



# City of Fitchburg Farmland Preservation Plan





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## Introduction

This document along with the accompanying maps, data, analysis and policies is the Farmland Preservation Plan for the City of Fitchburg to be adopted as part of the Dane County Farmland Preservation Plan. This plan was prepared in coordination with and is consistent with other pertinent local and regional plans.

The goal of the Farmland Preservation Plan is to identify areas to protect and maintain as agriculture within the City of Fitchburg for the use and benefit of current and future generations. These protected and privately held agricultural lands are a large part of the rural character of the community. The plan is intended to meet the farmland preservation criteria created by the State of Wisconsin as outlined in Chapter 91 of the Wisconsin Statutes, qualifying Fitchburg farmers with certified agricultural zoning to participate in the state farmland preservation tax credit program.

## The Planning Framework

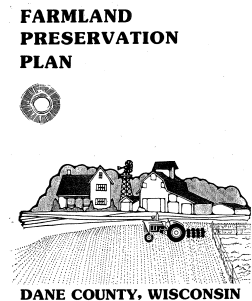
The City of Fitchburg is currently participating in the Dane County Farmland Preservation Plan that was adopted in 1981, when the city was a township. This plan was created with the assistance by the Regional Planning Commission staff, with each town preparing their own farmland preservation plans. The county farmland plan is a compilation of all prepared town plans.

In July 2005, a Working Lands Initiative Steering Committee was created by the Department of Agriculture, Trade and Consumer Protection to review the existing programs the State of Wisconsin offers in helping preserve working lands and offer recommendations of new and updated tools to assist in protecting and enhancing the working lands. One of the recommendations by the committee and adopted by the State Legislation and Governor in 2009 was an update to the existing Farmland Preservation Program to improve agricultural planning and zoning, increase tax credits and improve the flexibility of local governments to administer the program.

Counties with the most development pressure as determined by the change in county population growth per square mile between 2000 and 2007 are required to complete updates to their farmland preservation plans first. Dane County, which was identified as one of the faster growing counties, is required to update their plan by December 31, 2011.

The updated plans are to include:

- Goals for farmland preservation and agricultural development.
- Overall development needs and trends with respect to farmland and agriculture.
- Key agricultural resources, existing agricultural land uses, and agricultural infrastructure.
- Identification and map of farmland preservation areas that the county plans to preserve for agriculture and related enterprises.
- Actions that the county will take to preserve farmland and promote agricultural development.



- Consistency with the county's comprehensive plan.

The City of Fitchburg has elected to prepare its own Farmland Preservation Plan to be incorporated into the Dane County Farmland Preservation Plan as an appendix.

## **Goals, Objectives and Policies**

To further guide the preservation of agriculture land and promote agricultural development within the City of Fitchburg, the following goals, objectives, and polices, which are included in or are consistent with the City of Fitchburg Comprehensive Plan are to be considered and complied.

### ***Goals / Objectives*** (A broad future condition the City intends to achieve.)–

- 1) To protect and maintain agriculture as a significant resource and economic viability within Fitchburg.
- 2) To preserve agricultural land as a resource for the use and benefit of current and future generations.
- 3) To preserve open space, natural areas, and rural and agricultural land by promoting compact development that contains a logical and sustainable mix of uses and building types.

### ***Policies*** (A principle to guide decisions to reach the goals and objectives.)–



### **Agriculture**

- 1) Consider the creation or variations of either a transfer or purchase of development rights program to be used to compensate rural landowners who may be outside the long-term growth area and within the Farmland Preservation Area.
- 2) Evaluate city incentives to encourage farmers to invest in improvements to their farm operations or to diversify their agricultural operations to address the changing farm economy.
- 3) Maintain and promote agriculture infrastructure to enhance and sustain agriculture operations.
- 4) Discourage non-agricultural development in designated agricultural preservation areas through the use of the City's zoning code.
- 5) Pursue development or boundary agreements with surrounding communities that would preserve agricultural land across boundaries.
- 6) Promote the presence of urban agriculture within the City.



- 7) Encourage the purchase and consumption of local food production.
- 8) Work with Dane County and other municipalities within the area to promote and establish agricultural enterprises and resources to serve southern Dane County.

### **Urban Development**

- 1) Prohibit creation of rural subdivisions or establishment of new non-agricultural business developments outside the urban service area unless allowed in a planned rural cluster.
- 2) Retain the rural landscape of Fitchburg by limiting development outside of the urban service area to that which is consistent with the Rural Residential Development Criteria.
- 3) Direct urban development to the long-term growth boundary identified within the Comprehensive Plan.
- 4) Promote agricultural-research, development and technology businesses in planned urban areas, adjacent to agricultural land if it is important for the business to be located close to crops and fields.
- 5) Locate commercial and industrial uses which are not agriculturally related inside the urban service area.

### **Natural Resources**

- 1) Limit agricultural uses within officially delineated wetlands to existing operations and allow expansion only if filling and draining is not required.
- 2) Protect natural high infiltration areas from development.
- 3) Maintain exclusive agriculture or conservancy zoning for rural environmental corridors, consisting of woodland areas, wetlands, springs and steep slopes which are part of an operating farm.

