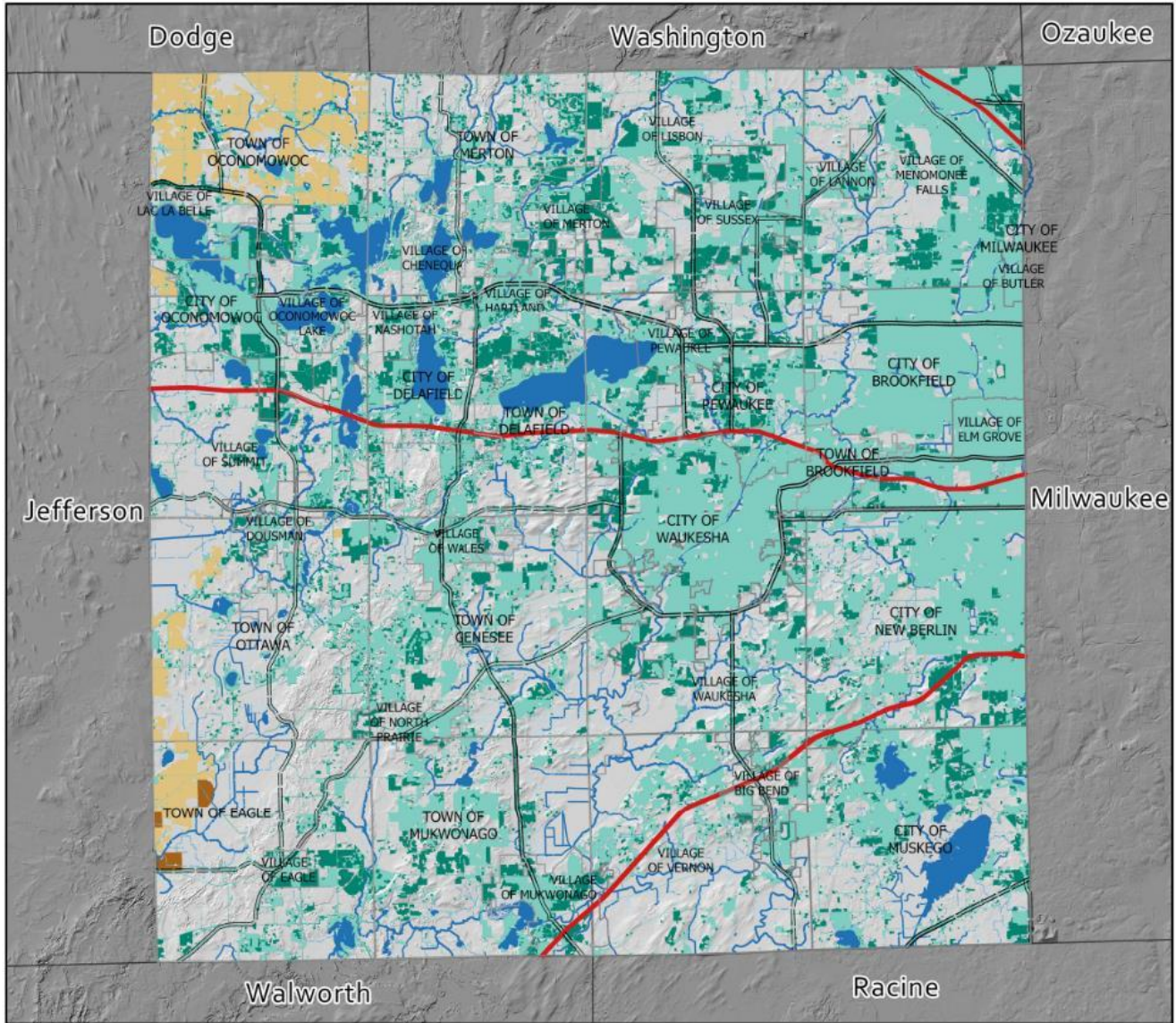
The 2009 Waukesha County Comprehensive Development Plan utilized the same five square mile planning standard for lands to be designated for agricultural preservation. Acreage planned for Prime Agricultural Preservation totaled 10,341 acres (16.2 square miles) county-wide, with the majority of that acreage 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. The net result of land conversions since the first farmland preservation plan is shown in Map D2-4 and was discussed earlier. However, it should be noted that 99% of the land conversions occurred outside of the 1996 farmland preservation areas. With few 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 on the following page 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. 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

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. 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

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.

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

- Town of Eagle
- 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 Town of Eagle is certified under their local zoning ordinance. These zoning ordinances have been submitted to DATCP in accordance with Section 91.36 and 91.38 of the Wisconsin Statutes.

Communities with lands designated as farmland preservation areas must also update their farmland preservation zoning ordinances every 10 years to enable landowners whose lands are zoned for farmland preservation to 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.

Chapter 91 set forth a 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 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.

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. Waukesha County's R-3 Residential District density provisions can be increased by 40% if municipal sewer is available and the minimum required 40% open space or farmland area is preserved in perpetuity. 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)**

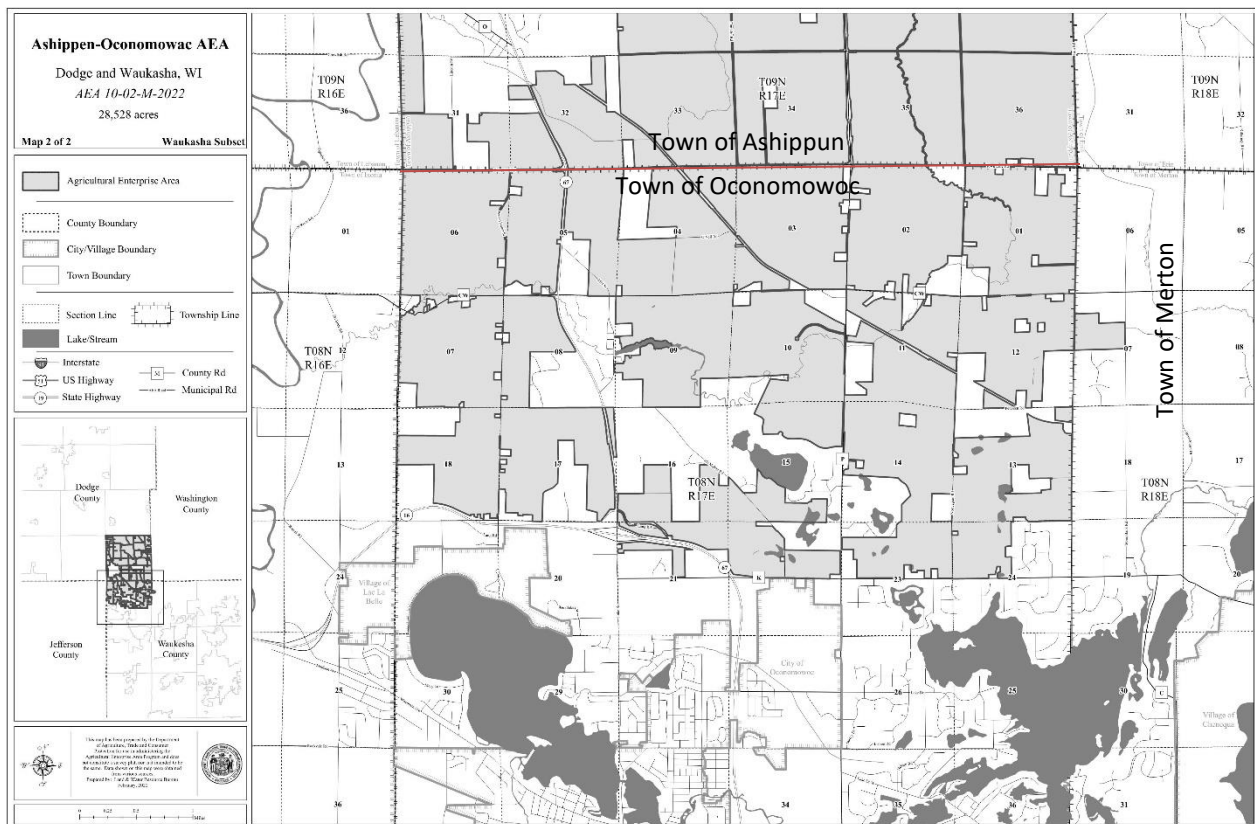
The farmland preservation law provides DATCP with the ability to designate by administrative order certain lands as Agricultural Enterprise Areas in order to foster agriculture in certain designated geographic regions. DATCP defines an AEA as a contiguous land area devoted primarily to agricultural use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



for agricultural preservation and agricultural development.<sup>1</sup> 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 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 9,575 acres (15 square miles), as shown in Map D3-1. 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**



<sup>1</sup> *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 makes 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, none of which were established prior to 2009. Today, only landowners in AEAs can enter into new Farmland Preservation Agreements or extend existing agreements beyond their original term. 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.<sup>2</sup>

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](http://www.farmland.org). Some highlights of comparisons for the programs they studied 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.
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.

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

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 compensates 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.

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

The concept of Transfer of Development Rights is similar to that of purchase of development rights. 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 2007 study on national TDR programs identified nearly 200 such programs that were active in the United States.<sup>3</sup> 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. Such a program may be an option for a community to consider in the absence of a local funding mechanism available to assist in purchase of development rights.

### **Farmland Preservation Income Tax Credits**

The 2009 State Farmland Preservation Law revisions changed the eligibility requirements for farmland preservation tax credits. The program directs tax incentives to lands zoned for farmland preservation and lands within AEAs. The income tax benefits available in 2023 are as follows:

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

- \$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 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 Wisconsin<sup>4</sup>. More information can be found at [www.farmland.org](http://www.farmland.org).

## **FARMLAND PRESERVATION PLANNING STANDARDS AND RECOMMENDATIONS**

Planning can be described as a rational process for formulating and achieving objectives. The planning process for the Farmland Preservation Plan amendments includes establishing objectives, principles and standards. 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.

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<sup>4</sup> *American Farmland Trust. 2021. "Wisconsin Farmland Protection Partnership Project."*  
[www.farmland.org/project/wisconsin-rcpp/](http://www.farmland.org/project/wisconsin-rcpp/).

## **Farmland Preservation Objective #1**

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

### **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. 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 2009 WCCDP and the 1998 draft Farmland Preservation Plan update. Some of the 1998 text explaining the difficulties of preserving small blocks of farmland was repeated in the 2009 WCCDP, and remains relevant in 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. The 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.

### **Primary Standard – Farmland Preservation Areas**

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 <sup>a</sup> land use is agricultural, primary/secondary environmental corridor or isolated natural areas, as defined by SEWRPC <sup>a</sup>;
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

#### *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 <sup>a</sup>;
6. Outside of any planned and refined sewer service area boundary, unless the parcel has an existing or planned agricultural preservation easement;
7. Fifty percent (50%) of agricultural soils are Land Capability Class I or II, or soils of “Statewide Importance”, as defined by NRCS. <sup>b</sup>

### Explanations

<sup>a</sup> The word “planned” exempts 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 Plan. All land uses are consistent with SEWRPC definitions. “Agricultural” lands include cropland, pastureland, orchards, farmsteads, and other contiguous specialty agricultural or open/unused lands.

<sup>b</sup> 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 criterion. The “statewide importance” category expands the acceptable soils list to include wet and droughty soils and fields with slopes up to 12%. 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<sup>a</sup> 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%)<sup>b</sup> is land ownership parcels of 35 acres or more;
4. Sixty percent (60%)<sup>b</sup> 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:

<sup>a</sup> 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.