## Background

As the United States continues to urbanize, the conflict between agricultural and nonagricultural uses of land will continue to intensify. Strong economic growth, in combination with numerous other factors that influence land use, has pushed urban development further from the centers of cities, consuming agricultural land in traditionally rural areas. This can be seen locally in Dane County with the growing Madison Metropolitan area increasing the pressure on Madison and surrounding municipalities to develop subdivisions and the supportive economic/business to support a growing population. Other factors that influence land use may include agricultural product prices, technology, consumer demand, and land prices. With the accelerated shift of agricultural land to urban land, the agricultural industry may be negatively impacted.

## Farmer Demographic

Some concerns are present with not enough young farmers entering into the occupation to replace existing farmers. The age of the average farmer in Dane County has been increasing over the past decade. In 2007, the average farmer was 56 years old. Only three percent of farmers fall under the age of 35 and 25 percent of farmers are over the age of 60. According to the Program on Agricultural Technology Studies, in Wisconsin from 1992 to 1997, there were only 344 dairy farm entrants and 1,860 dairy farm exiters, producing a net loss of 1,516 farmers. The Program on Agricultural Technology Studies believe that the increase in net dairy losses is primarily the result of significantly fewer younger people entering dairy, and not a product of more farm closings.

## Farm Demographic

With increasing pressures placed on land to urbanize, the acres of available farm land are decreasing. According to the National Agricultural Statistics Service (NASS), between 1987 and 2002, Dane County had a fifteen percent decrease in farm land from 609,000 acres to 515,475 acres. However, between 2002 and 2007, Dane County saw an increase in farm land from 515,475 acres to 535,756 acres. This turn around could be attributed to a number of factors from changes in land use policy, the development market reaching its peak, increased grain prices or the implementation of the Agriculture Use Value Assessment after 2000.



According to a report done by the Program on Agricultural Technology Studies, the South Central (SC) District, consisting of Columbia, Dane, Dodge, Green, Jefferson, and Rock counties, approximately 27,042 acres of farmland changed hands between 2000 and 2002. Of the farmland sold, an average of 25% (6,759 acres) was converted to non-agricultural uses each year, resulting in a loss of 20,277 acres of farmland across the district in this three-year period.

In the South West (SW) Wisconsin District, consisting of Crawford, Grant, Iowa, Lafayette, Richland, Sauk, and Vernon counties, sales of agricultural land are increasing between 2000 and 2002. Agricultural land sales converted to non-farming uses have doubled over the last decade

for the SW district. Sale of converted land increased from 12 percent to 25 percent, with an annual average sold increased from 6,475 acres to 13,241 acres annually. Agricultural land sales have 75 percent of sales remaining in agricultural uses. The SW District lacks the same growing metropolitan area as Dane County. Therefore, the pressures for farm land to convert to nonagricultural uses in the SW District are not seen as strong as the pressures placed on Dane County through sales of converted farmland.

Despite the trend that acreage of farmland has decreased, according to the Census of Agriculture, Dane County has seen a 28% increase in the number of farms from 1997 to 2007. Over this same time period, the average size of farms has decreased from 198 acres to 161 acres.

**Table 1: Dane County Farms by Size**

	1997	2002	2007
1 to 9 acres	217	306	456
10 to 49 acres	565	860	1,083
50 to 179 acres	948	951	1,035
180 to 499 acres	655	550	528
500 to 999 acres	161	144	140
1,000 acres or more	49	76	89
<b>Total</b>	<b>2,595</b>	<b>2,887</b>	<b>3,331</b>

Source: National Agricultural Statistics Service

This trend could be attributed to a large number of hobby farmers and/or small scale farmers entering the field that are not primary livelihoods of the owner/operator. One third of farms in Dane County have 10 to 49 acres with another one third of farms having 50 to 179 acres. Of the 3,331 farms in 2007, 44% of the operator’s principal occupation was farming whereas in 1997, 54% of the operator’s principal occupation was farming. Another reason for the increase in farms, but decrease in size could be retiring farmers splitting the land between family members. Several examples of this can be found in Fitchburg, for example the Gorman and Lacy families.

The definition of a farm used by the NASS includes all operations selling as little as \$1,000 of farm products per year, which may include hobby farms. In addition, the Dane County Ordinance limits the division of land zoned agriculturally to 35 acre or less parcels. Therefore, a larger farm could go out of production and the land could be divided into 35+ acre parcels resulting in several hobby farms. The total number of farms would increase, but the acreage of land remains the same.



The increase in the pressure to develop has also impacted farming financially. In 2010, the comparable sales price for an acre of agriculture land in Fitchburg was around \$7,500 and for agriculture land with development potential around \$50,000 - \$60,000 per acre. The average value of all farmland and buildings per farm in 2007 was \$696,424, compared to only \$580,806 in 2002. With the increasing average cost of land and buildings, fewer farmers will be able to enter into farming. In addition, farmers looking to leave agriculture and with land that has

potential to be developed will produce a greater value by selling the land for a nonagricultural use.

In 2010, Fitchburg had approximately 144 landowners with crop and pasture land. Of the 144 landowners, 97 had greater than 10 acres of land and 47 had less than 10 acres of land. About seventeen of the 144 landowners were active farm resident managers of their land. The City had 4 dairy farms (650 milking cows), four beef farms with several small operations (100 beef cattle), six equestrian farms, and five vegetable/fruit farms.

The City of Fitchburg is home to the Hartung Seed Plant, which handles the drying and bagging of seed corn produced in Wisconsin. The location of the seed plant is located within the proposed boundaries of the McGaw Park Neighborhood, which is projected to be developed as a business park and transit oriented development within the next 15 years. Discussions will need to occur in the future as to the relocation of this operation to meet the needs of both Hartung Seed and the City of Fitchburg.

Main agricultural facilities servicing Fitchburg landowners are located outside of the City within Dane County and the surrounding counties.

## Farm Products

### *Cash Crop*

Crop land makes up a majority of farmland. These crops can either be sold or used to feed livestock. In general, the South Central (SC) District, consisting of Columbia, Dane, Dodge, Green, Jefferson, and Rock counties, produces more corn and soybean based on percentage of major crops grown and the SW District, consisting of Crawford, Grant, Iowa, Lafayette, Richland, Sauk and Vernon counties, produces more forage. Both SC and SW produced relatively the same amount of small grains. The different crop production is a result of glaciation.



The SC District falls within the Glacial Till region, an area where glacial debris and wind blown silt were deposited, where better topsoil was left behind. The SW District falls within the Driftless region, no evidence of glaciers, are subject to erosion over greater periods of time resulting in less topsoil and more varied topography. This difference in topsoil from the glaciation and the wind blown silt are the reason why certain crops grow better in one district than the other.

The Wisconsin Natural Resources Conservation Service (WNRCS), part of the US Department of Agriculture (USDA), puts years of experience to work in assisting owners of America's private land with conserving soil, water, and other natural resources. Many times the WNRCS, Wisconsin Department of Agriculture, Trade, and Consumer Protection (WDATCP), UW - Extension, and Dane County Land Conservation Department (DCLCD) work individually or together to deliver technical assistance for the specific needs of farmers or other private land owners. These groups encouraged the use of crop rotation to help protect soil quality of farmland. Crop rotation can increase yields, increase profitability and reduce risk through

diversification, decrease environmental hazards by reducing chemical inputs, and reduce nutrient depletion in soils from crop production.

Based on discussions with the major farmers in Fitchburg, the 2010 crop rotation was about 51% (5,141 acres) for corn, 30% (3,025 acres) for soybeans, 14% (1,411 acres) for hay, 3% (302 acres) for wheat and 2% (201 acres) for other. Approximately 38% (3,825 acres) of the cropland was rented by nine different large farm operations.

## ***Dairy***

In addition to cash crops, several dairy farmers are found in Dane County. According to the Program on Agricultural Technology Studies, between 1991 and 1999 the South Central district saw declines in cow numbers of over 22%. However, the total loss in milk production was only 7% due to a district wide productivity gain (milk/cow/year) of 20%. This productivity gain can be accounted for farmers becoming more efficient with their resources, buying supplements to add to feed, increase use of genetics, or harvesting feed more frequently when the crops have the best nutrients. In 2002, the SC District was home to nearly 2,000 dairy farms holding 170,000 cows that produced 2.9 billion pounds of milk.



The average cow in Fitchburg produces approximately 22,000 pounds of milk per year, for an average of 14.3 million pounds of milk from Fitchburg per year based on 650 milking cows.

## **Land Use Conflicts**

Urban sprawl is not the only land use concern on the rural-urban fringe. Certain agricultural land uses with contiguous residential land uses can create a variety of spillovers for rural residents on the rural-urban fringe. Depending on the agricultural enterprise, neighboring rural residents can experience various noxious odors, spray drift, noise at night, dust, loose animals, slow-moving farm implement traffic, and other unwanted agricultural spillovers.

On the other hand, locating rural subdivisions and residential property next to operating farms can create a variety of headaches for farmers. These might include trash; liability for trespassing children; damage or theft of crops; complaints and potential nuisance suits for odor, noise, and spray drift; safety hazards from increased traffic and people, and crop or livestock losses due to trespassing neighbors and their pets.

The longer-term impacts of siting incompatible land uses next to one another can be more substantial for agriculture on the rural-urban interface than for agriculture in undeveloped areas.

## **Right to Farm**

Wisconsin's right-to-farm law is part of a national trend by states toward changing the common law to prohibit filing nuisance claims against agricultural operations. The common law of nuisance forbids individuals from using their property in a way that causes harm to others. A

private nuisance refers to an activity that interferes with an individual's reasonable use or enjoyment of his or her property. A public nuisance is an activity that threatens the public health, safety or welfare, or damages community resources, such as public roads, parks and water supplies.

The purpose of right-to-farm laws is to encourage agricultural production and discourage land use conflicts between expanding livestock operations and their neighbors. They all seek to legislatively lift the threat of nuisance lawsuits by neighbors if the agricultural operation produces odor, noise, water pollution, or other nuisance-type conditions (as can be true with large livestock operations such as hog, dairy, and poultry confinements). Right-to-farm laws are designed to accomplish one or both of the following objectives: (1) to strengthen the legal position of farmers when neighbors sue them for a private nuisance; and (2) to protect farmers from anti-nuisance ordinances and unreasonable controls on farming operations. Right-to-farm laws are intended to discourage neighbors from suing farmers. They help establish farmers who use good management practices prevail in private nuisance lawsuits. They document the importance of farming to the state or locality and put non-farm rural residents on notice that generally accepted agricultural practices are reasonable activities to expect in farming areas.