<sup>b</sup> 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 50% of the county, shown as a grey area in Map D3-2;
2. The remaining 2020 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 58,863 acres or 16% 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 farmland areas of Waukesha County that meet the primary criteria for Farmland Preservation Areas, which is also summarized in Table D3-1. There are 14,624 total farmland acres, including farmland targeted for farmland preservation, making up 20% of all farmland in the county as of 2020. Of this total, 10,362 farmland acres, of which 6,926 acres is farmland outside of the environmental corridor, are 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 between 2014- 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. 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 remaining 30% of the lands targeted for farmland preservation are located in Map Unit #4 along the western borders of the Town of Ottawa 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. 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. 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 and consistent with the wishes of the owner, in addition to an amendment which



removed a 4.5 acre parcel of DNR land from the category in 2014. It should be noted that the 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 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 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 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 20,283 total acres in the unrefined areas to consider for future AEA designation, making up 28% of all farmland in the county as of 2020. The mapped areas are divided into ten map units, as summarized in 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. 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 reexamine 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 to ensure the 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***

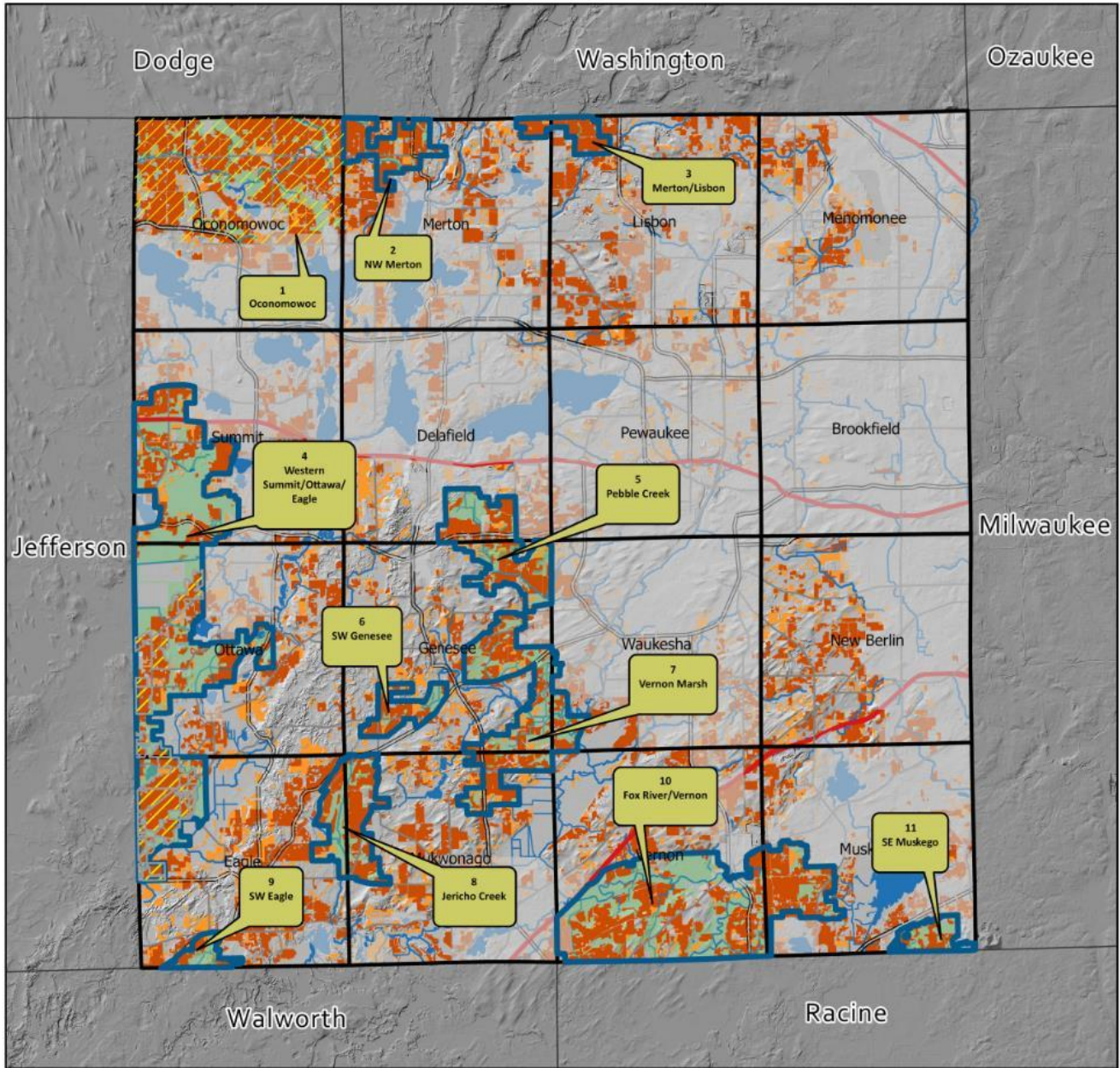
1. Local communities should consider designating lands identified as Farmland Preservation Areas in the County Farmland Preservation Plan in similar local plan categories to maintain consistency between local and county plans and to ensure protection of prime farmland.
2. Communities that contain areas 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 landowners to petition for designation of potential AEAs.
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 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. 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.

# 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

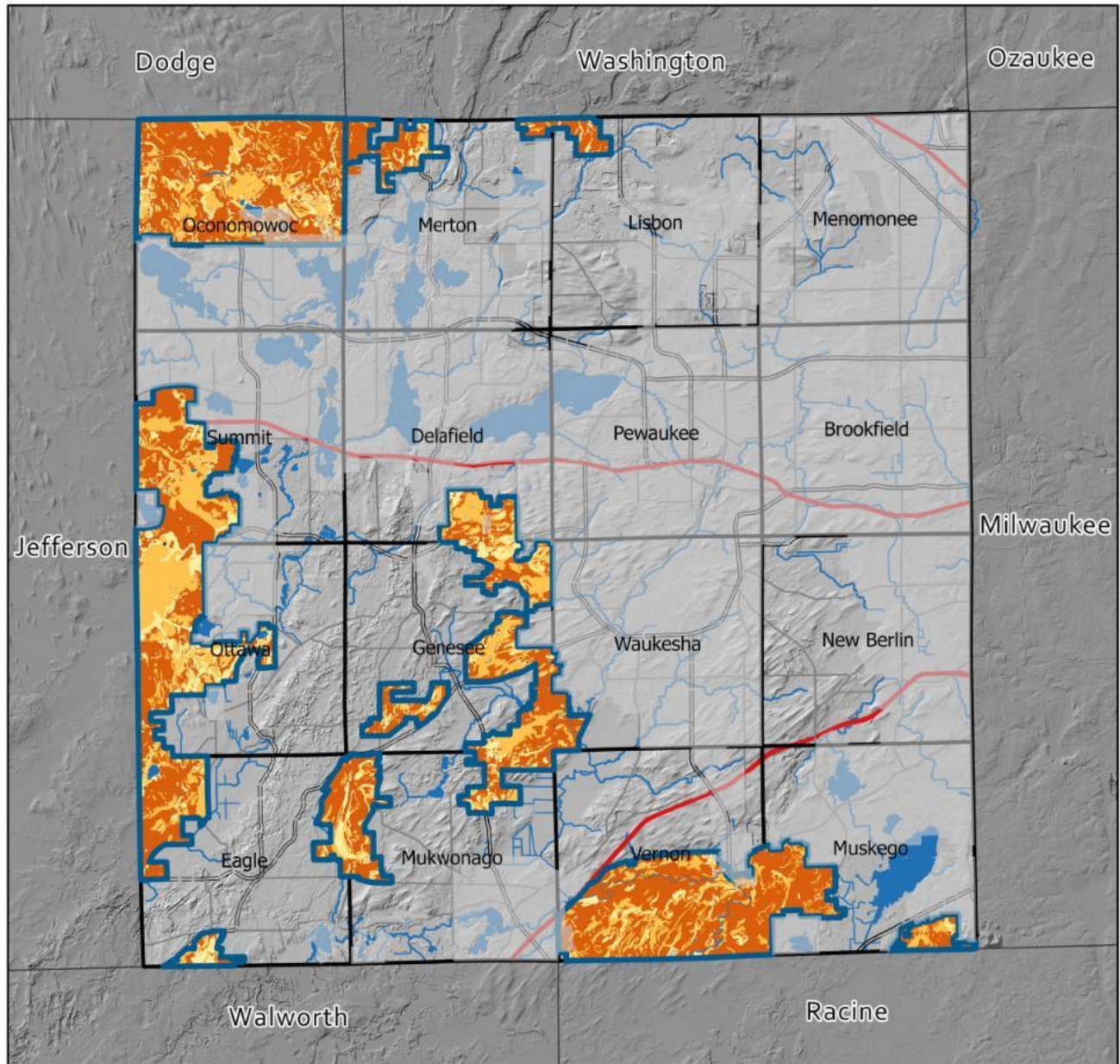
Map Unit #	Map Unit Name	Map Unit Acres	Square Miles	% Parcels >35 ac.	Ag. Land Use Only (% and total acres)	Ag. and Open/Unused Rural Land Use (% and total acres)	Farm Pres. Planned Ac. in Local Plans**
<b>Targeted Farmland for Preservation*</b>							
1	Oconomowoc	10,362	16.0	85%	67% 6,926	73% 7,542	10,362
<b>Unrefined Areas to Consider for Future Agricultural Enterprise Area Designation</b>							
2	NW Merton	1,971	3.0	66%	73% 1,430	77% 1,521	80
3	Merton/Lisbon	1,028	0.6	85%	86% 884	89% 912	0
4	Western Summit/Ottawa/Eagle	17,019	26.6	75%	41% 4,331	46% 7,821	4,262*
5	Pebble Creek	3,898	6.0	64%	48% 1,865	59% 2,295	0
6	SW Genesee	1,279	2.0	82%	52% 660	66% 841	0
7	Vernon Marsh	5,936	9.3	72%	47% 2,811	56% 3,319	0
8	Jericho Creek	3,234	5.0	73%	58% 1,867	62% 2,004	0
9	SW Eagle	707	1.0	70%	50% 352	58% 411	0
10	Fox River/Vernon	12,423	19.0	61%	46% 5,711	51% 6,362	0
11	SE Muskego	1,006	1.6	67%	46% 458	49% 488	0
Subtotals of Map Units 1-11		58,863	90.1		27,295	33,516	14,624

\* There are 4,262 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



Source: SEWRPC & Waukesha County

## **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 housing density should be 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 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 AEAs and the Wisconsin Farmland Protection Partnership Project can help keep agriculture viable by providing financial incentives to farmers to reinvest in their farms and keep their land in agricultural use.

### **Standard**

All communities containing farmland preservation areas should maintain a DATCP certified farmland preservation zoning ordinance and establish a process for supporting other agricultural assistance programs.

### ***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 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.
4. County and local planning staff should provide technical support to individuals or organizations wishing to pursue an AEA 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 four maps in Exhibit B – one for each of the four towns that contain lands that met all of the criteria for the Primary Standard for Farmland Preservation. 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. The areas included in the Farmland Preservation Plan include 10,362 acres for the Town of Oconomowoc; 1,688 acres for the Town of Ottawa; and 2,574 acres for the Town of Eagle. These total acres are 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 in the Town of Merton, 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 previous plan amendment (Appendix D) changed 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 was 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-4) 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 1960s. 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 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. This plan 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 four detailed Farmland Preservation Plan Maps, as presented in Exhibit B. To address concerns expressed by the Advisory Committee in 2011, the 2011 Farmland Preservation Plan also proposed 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	18,074 ac.	25%
Farmland Located Outside of Planned Sewer Service Areas but in Blocks of Less than 1000 Contiguous Acres	24,160 ac.	33%
Farmland Located in Unrefined Areas to Consider for Future AEA Designation (see Exhibit A)	20,283 ac.	28%
Farmland Located in Final Farmland Preservation Plan Maps (see Exhibit B)	9,855 ac.	14%
<b>Total Farmland in Waukesha County: 2020</b>	<b>72,372 acres</b>	<b>100.00%</b>

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 14% of the county farmland is currently in a farmland

areas that could be designated for AEA classification in the future. The remaining 58% of county farmland is either located in a planned sewer service area from an adjoining urban area (25%), or as of 2020, is segmented into blocks of contiguous farmland less than 1000 acres (33%). 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.