## Land Use Trends

The City of Fitchburg over the last couple decades has been losing considerable amounts of crop and pasture acres to development, woodlands, open space, or vacant space. Since 1980, over 4,000 acres have been taken out of crop and pasture use. The City has gone from having 71% of its land in crop and pasture use to 50% as of January 2010, though undeveloped land, as a group, has only gone from 84% in 1980 to 72% as of January 2010. Currently, 31% of the undeveloped area accounts for Other (woodlands, open space and vacant space) and 69% of the undeveloped area accounts for crop and pasture.

**Table 2: City of Fitchburg, Land Use 1980-2010**

	1980 Acres	1990 Acres	2000 Acres	2010* Acres	80 to 90 Acres	90 to 00 Acres	00 to 10 Acres	80 to 10 Acres
Total Developed Area	3,514.1	4,354.6	5,438.4	6,258.8	840.5	1,083.8	820.4	2,744.7
Undeveloped Area	18,672.7	17,832.2	16,851.8	16,246.7	(840.5)	(980.4)	(605.1)	(2,426.0)
Other	3,025.4	3,595.0	4,969.8	5,020.5	569.60	1,374.80	50.7	1995.1
Crop & Pasture	15,647.3	14,237.2	11,882.0	11,226.2	(1,410.10)	(2,355.20)	(655.80)	(4,421.10)
<b>Total Area</b>	<b>22,186.8</b>	<b>22,186.8</b>	<b>22,290.2</b>	<b>22,505.5**</b>	<b>0</b>	<b>103.40</b>	<b>215.30</b>	<b>318.50</b>

Source: Dane County Regional Planning Commission for 2000 data, 1995 General Land Use Plan for 1980 and 1990 data and City of Fitchburg Planning Department for 2010 data.

\* Data as of January 1, 2010 Building Department Permit Report

\*\* Includes land annexed and Dane County owned land and parcel deeded to the City of Fitchburg from the City of Madison near Hwy 14 and Syene Rd. Data was cleaned to account for errors and missing land use designations.

## Land Use Demand

Based on the City of Fitchburg Comprehensive Plan Forecasted Land Use Demand, Chapter 4, and existing land use and building data, City Staff adjusted the forecasted land use demand for the City. It should be understood that the figures are estimates based off of 2000 and 2005 data figures and actual land use demand will most likely vary based on overall market conditions and

policies that the City may utilize to help assure that growth does not outstrip the ability to provide community services.

**Table 3: Forecasted Land Use Demand**

	2010-2014	2015-2019	2020-2024	2025-2029	Total
Residential (du)	1,123	1,138	1,100	1,089	4,450
Residential (acres)	160	163	158	156	637
Business (acres)	58	57	58	57	230
Communication/ Utility/Inst. (acres)	11	12	12	12	47
Subtotal (acres)	229	232	228	225	914
Street (acres)	52	51	58	57	218
Storm Water (acres)	9	11	13	12	45
Park and Recreation (acres)	49	50	48	47	183
Total (acres)	339	344	347	341	1,371
Excess Acreage to 75 acres per year average	36	31	28	34	129
2010-2030 demand	375	375	375	375	1,500
5-year flexibility factor					375
Total (2010-2030)					1,875

Source: Dane County Regional Planning Commission data and City of Fitchburg Planning

The Comprehensive Plan sets a maximum average development rate of 75-acres per year on a 5-year rolling average. The forecasted land use demand, based on projections, is below the maximum 5-year rolling average of 375 acres. Residential demand is based on the total residential units expected to be constructed at a net density of approximately 7 units per acre. Net density is defined as the number of dwelling units divided by the number of acres zoned residential. An estimated 6,581 dwelling units are projected to be built within the City of Fitchburg from 2000 to 2030 to accommodate an additional 12,402 persons. Currently, 2,131 dwelling units were constructed from 2000 through 2010, leaving 4,450 dwelling units to be forecasted over the next 20 years.

Demand for business uses is often quite variable since the labor force is difficult to project. If it is assumed that the City of Fitchburg will meet the employment demand of the community, which is unlikely with the surrounding major employment centers, we are able to project the business demand. The forecasted acres may vary depending on the floor area ratio of each new business.

Other land use factors generally follow past growth trends, except for park land. Park land was assumed to be dedicated at 65 percent of the required park space base, with the remainder to be covered by a fee in lieu of dedication. In addition, a new policy on park land dedication may reduce the acreage forecasted for park land.

Energy and waste management facilities will be based on regional planning, which may impact the City of Fitchburg, but should be planned to mitigate any disruption to the agricultural preservation.

Future greenfield development within the City will have an impact on the loss of agricultural land. The goals, objectives and policies within the Comprehensive Plan strive for compact, mixed use developments within the urban service area or future urban growth boundary, which will help mitigate the loss of agricultural land. With higher density residential developments and higher floor area ratio for businesses, less agricultural land is needed to accommodate the forecasted acreage.

## **Mapping**

In assisting the Agricultural and Rural Affairs Committee and City staff map out the Farmland Preservation Area, the information was based off of the following maps:

### ***Future Urban Development Boundary***

The City of Fitchburg realized the importance of managed and orderly growth and established a future growth boundary, within the rural portion of the City, based on the following guidelines:

- It will be assumed that streams will be protected by a 75-foot or wider buffer zone, that wetlands within the current urban services area will be protected by a 75-foot or wider buffer zone, and that wetlands outside the current (2007) urban service area will be protected by a 300-foot or wider buffer zone.
- The proposed future urban development area (FUDA) boundary will favor development of land along the Fitchburg-Oregon rail corridor.
- The proposed FUDA boundary will favor protection of groundwater recharge areas.
- The proposed FUDA boundary will favor protection of high-quality agricultural lands.
- All parts of the current FUDA will be considered for inclusion in the proposed FUDA.
- The proposed FUDA boundary favors areas that can be sewered by gravity.

The boundary focuses the majority of the future development along the eastern rail corridor within the City and contiguous extensions from the existing urban service area (Figure 1). The future development boundary preserves the large contiguous Class I and II soils in the southwestern portion of the City bordering the Townships of Oregon and Verona.

The future urban development neighborhoods accommodate 50+ years of development within the City of Fitchburg based on the policy of limiting development to a maximum of 75 acres per year on a 5-year rolling average. Majority of the future neighborhoods are not planned for development within the next 15 years and are currently planned for agriculture and open space within the City of Fitchburg Comprehensive Plan. The existing urban service area and portions of the Northeast Neighborhood and North Stoner Prairie Neighborhood are potential areas to accommodate the 15 year development projections and are not included in the Farmland Preservation Area.

## **Soils**

Farm productivity can be determined by using Prime Soil, Statewide Significant Soil and Soil Class (Figures 2, 3 and 4). Each method was used in determining the farm productivity of soil found in Fitchburg.



Prime Soil is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops (Figure 2). The land must also be available for crop land, pastureland, forest land, or other land, but not water. Prime farmland has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods.

Statewide Significant Soil is land other than prime farmland that is used for production of specific high-value food and fiber crops (Figure 3). It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality or yields of specific crops. For example, farmland classified as significant may include soils used for apple orchards that are too steep and erodible to qualify for prime farmland. These categories of farmland are used in administering the Farmland Protection Policy Act and the Farmland Protection Program.

Land capability classification is a widely used system to classify soils for agricultural purposes (Figure 4). The system is based on the most intensive long term use for this land. The criteria used to classify Land Capability are slope, texture of soil, depth of soil material, and drainage. Soils are grouped according to their potentials and limitations, if any, for sustained production of common crops. This classification system places all soils in eight capability classes. With good soil conservation management, soils in Classes I, II, III, and IV are suitable for cultivation. Soils in Classes V, VI and VII with good soil conservation management are suited for pasture, woodland, and wildlife. Soils in Class VIII generally are non-productive for agricultural purposes and are recommended for wildlife habitat.

As a whole, Dane County leads the state in concentration of soils suitable for farming, which the City of Fitchburg mirrors. As the table below indicates, nearly 80 percent of the City of Fitchburg’s soils are in the top four soil classifications, which are suitable for cultivation.

**Table 4: Acreage of all Land by Soil Capability Class, City of Fitchburg**

Soil Class	Acres	Percentage
I	8,227.1	36.6
II	3,409.0	15.1
III	3,206.9	14.3
IV	2,973.8	13.2
Subtotal	17,807.8	79.2
V-VIII	4,686.3	20.8
TOTAL	22,503.1	100.0

Source: Soil Class Shapefile, Dane County Land Information Office

Over the years, the quality agricultural soils within the City of Fitchburg were developed and converted to another land use. As of 2010, the City of Fitchburg still had over 11,000 acres of crop and pasture land, which was 50 percent of the City. The table below indicates that over 92 percent of the crop and pasture land within the City of Fitchburg in 2010 was within the top four soil classifications, which are highly suitable for cultivation.

**Table 5: Acreage of Crop & Pasture Land by Soil Capability Class, City of Fitchburg**

Soil Class	Acres	Percentage
I	5,201.9	46.3
II	2,049.6	18.2
III	1,614.7	14.4
IV	1,532.4	13.7
Subtotal	10,398.6	92.6
V-VIII	827.6	7.4
TOTAL	11,226.2	100.0

Source: Soil Class Shapefile, Dane County Land Information Office

### ***Existing Land Use***

The Existing Land Use Map (Figure 5) indicates all residences, commercial and industrial developments, and agricultural and open space land uses. This map was derived from the 2007 aerial photograph, visual surveys and building department permits.

### ***Existing Zoning***

The Existing Zoning Map (Figure 6) shows all zoning districts currently on record within the City. The existing land use may be different from the existing zoning if a property has yet to be developed. The existing zoning is the regulation tool for controlling the development that may occur on the property.

### ***Natural Resources***

The Natural Resources Map (Figure 7) depicts the environmental corridors within the City that are restricted or limited from being developed. The environmental corridors consist of wetlands, floodplains, streams, associated buffers, conservation easements and parks. The map also shows the heritage, specimen and potential specimen trees that have been identified within the City, that are to be protected from future development.

## **Planning**

The Farmland Preservation Plan Map (Figure 8) is presented as an illustration of the policies of the farmland preservation plan and the comprehensive plan. The Farmland Preservation Plan Map is to be consistent with the Future Land Use Map within the City of Fitchburg’s Comprehensive Plan. Any amendment to policy or the map will have to be consistent among both plans. The amendment process will follow that which is established within the Comprehensive Plan, which consists of, at a minimum, one meeting held by relevant committee(s) in regard to the amendment, one community comment period to receive written comments by the public, one governing body review process of written comments and one public hearing.