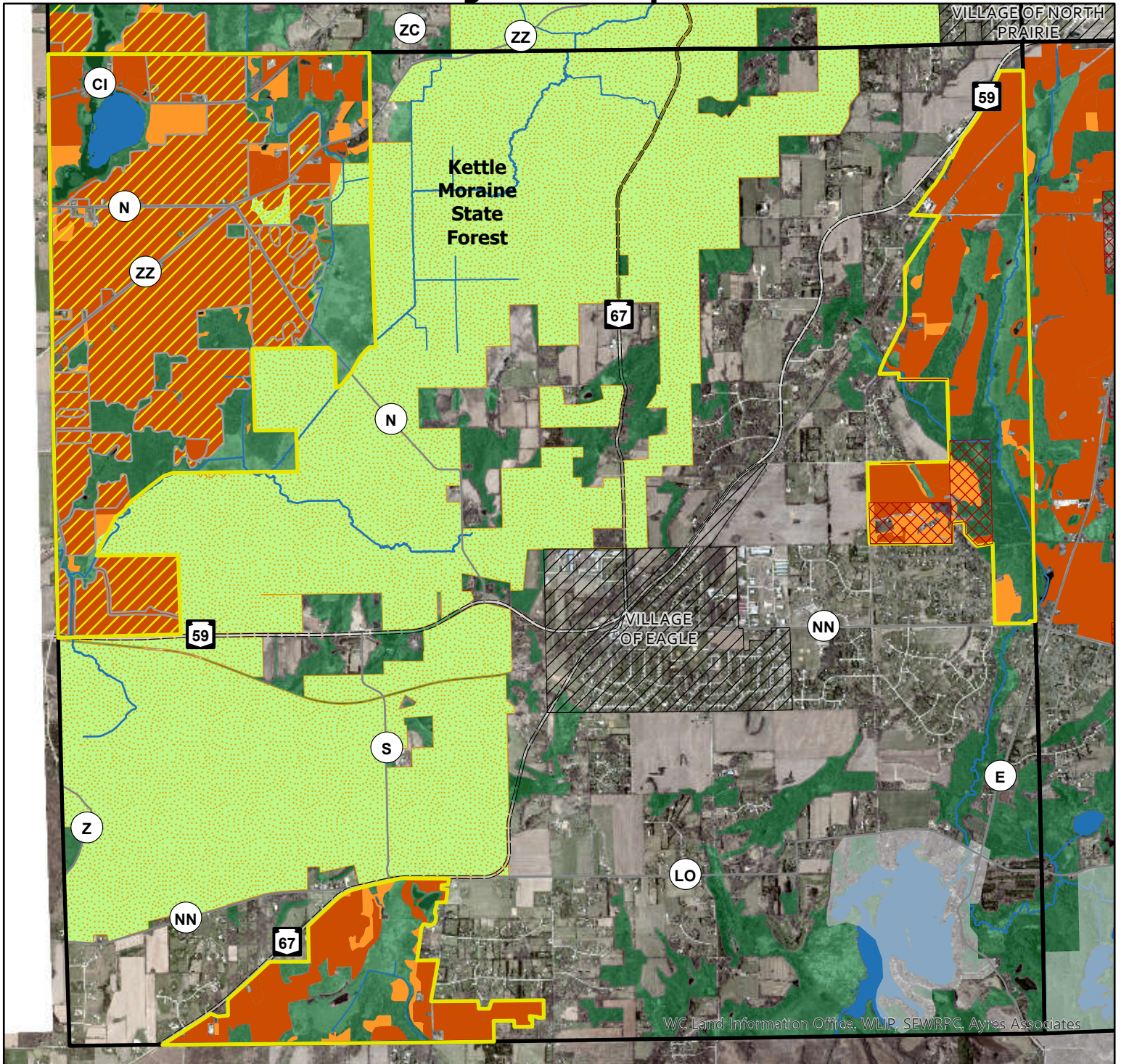
**Exhibit A**

Township Data Summary and Maps of  
Farmland Preservation Plan

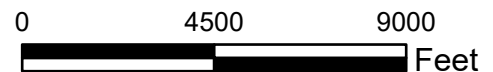
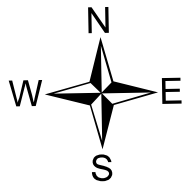
*Waukesha County, Wisconsin*

# 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

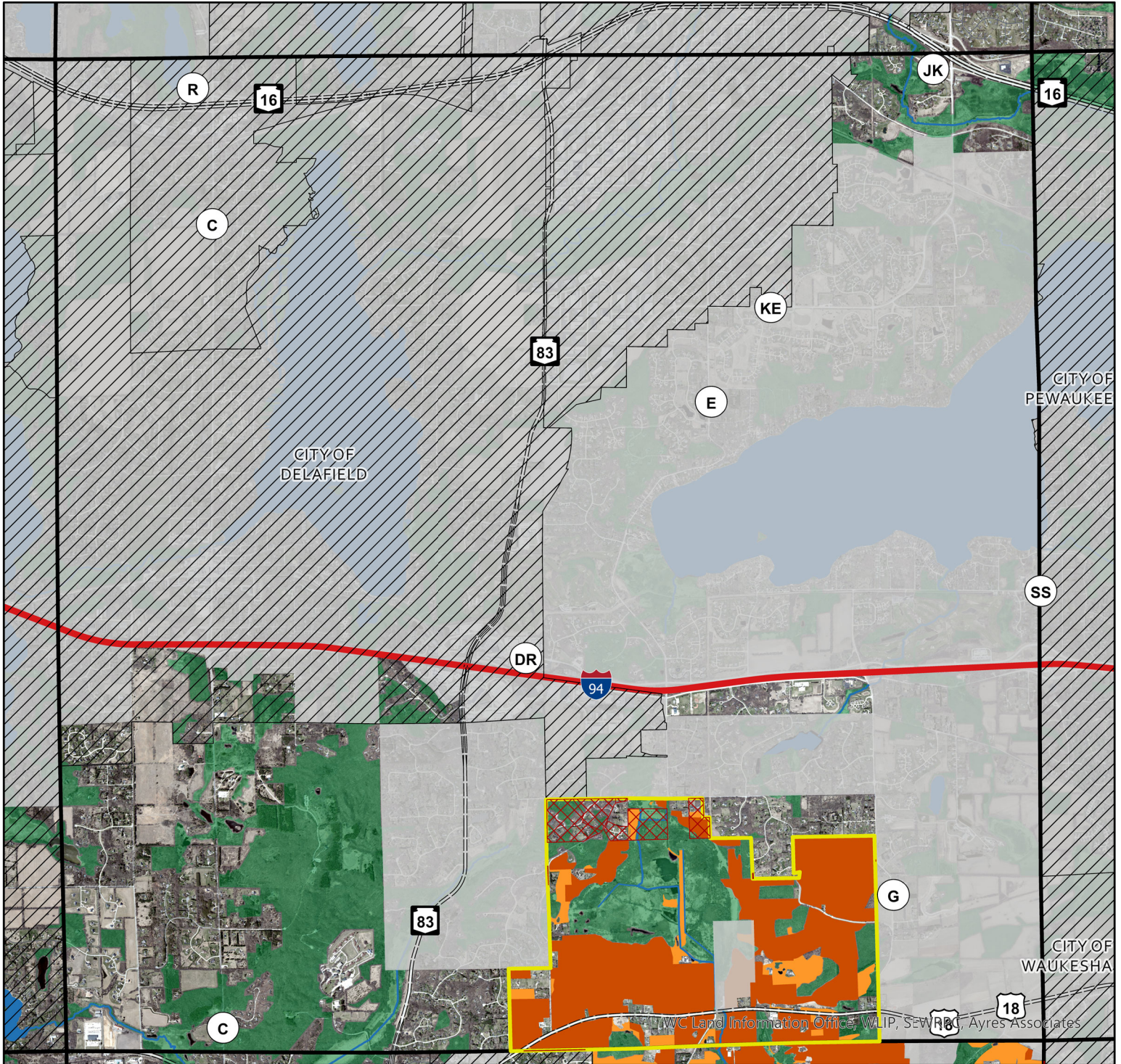


Source: SEWRPC & Waukesha County

WC Land Information Office, WLIP, SEWRPC, Ayres Associates

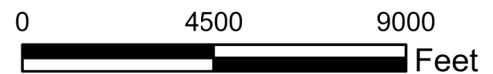
# MAP DA-2

## Unrefined Areas to Consider for Future AEA Designation Delafield Township



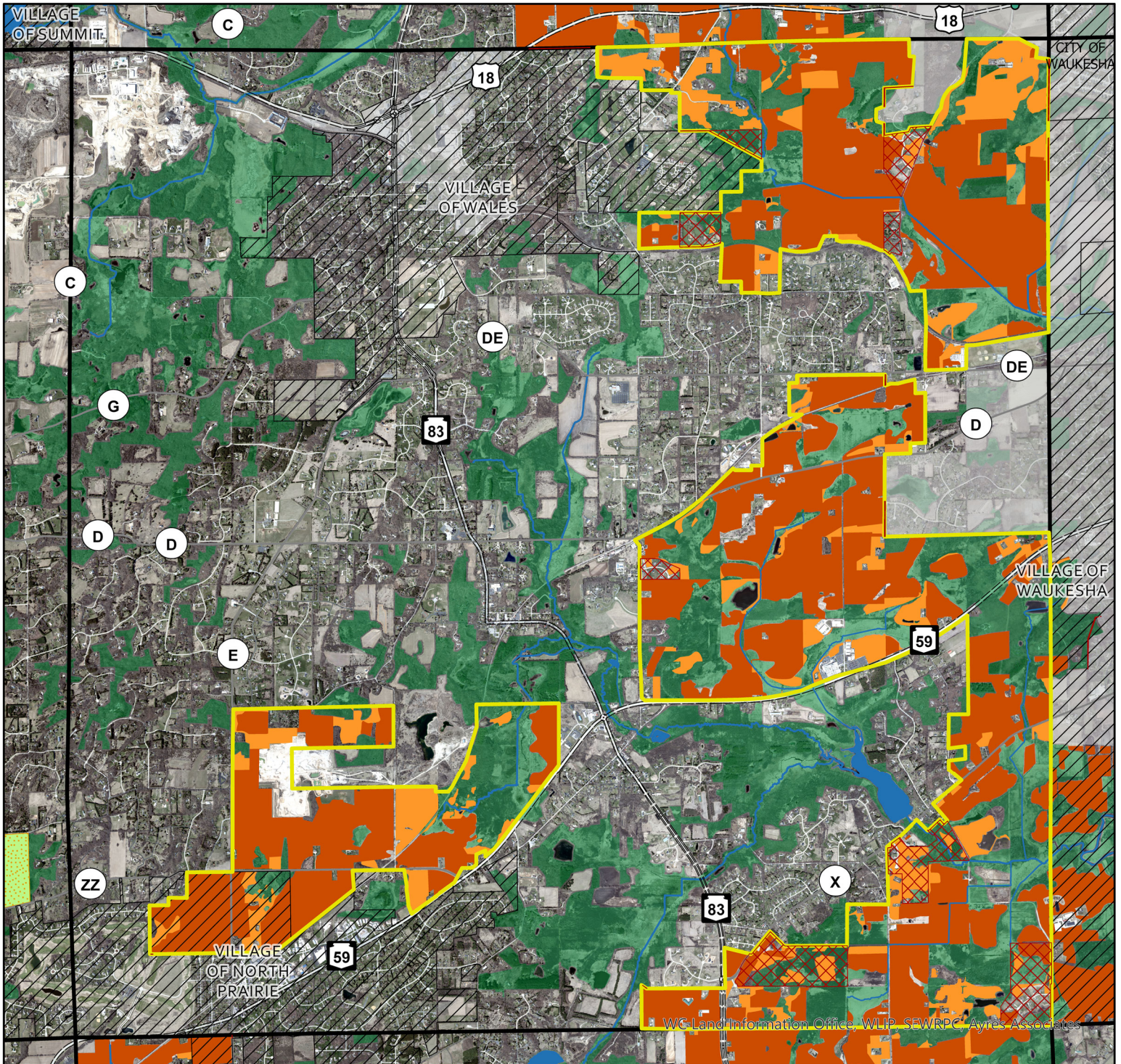
- Pebble Creek Unrefined Future AEA Map Unit
- 2020 Agricultural Land Use
- 2020 Unused Rural Land Use
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022
- Cities & Villages
- Condominiums & Subdivisions Within Future AEA Map Units