The Farmland Preservation Plan Map has 7 different districts identified, which three districts are for farmland preservation lands and four districts are for existing and future development. The main features of these plan districts are as follows:

## ***Farmland Preservation Districts***

### **Agricultural Preservation Area I**

The Agricultural Preservation Area I category includes agricultural uses, including farm buildings and residences of the primary farm owners, some other limited single residences, Wisconsin Department of Natural Resources (WDNR) wetlands, open water and private open space that is outside of the City of Fitchburg's future urban development boundary and planned for contiguous preservation. This area was determined by the 1980 Farmland Preservation Plan, soil capabilities and the Future Urban Development Boundary process described above.

### **Agricultural Preservation Area II**

The Agricultural Preservation Area II category is similar to the Agricultural Preservation Area I, except the City has identified land within defined neighborhood boundaries to be studied for potential development as part of the Future Urban Development Boundary. Land within this category is beyond the 15-year time frame for nonagricultural development and in some locations beyond a 50-year time frame. Every 10 years when the Farmland Preservation Plan is updated, portions of this category are projected to be re-categorized as Future Growth Area to accommodate the 15-year forecasted land use demand.

### **Resource Protection Areas Overlay**

The Resource Protection Areas Overlay category includes floodplains, wetlands, and open waters that are protected from all development. Agricultural best practices are encouraged to be used within the resource protection areas to mitigate the negative impacts that may occur from an agricultural operation. The combination of agricultural preservation and resource protection area act as a rural environmental corridor protecting the natural resources outside of the urban service area.

## ***Existing and Future Development Districts***

### **Urban Service Areas**

The Urban Service Area category is served by public water, sanitary and storm sewer to allow for higher densities, high efficiency and less sprawl. Developments within the urban area are a mix of residential development – low density, medium density and high density with mixed use, commercial, business and industrial developments. This area includes both existing urbanized development and potential greenfield development.

### **Future Growth Areas**

The Future Growth Area is potentially planned to accommodate development within the next 15 years, however it is currently located outside of the existing Urban Service Area boundary. If the demand for development to expand outside the existing urban service area occurs within the 10-year certification period of the Farmland Preservation Plan, expansion would occur within this designation.

## **Rural Residential**

The Rural Residential category includes existing single-family detached dwelling unit structures located outside the current urban service area in rural subdivisions or clustered along a rural road. These sites are characterized by small parcel sizes and have been zoned for rural residential property which may include small hobby farms.

## **Rural Development**

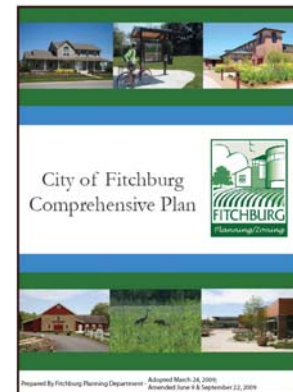
The Rural Development category includes single-family housing, utility substations, existing quarries, and commercial uses that have developed in the rural areas, but is mainly intended for commercial uses that support agricultural production.

## **Implementation**

The Farmland Preservation Plan is the first step in identifying the areas to preserve farmland and promote agricultural development, but it is the actions and policies that the City will use that helps implement the preservation plan.

## ***Comprehensive Plan***

The Comprehensive Plan contains data and background information on the numerous resources and services of the community, including land use, economic development, natural, cultural and agricultural resources, housing, public facilities, utilities and transportation. The Plan also identifies the goals, objectives and policies that will help determine the City's use of resources and guide decisions for future development and preservation within the City of Fitchburg. All City actions on land division regulation, zoning and official mapping must be consistent with the Comprehensive Plan.



The Land Use section of the Comprehensive Plan focuses development in areas that can be serviced by public water and sewer, away from high quality agricultural land and within the City's planned growth areas. Development within the urban service area is to be a mix of residential development, with a past density trend of 7.4 dwelling units per acre, commercial, business and industrial areas.

## ***Rural Development Criteria***

The City of Fitchburg permits development outside of the urban service area; however it is to follow the Rural Development Criteria. The purpose of the criteria is to site rural development in a manner that is appropriate in regard to community standards, preservation of agricultural land and limiting sprawl and to limit the number of new developments occurring in the rural area. Utilizing 1979 as the base year, a rural landowner has a potential development claim for every contiguous 35 acres under control of common ownership whether or not separated by streets, highways, or railroad rights-of-way. The criteria further restrict the number of claims to be used under the siting criteria, with the remaining claims to be used in a rural cluster. This policy has been effective in the preservation of large contiguous parcels of agricultural land,

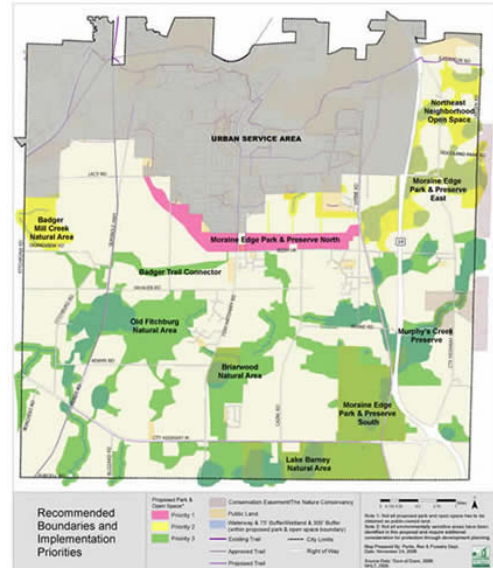
while offering rural landowners an option to build a home for a family member or to sell a residential lot for income.