Source: SEWRPC & Waukesha County



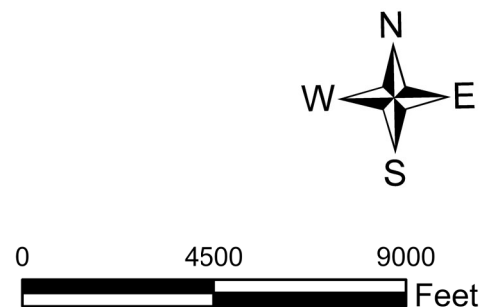
# MAP DA-3

## 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

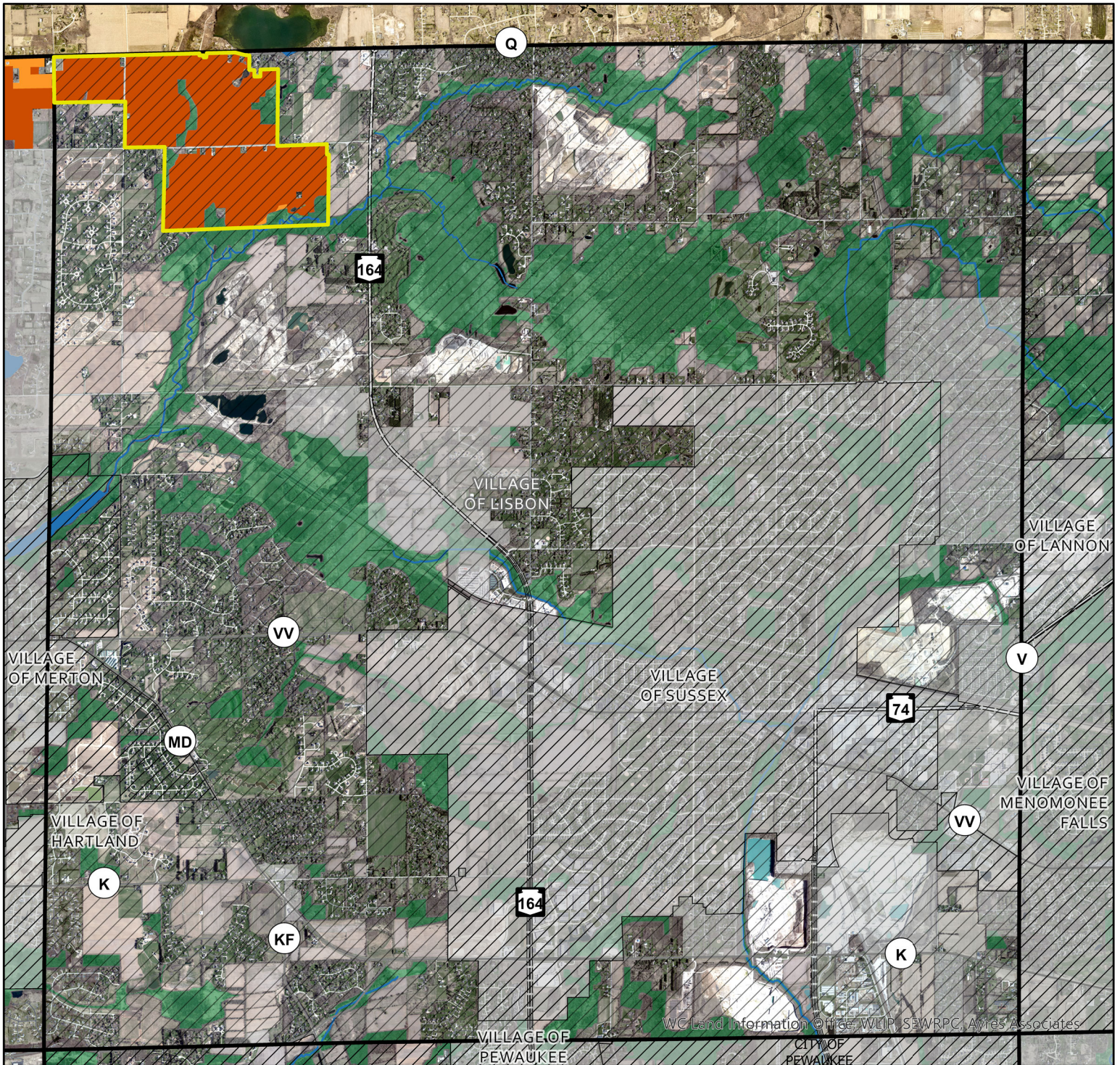
Source: SEWRPC & Waukesha County



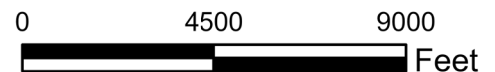
# MAP DA-4

## 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

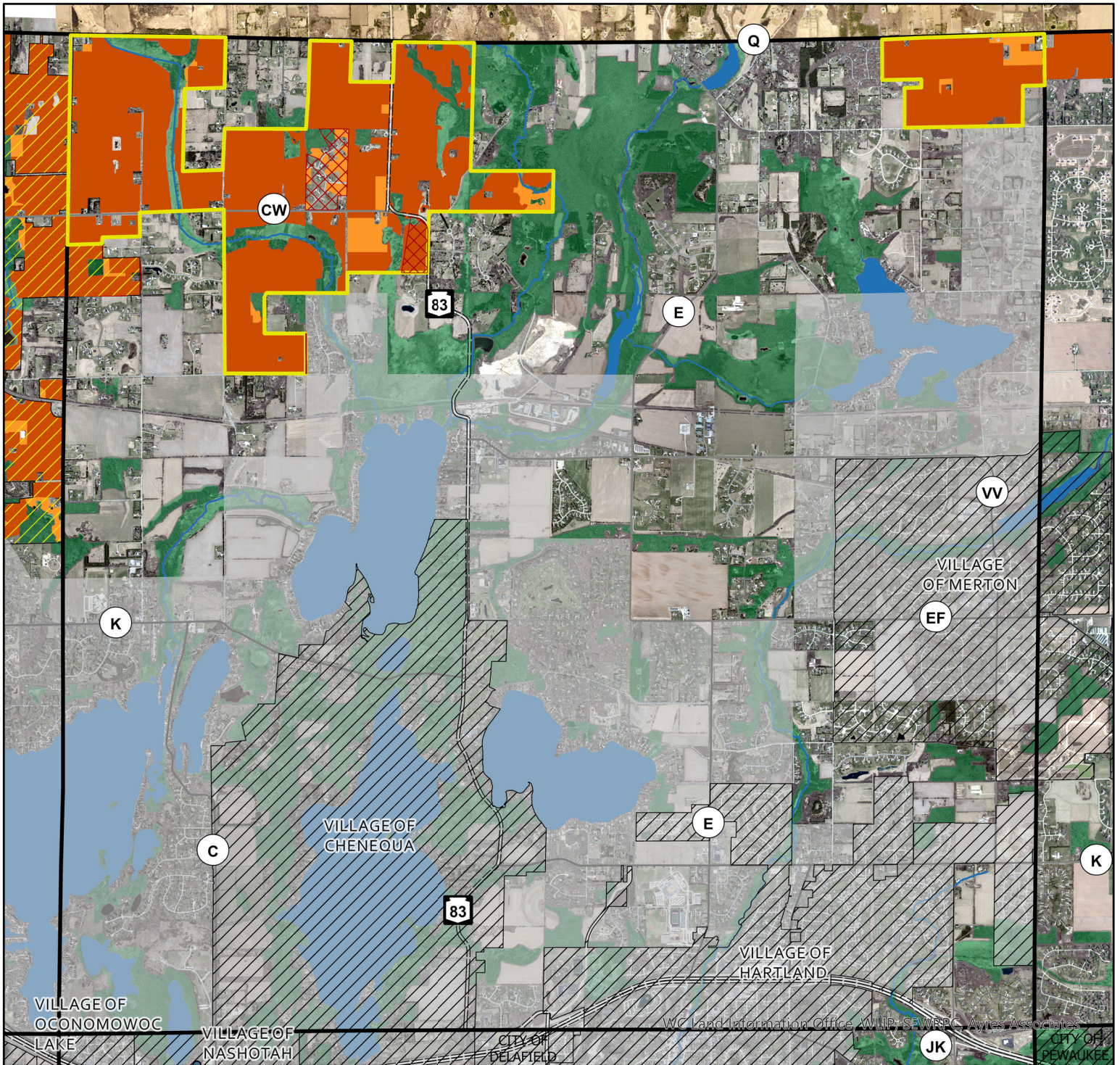


Source: SEWRPC & Waukesha County

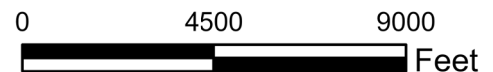


# MAP DA-5

## Unrefined Areas to Consider for Future AEA Designation Merton Township

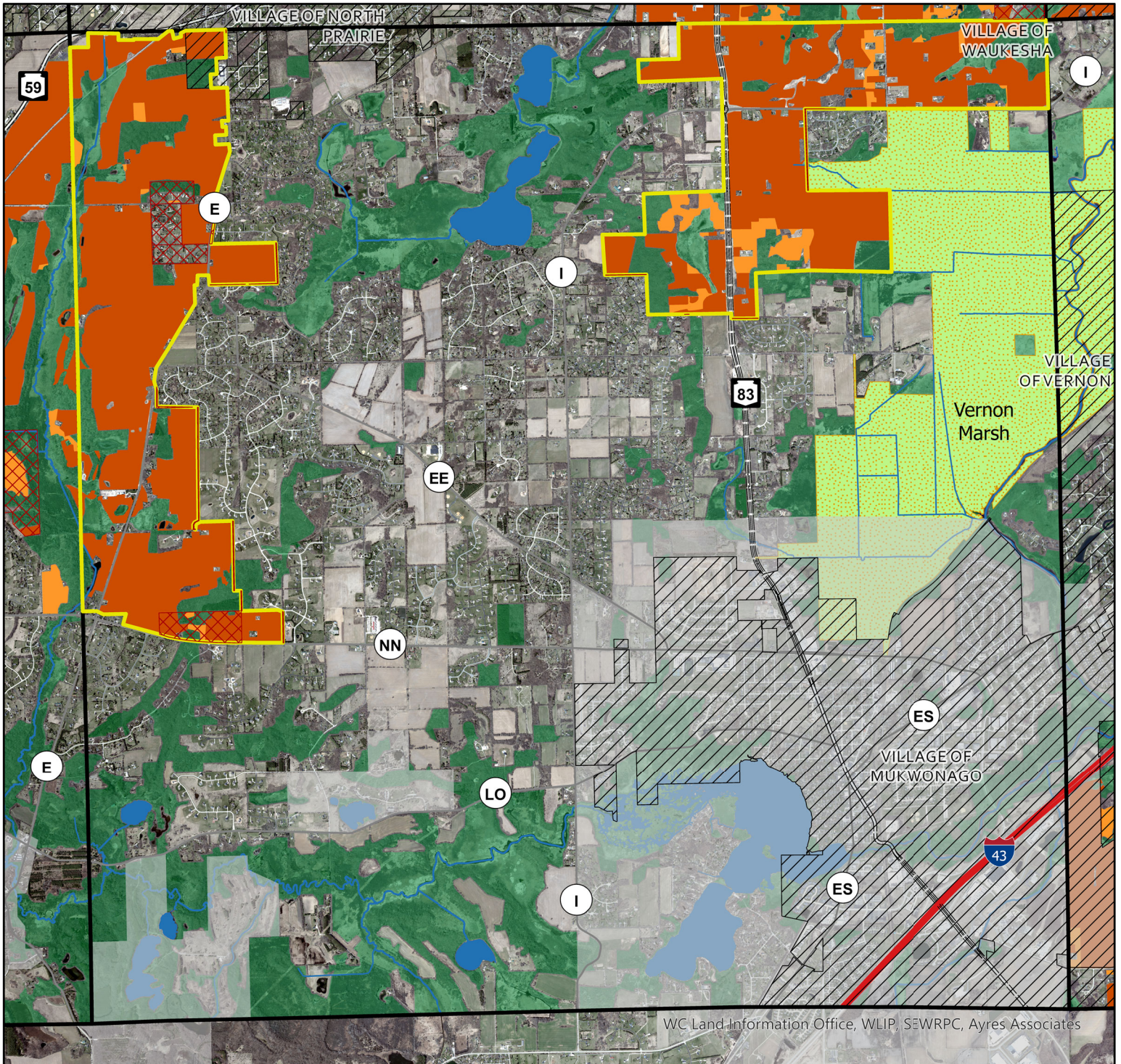


- Merton & Merton/Lisbon Unrefined Future AEA Map Units
  - Farmland Preservation Area
  - 2020 Agricultural Land Use
  - 2020 Unused Rural Land Use
  - Environmental Corridor: 2015
  - Proposed Sewer Service Area: 2022
  - Cities & Villages
  - Condominiums & Subdivisions Within Future AEA Map Units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