### **Rural Clusters**

The City of Fitchburg is currently studying and creating a Rural Cluster program that will provide an alternative to individual residential lots in rural areas that provides for smaller lots and preservation than under the Rural Development Criteria within the Comprehensive Plan.

### **Conceptual Park and Open Space Proposal**

The Conceptual Park and Open Space Proposal was developed as a comprehensive study of Fitchburg’s natural, historical, and cultural resources. The proposal identifies large areas and corridors outside of the 2009 urban service area that should be considered for preservation based on the environmental, historical, and cultural significance. Implementation of this proposal is based on funding and the willingness of landowners who wish to sell or donate land or development rights, though some designated areas could be protected while remaining in private ownership. The proposal is adopted as a part of the Comprehensive Park, Open Space and Recreation Plan.



Certain areas of the Agricultural Preservation are also part of the Conceptual Proposal. The implementation of the Conceptual Park and Open Space Proposal will need to be cognizant of existing and long-term agricultural operations when locating active recreation areas versus passive. Areas with prime agricultural soils should be preserved for agricultural uses within the Conceptual Proposal, which may constitute working farms, community gardens, orchards or other passive open space preserved (Fitchburg Comprehensive Park, Open Space and Recreation Plan, 2010).

### **Agricultural Zoning**

The Zoning Code is the most efficient implementation tool in controlling the preservation of agricultural land and limiting land use conflicts. The City of Fitchburg currently has two certified zoning districts, Exclusive Agriculture (A-X) and Transitional Agriculture (A-T) that meet the existing standards to participate in the Farmland Preservation Program.

To meet the new provisions within the Working Lands Initiative, that restricts land outside of the farmland preservation boundary from being zoned certified agriculture, the City is proposing to amend the agriculture zoning districts.

The City of Fitchburg is proposing to keep Exclusive Agriculture (A-X) as the only certified agricultural district. Transitional Agriculture (A-T) will not be certified and will be for lands that are outside of the farmland preservation area, but are proposed to be developed within the next 15 years. To maintain large contiguous parcels of agricultural land, the minimum lot size for the A-X and A-T districts is 35 acres.

The City of Fitchburg in October 2010 added a new agriculture zoning district, Small Lot Agriculture (A-S), for parcels under 35 acres. The A-S district is intended to be applied to areas where smaller agricultural parcels are part of a contiguous agricultural block of land and non-agricultural development would be incompatible with agricultural uses, premature or inconsistent with the comprehensive plan. It is also intended to ensure that urban agriculture and community gardens in the urban service area are located to meet the needs for local food production. The district is not intended for residences and will not qualify for Farmland Preservation Credit.

### ***Wetland and Floodplain Zoning***

The City of Fitchburg Zoning Ordinance contains Wetland and Floodplain overlay zoning districts, which are state-mandated provisions to restrict or limit development within the respective boundaries. Certain areas of the overlay correspond with agriculture zoning for additional protection.

### ***Land Division***

The City of Fitchburg Land Division Ordinance, in compliance with Chapter 236 of the Wisconsin Statutes, regulates and controls the division and development of land within the City to further the orderly layout and appropriate use of the land persistent with the Comprehensive Plan. All land divisions not creating more than 4 parcels in less than a 5-year period requires the recommendation of the Plan Commission, the approval of the Common Council, and recording of a certified survey map. The certified survey map shall include the entire parcel owned by the subdivider/land divider. If an applicant is creating more than 4 lots in less than a 5-year period, a preliminary and final plat is required. The Comprehensive Plan currently prohibits the creation of rural subdivisions outside the urban service area unless allowed in a planned rural cluster.

The review of all land divisions allows the City to manage the number of lots that are being created in the rural area, not to fragment the parcels and disrupt the existing agricultural uses. All land divisions are required to be consistent with the Comprehensive Plan and to meet the dimensional standards of the associated zoning district.

### ***Farmland Preservation Tax Credit***

The Wisconsin Working Lands Initiative provides landowners with an opportunity to claim farmland preservation tax credits through participation in the Farmland Preservation Program. These tax credits are income tax credits that are applied against tax liability to landowners who meet eligibility requirements and their land is zoned certified agriculture within a farmland preservation area or they have entered into an agreement and are located in a designated agricultural enterprise area.

### ***Agricultural Use Value Assessment***

During the past several years the State of Wisconsin has moved to assessment of agricultural land, regardless of its zoning, based on its use as agricultural land, which has resulted in a tax shift to non agricultural landholders. The City of Fitchburg was one of the only incorporated municipalities to support the agricultural use assessment rule at the state legislature. Fitchburg's support was provided based on the potential ability to lower taxes on farm land, the value that is

placed on rural agricultural land as a valued open space commodity in the City of Fitchburg. The City believed the tax shift was important to recognize the value of such a land use in the City, and the shift now causes urban users to pay a greater amount of taxes than would have been the case.

### ***Development Rights***

The City of Fitchburg currently does not have a program developed to assist in the purchase or transfer of development rights and a study done in 2008 failed to move forward. Policy makers within the City feel that such a program would assist the rural landowners. Landowners outside of the Future Urban Growth Boundary may have inaccessible assets in land and the purchase or transfer of development rights may assist landowners to access part of that value. The income they receive from the TDR or PDR program may be used to invest in their farm operation or to compensate them when they sell their land at a rate that is affordable to new or expanding farmers. A policy is set within the Comprehensive Plan to consider the creation or variations of a program to compensate rural landowners who may be outside of the long-term growth boundary. If other agencies are willing to purchase development rights within the City, areas to be targeted for the purchase or transfer of development rights are those lands designated as Agricultural Preservation Area I. These lands provide for contiguous agricultural land and have been designated as the key areas based on location, soil capability, and growth demand.

### ***Agricultural Enterprise Areas***

An agricultural enterprise area is an area of contiguous land primarily in agricultural use that has been designated by the Department of Agriculture, Trade and Consumer Protection (DATCP) in response to a locally developed petition. Eligible farmers in a designated area have the opportunity to enter into a voluntary farmland preservation agreement with DATCP to keep their land in agricultural use for 15 years and in return receive income tax credits. The agricultural enterprise area serves as a long-term temporary preservation area, in assisting to advance other agricultural preservation and agricultural development goals and policies.

### ***Agriculture & Rural Affairs Committee***

The Agriculture and Rural Affairs Committee acts as an advisory committee to the Plan Commission. The committee is in charge of helping implement the Farmland Preservation Plan by studying the potential future of agriculture in Fitchburg, recommending areas to be preserved for agriculture, studying and recommending potential compensation programs to landowners in areas designated for agricultural preservation, and reviewing and making recommendations on all rezoning requests on property zoned A-X or A-T. The committee also acts as a voice for the rural community in helping educate and distribute materials on agricultural practices and new programs.

### ***Financial Tools***

#### **PACE Program**

The PACE (purchase of agricultural conservation easements) program provides state funding for the purchase of agricultural conservation easements. The Department of Agriculture, Trade and Consumer protection (DATCP) will provide funding to cooperating local entities for the

purchase of easements from willing landowners. Local entities purchase the easements and may be reimbursed for up to 50 percent of the easement cost by the PACE program. The state and local entities will then be co-holders of the easement. PACE funded easements are intended to strengthen areas that have been planned and designated as local farmland preservation areas in a certified county farmland preservation plan. A future implementation of a city purchase of development rights program would supplement the PACE program in possibly securing matching funds.

### **Revolving City Loan Fund**

The City of Fitchburg provided \$375,000 to the Fitchburg Community & Economic Development Authority to capitalize a revolving loan fund. These funds will be available to existing businesses and prospects planning to locate in Fitchburg. The goals of the program are:

- To encourage a proactive and positive business climate
- To expand and diversify the tax base
- To facilitate existing business expansions
- To assist small businesses and start ups
- To target clean industries, especially high tech manufacturers, research and development companies, and businesses that export
- To attract new businesses to Fitchburg
- To promote a diverse mix of employment opportunities that offer good wages and comprehensive benefit packages.

Agricultural businesses are able to apply for a loan through the revolving loan fund. Loan amounts can range from \$10,000 to \$50,000 and would have a fixed term interest rate, which may range from zero during a period of deferred but capitalized interest market rate defined as the prime rate of interest as published in the Midwest edition of the Wall Street Journal plus 2 percent.

### **Farm Service Agency – Loan Program**

The United States Department of Agriculture (USDA) Farm Service Agency offers numerous loan opportunities from direct farm operating loans, direct operating loans, emergency loans, beginning farmers and rancher loans and socially disadvantaged farmers, ranchers and youth loans.

### **NRCS Conservation Programs**

NRCS's natural resources conservation programs help people reduce soil erosion, enhance water supplies, improve water quality, increase wildlife habitat, and reduce damages caused by floods and other natural disasters. Public benefits include enhanced natural resources that help sustain agricultural productivity and environmental quality while supporting continued economic development, recreation and scenic beauty. Programs include conservation technical assistance, environmental improvement, stewardship, water resources, easements, community assistance, and technical processes (NRCS, 2010).



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## **Appendix: Maps**

Figure 1 – Future Urban Development Boundary

Figure 2 – Prime Soil

Figure 3 – Statewide Significant Soil

Figure 4 – Soil Class

Figure 5 – Existing Land Use Map

Figure 6 – Existing Zoning Map

Figure 7 – Natural Resources Map

Figure 8 – Farmland Preservation Plan Map for the City of Fitchburg (Entire City)

Figure 8a – Farmland Preservation Plan Map for the City of Fitchburg (Northwest Quadrant)

Figure 8b – Farmland Preservation Plan Map for the City of Fitchburg (Northeast Quadrant)

Figure 8c – Farmland Preservation Plan Map for the City of Fitchburg (Southwest Quadrant)

Figure 8d – Farmland Preservation Plan Map for the City of Fitchburg (Southeast Quadrant)