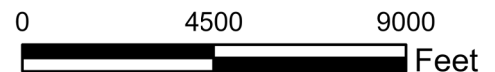
# MAP DA-6

## Unrefined Areas to Consider for Future AEA Designation Mukwonago Township



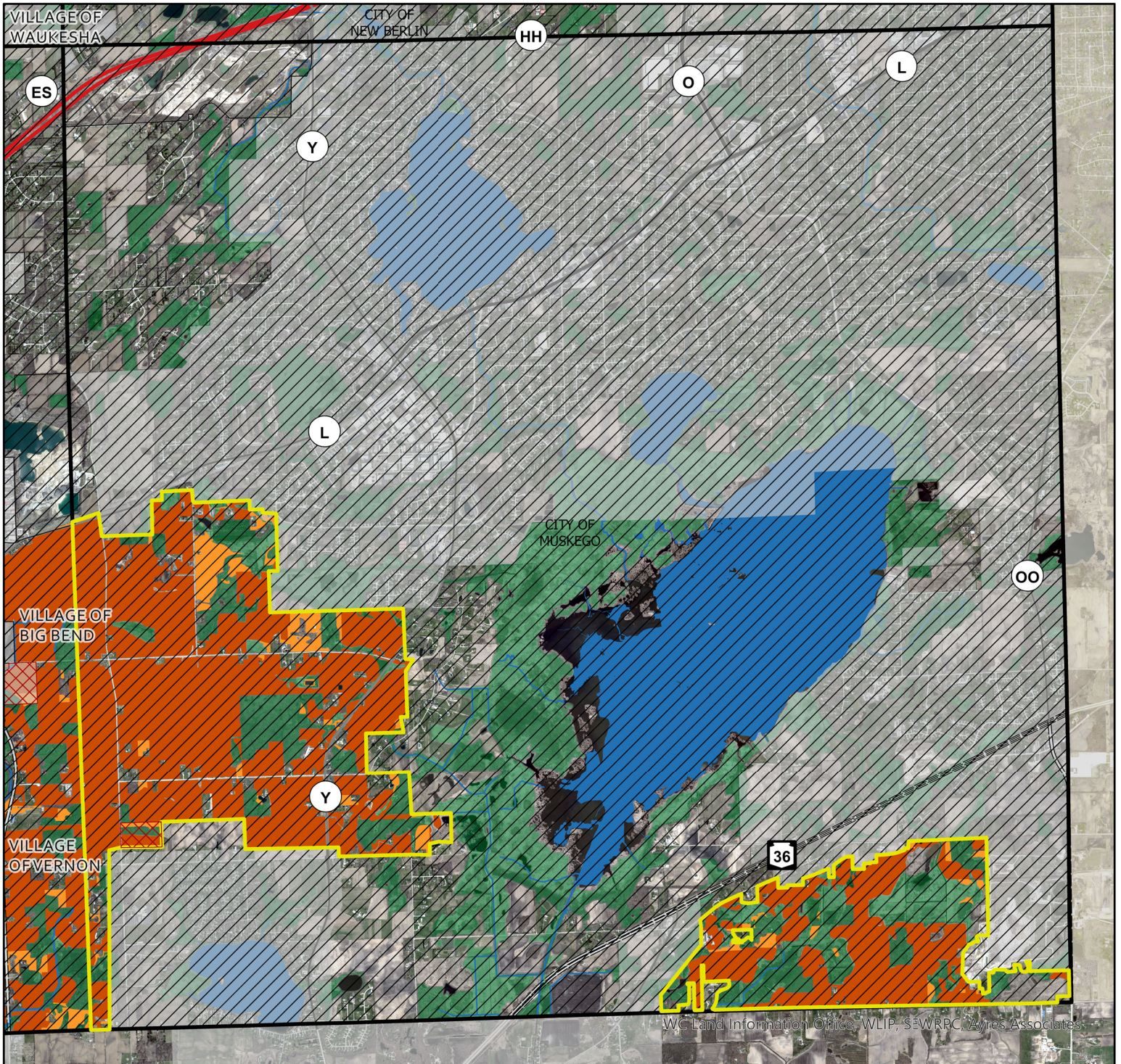
WC Land Information Office, WLIP, SEWRPC, Ayres Associates

- 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

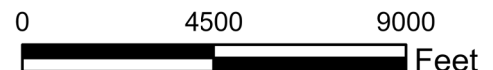


# MAP DA-7

## Unrefined Areas to Consider for Future AEA Designation Muskego Township

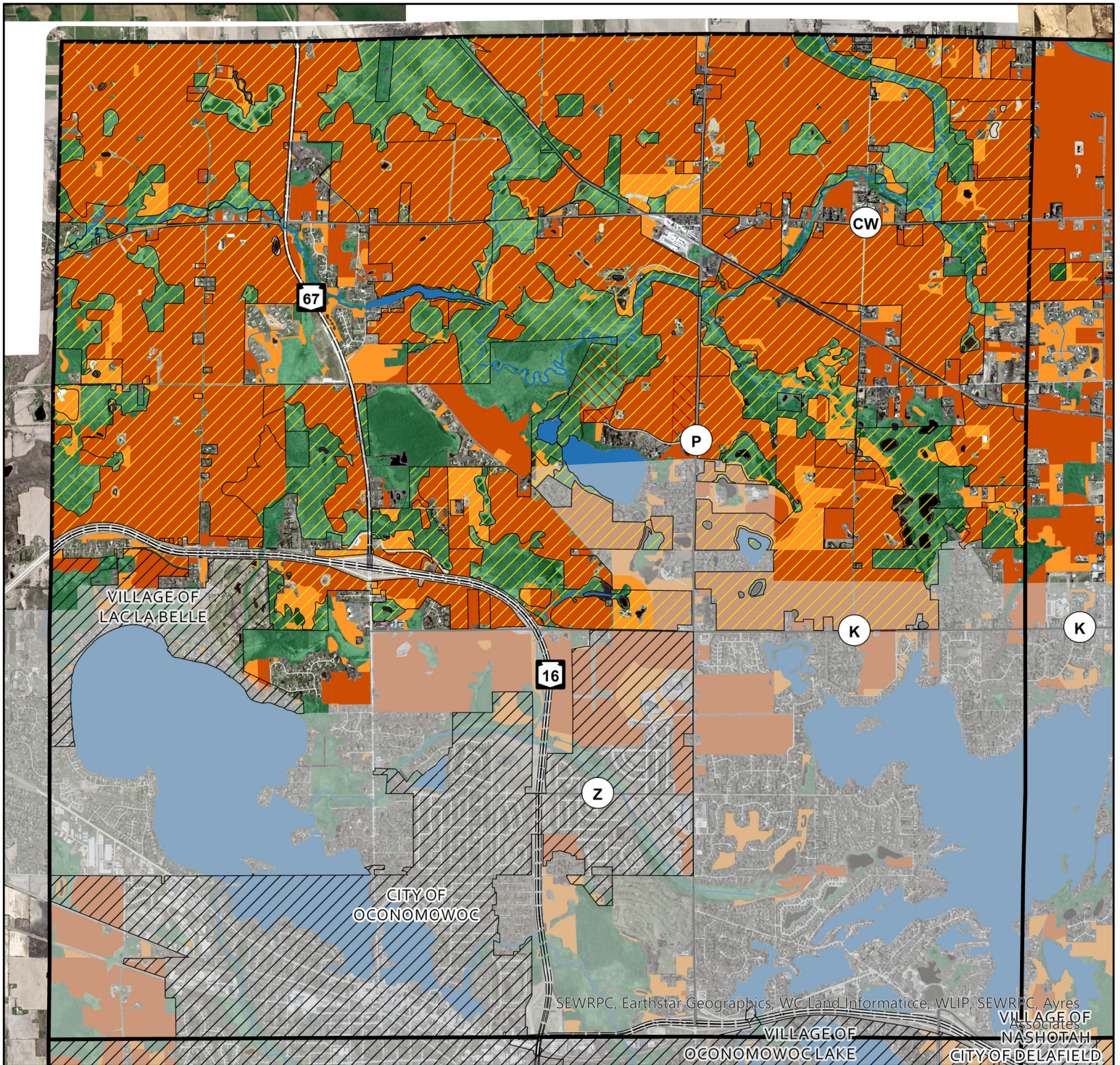









- Fox River & Muskego Unrefined Future AEA Map Units
- 2020 Agricultural Land Use
- 2020 Unused Rural Land Use
- Environmental Corridor: 2015
- Proposed Sewer Service Area: 2022
- Cities & Villages
- Condominiums & Subdivisions Within Future AEA Map Units

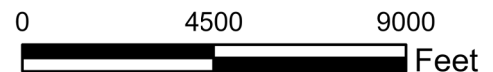


Source: SEWRPC & Waukesha County

# MAP DA-8 Farmland Preservation Plan Oconomowoc Township

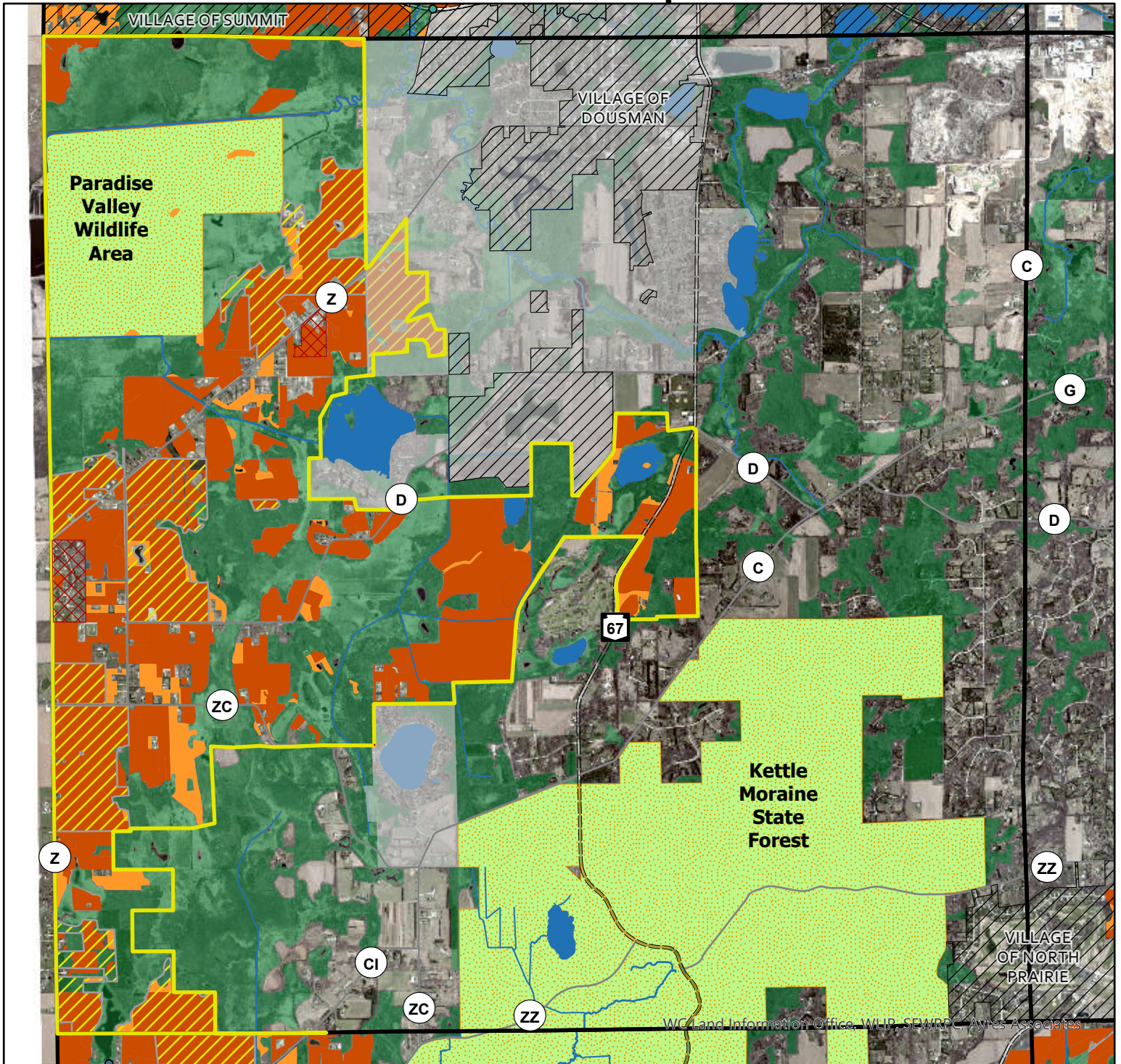


-  Farmland Preservation Area
-  Environmental Corridor: 2015
-  2020 Agricultural Land Use
-  2020 Unused Rural Land Use
-  Proposed Sewer Service Area: 2022
-  Cities & Villages
-  Condominiums & Subdivisions Within Future AEA Map Units



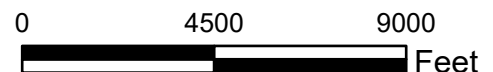
Source: SEWRPC & Waukesha County

# MAP DA-9 Farmland Preservation Plan and Unrefined Areas to Consider for Future AEA Designation Ottawa Township



WGLand Information Office, WLIP, SEWRPC, Ayres Associates

- 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

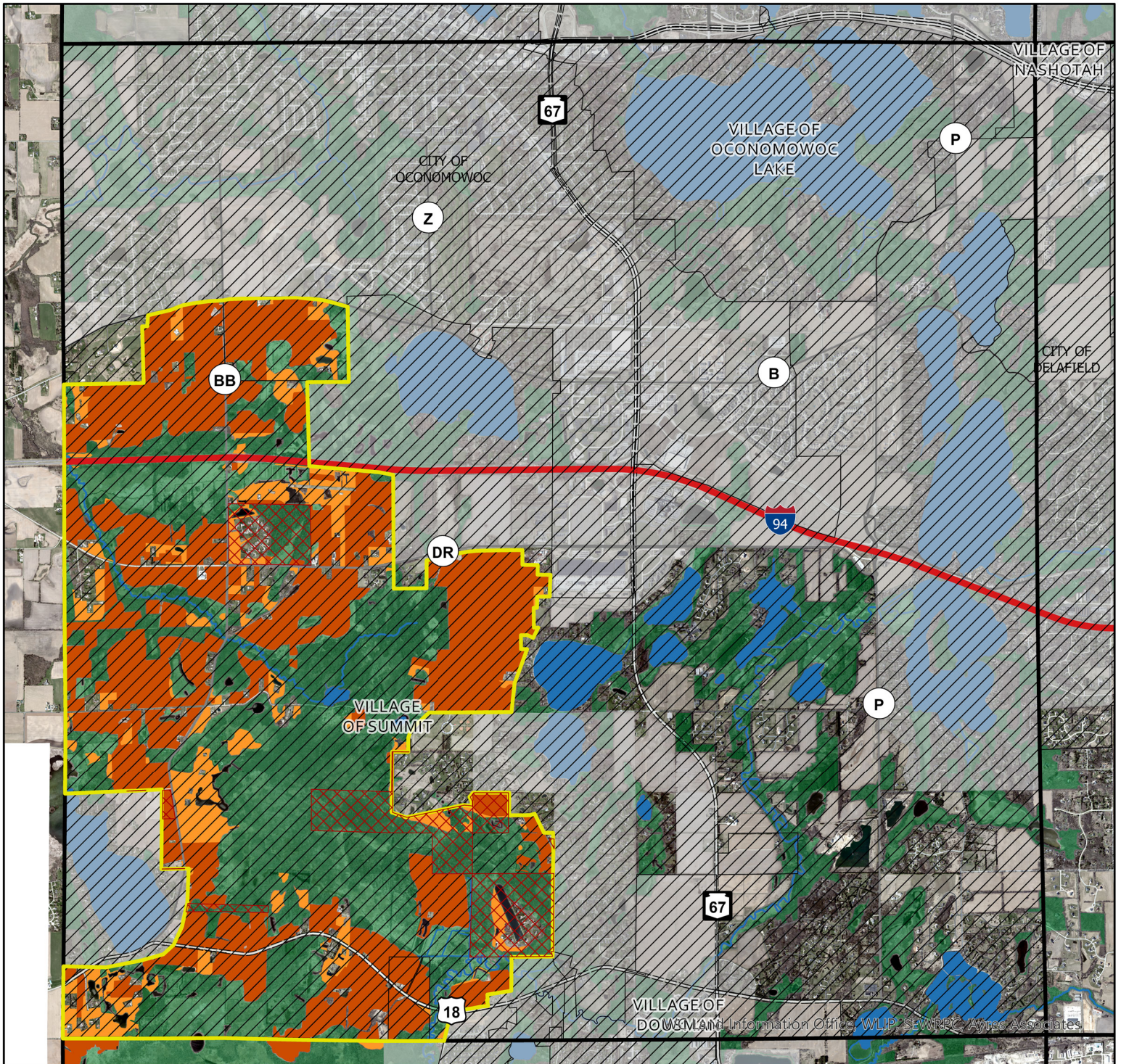


Source: SEWRPC & Waukesha County

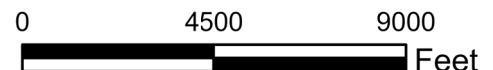
# MAP DA-10

## 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

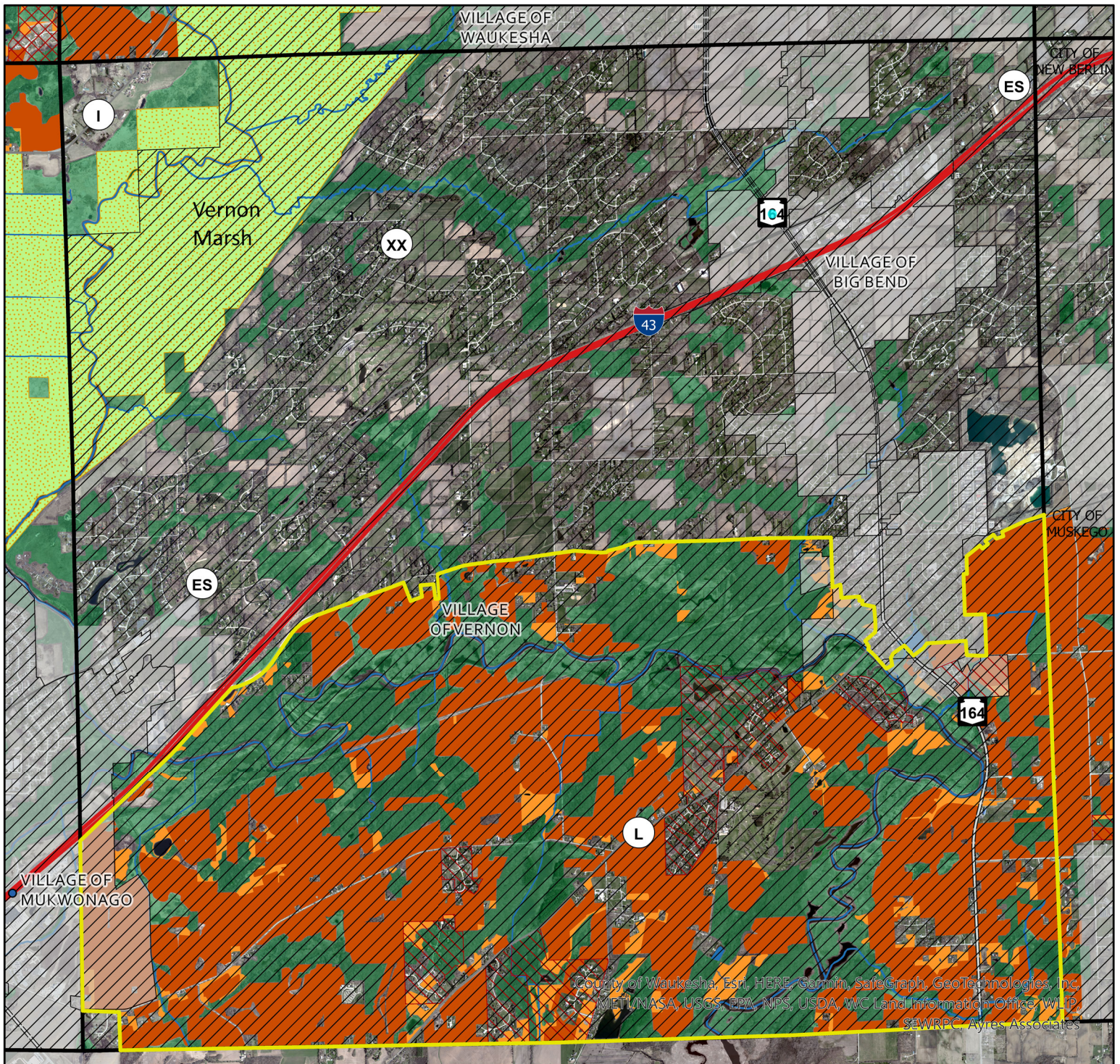


Source: SEWRPC & Waukesha County

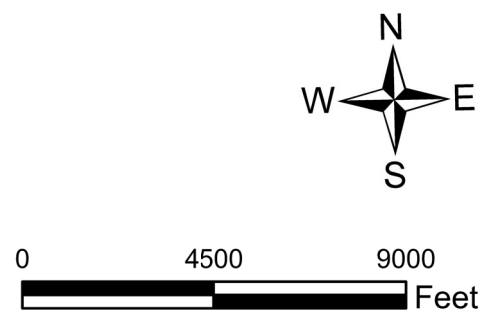
# MAP DA-11

## Unrefined Areas to Consider for Future AEA Designation

### Vernon Township



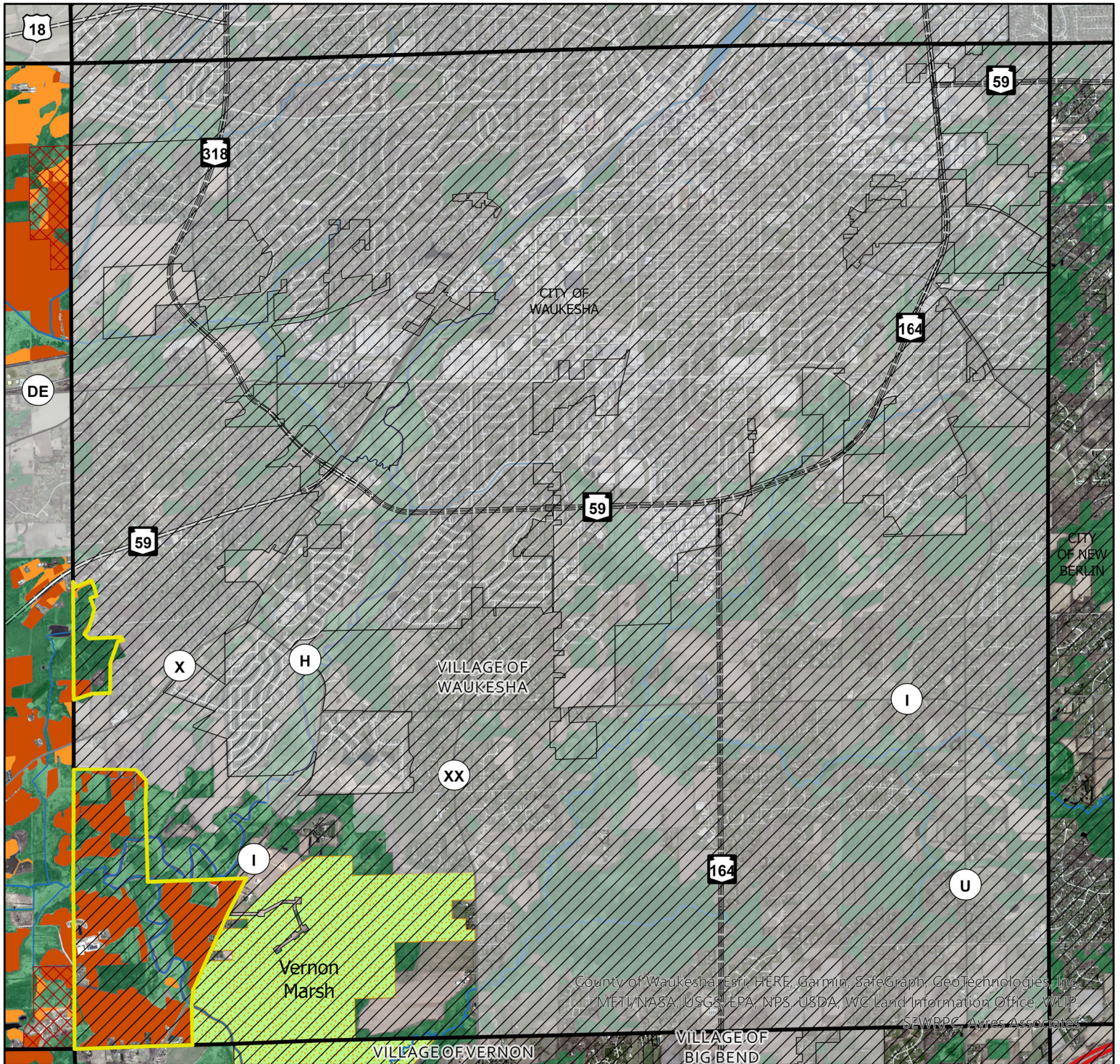
- Fox River Unrefined Future AEA Map Unit
  - 2020 Agricultural Land Use
  - 2020 Unused Rural Land Use
  - Major State Owned Lands
  - Environmental Corridor: 2015
  - Proposed Sewer Service Area: 2022
  - Cities & Villages
  - Condominiums & Subdivisions Within Future AEA Map Units
- Source: SEWRPC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



# MAP DA-12

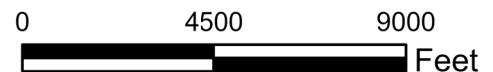
## Unrefined Areas to Consider for Future AEA Designation

### 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

County of Waukesha Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI, NASA, USGS, EPA, NPS, USDA, WC Land Information Office, WLIP, SAWRPC, Aviris Associates





**Table DA-1**

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

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

<b>Vernon</b> (DA-11)	6,857	0	0	4,137	60	2,720	40
<b>Waukesha</b> (DA-12)	3,270	0	0	377	12	2,893	88
<b>Totals =</b>	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**

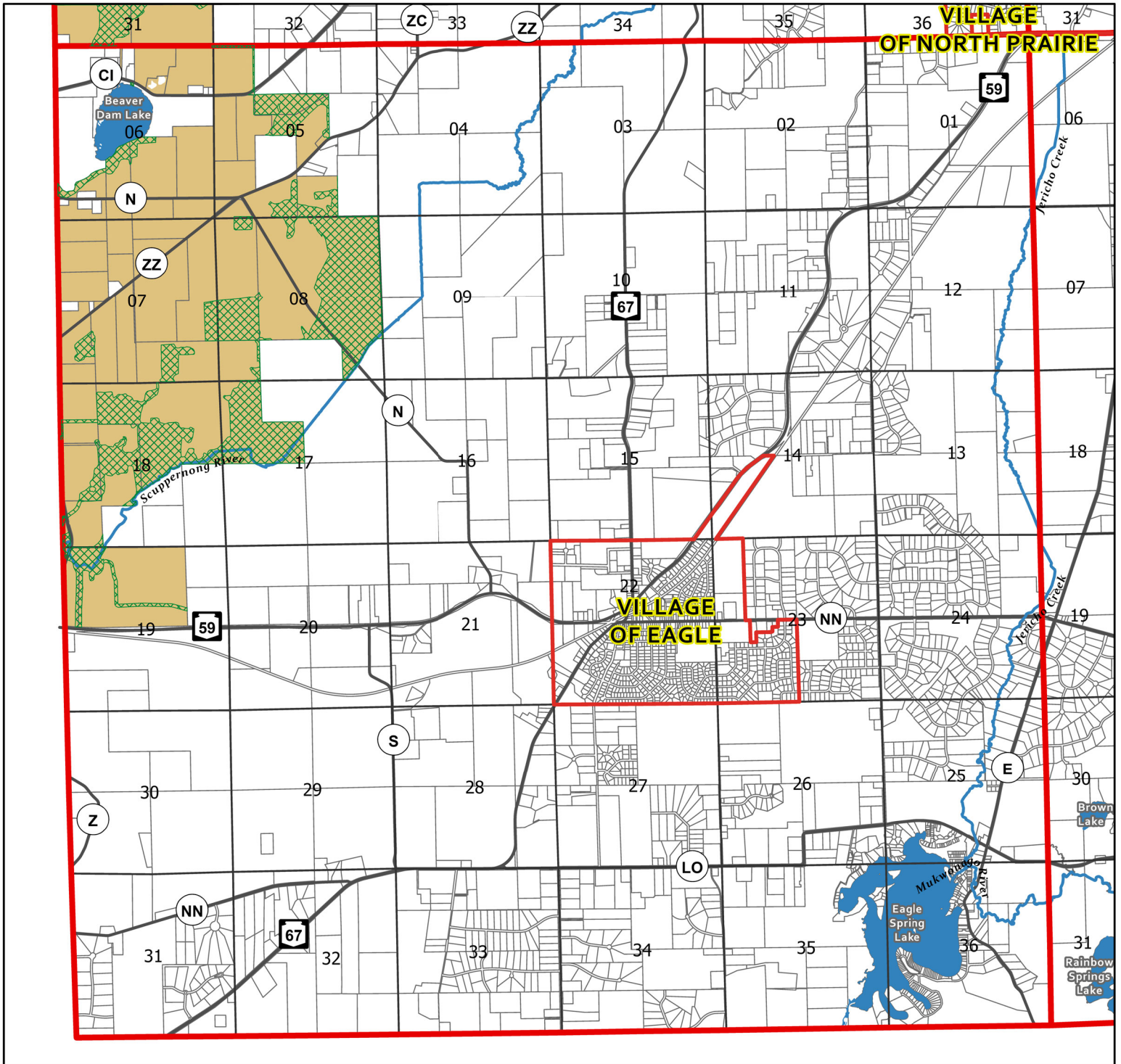
Final Farmland Preservation Maps

*Waukesha County, Wisconsin*

# MAP DB-1

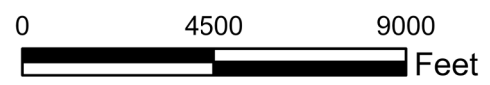
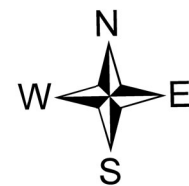
## Farmland Preservation Plan Map

### Eagle Township



Date: 8/23/23

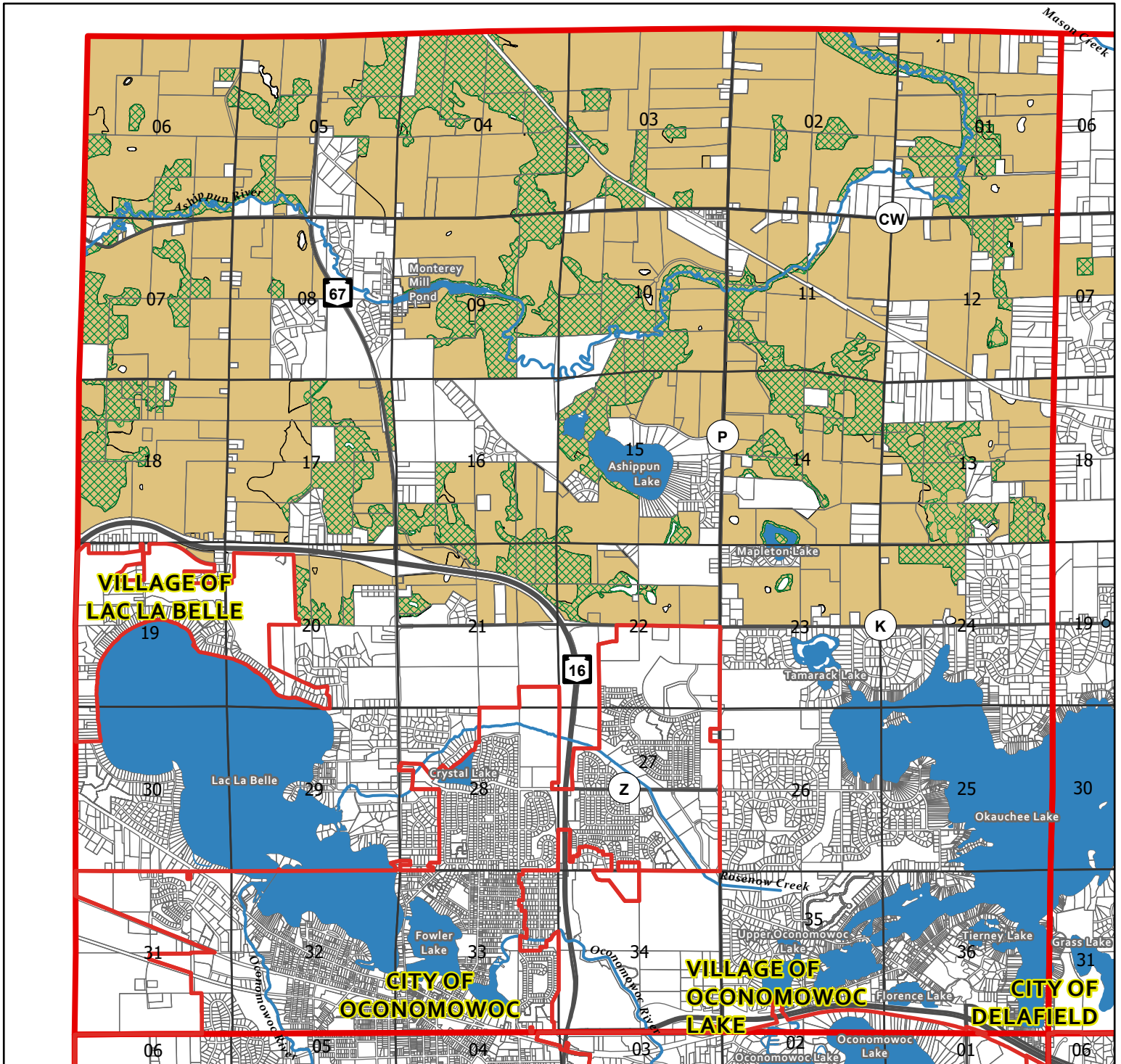
- Farmland Preservation Area
- Environmental Corridor Overlay Within FPP Areas
- Municipal Boundary (Town/City/Village)
- Lakes & Ponds
- Rivers & Streams
- Roads
- Parcel Boundary
- Section Areas



# MAP DB-2

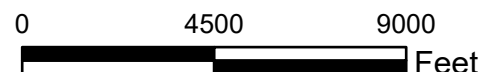
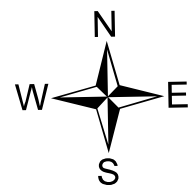
## Farmland Preservation Plan Map

### Oconomowoc Township



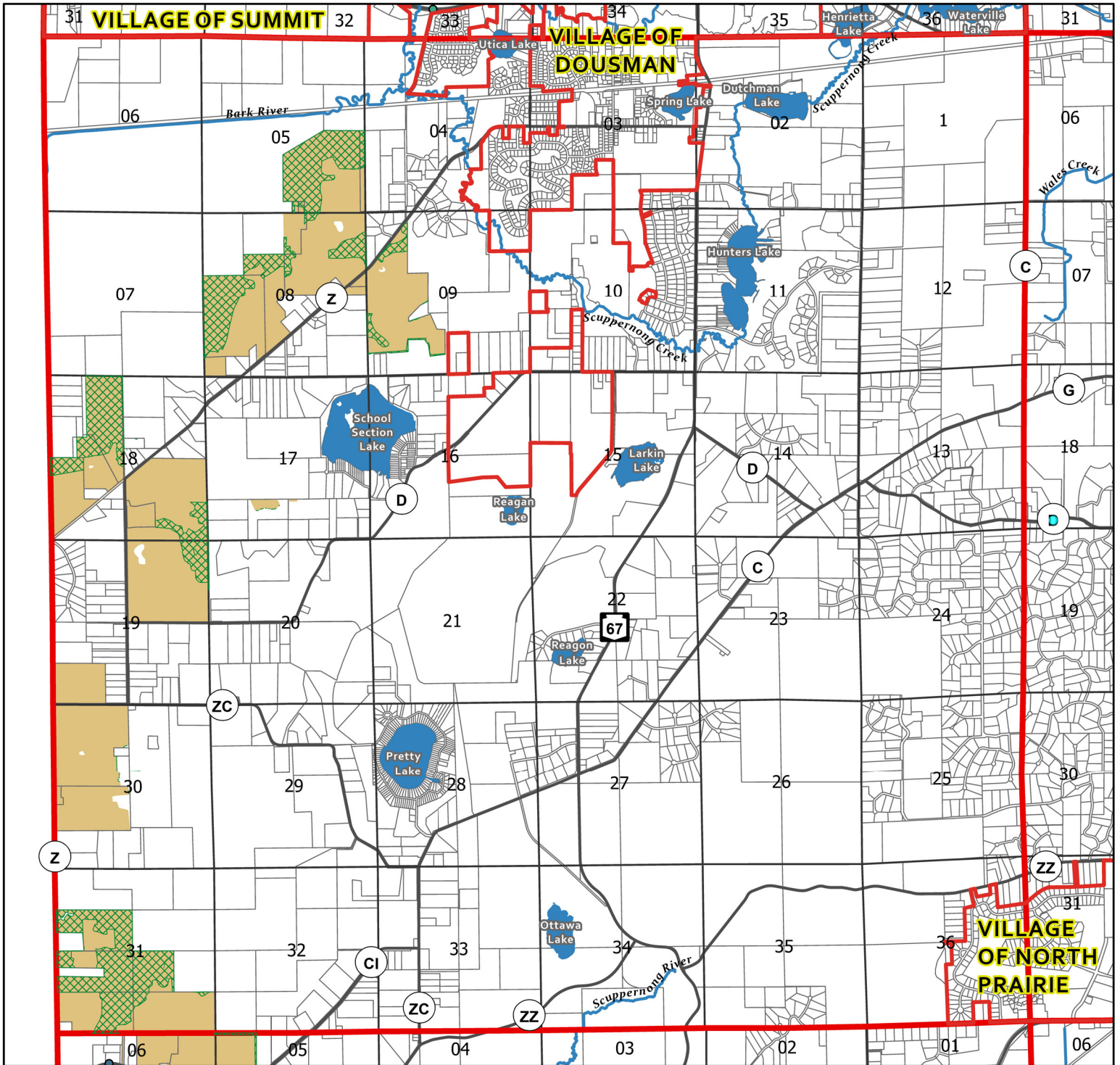
- Farmland Preservation Area
- Environmental Corridor Overlay Within FPP Areas
- Municipal Boundary (Town/City/Village)
- Lakes & Ponds
- Rivers & Streams
- Roads
- Parcel Boundary
- Section Areas

Date: 8/23/23

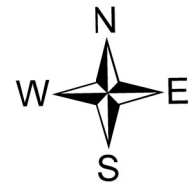


Source: SEWRPC & Waukesha County

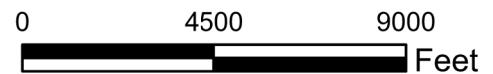
# MAP DB-3 Farmland Preservation Plan Map Ottawa Township



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

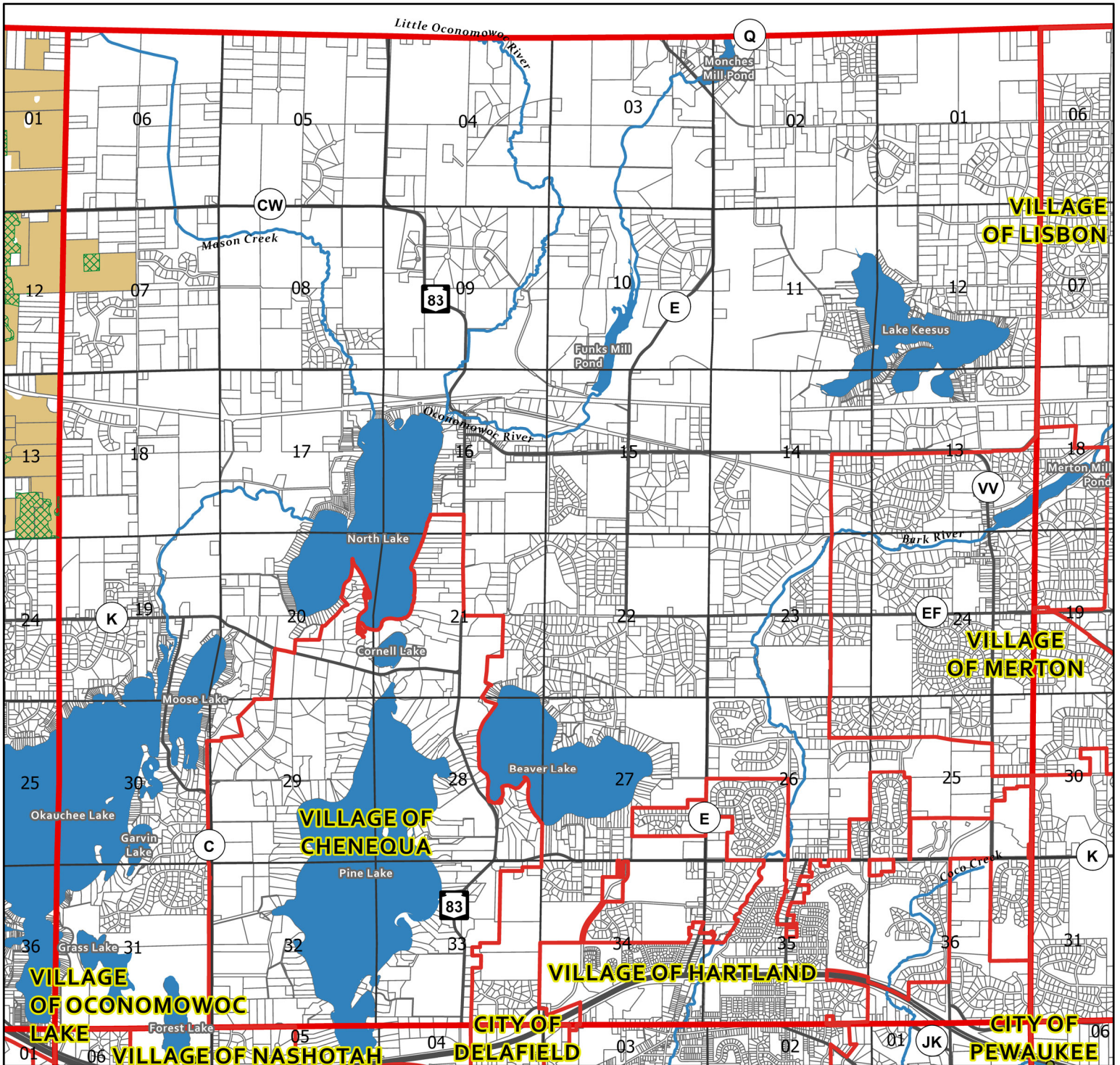










Date: 8/23/23



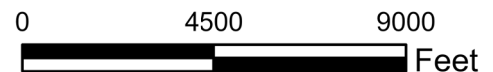
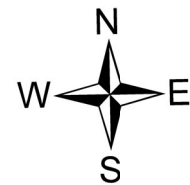
Source: SEWRPC & Waukesha County

# 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



Source: SEWRPC & Waukesha County

**Exhibit C**

Public Hearing Notice



## NOTICE OF PUBLIC HEARING

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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](mailto: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](http://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](mailto: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**

<b>Event Date/Range</b>	<b>Summary of Event/Activity</b>
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 # <del>XXX-XX</del> , adopting the 2023 Farmland Preservation Plan.

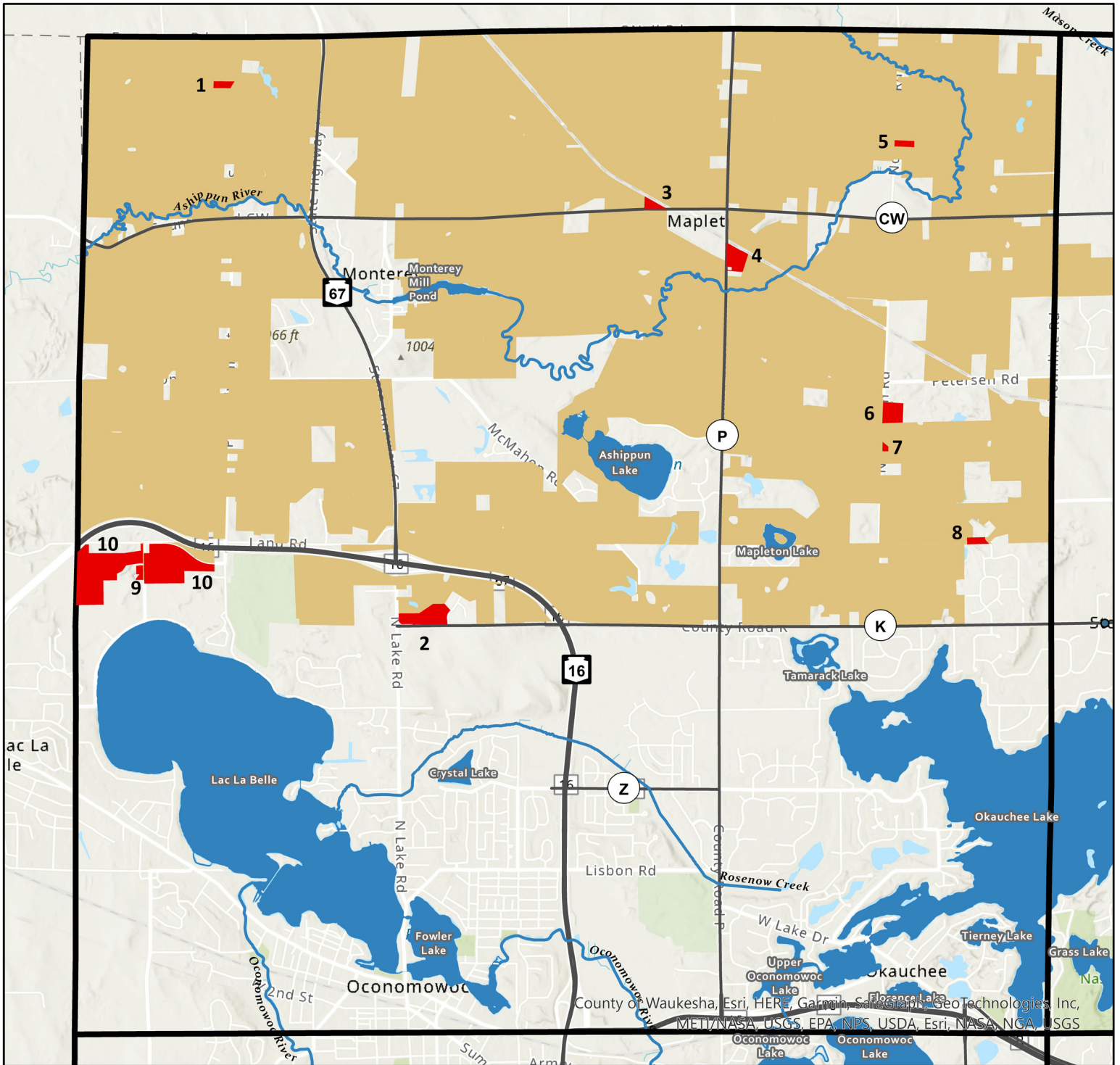
## **Exhibit E**

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

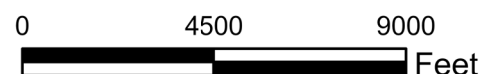
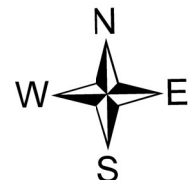
# Farmland Preservation Plan Map

## Proposed Parcels to be Removed from FLP

### Oconomowoc Township



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



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			