

CHAPTER 4: STRATEGIES FOR PRESERVING FARMLAND

Increasing housing density in non-farmland preservation areas

In 2013, Marathon County will begin the process of revising the Marathon County General Zoning Ordinance. As part of this process, Marathon County and its communities will consider establishing minimum and maximum lot sizes in non-farmland preservation areas that will meet farmland preservation goals. Smaller lot sizes increase residential density, decrease the rate of land conversion to residential use, and decrease the per capita cost of providing services (sewer, water, etc.).

Section 18.41 of the Marathon County General Code of Ordinances permits the use of non-traditional residential subdivision design that would cluster the residential parcels and preserve open space/agricultural land by the use of restrictive covenants, deed restrictions and/or other binding criteria. In so doing the overall density as required by zoning is maintained without sprawling the home sites over a large area. Marathon County will encourage cluster subdivision design.

Farmland Preservation Areas

The purpose of the Farmland Preservation Area

- Preserve productive agricultural lands in the long-term
- Preserve the rural character and aesthetic quality of Marathon County
- Minimize nonagricultural development on prime farmland
- Protect environmentally sensitive areas

The Environmental Resources Committee (ERC) developed criteria identified below for mapping Farmland Preservation Areas:

- Located outside of sewer service area
- Productive agricultural soils
- Land suitable for farming
- Consistent with local comprehensive plans, available here: www.co.marathon.wi.us/Departments/ConservationPlanningZoning/PlanningServices/ComprehensivePlanning/MunicipalPlans.aspx
 - In the towns of Knowlton, Frankfort, Holton, Wien, Maine and Day, areas designated as non-agricultural on the future land use map in the comprehensive plan are identified as farmland preservation areas. This is because the areas are short term agricultural (up to 15 years) and planned for other uses beyond 15 years.
 - The town of Emmet amended the Comprehensive Plan future land use map to reflect the farmland preservation areas.
 - The towns of Bevent, Franzen, Cleveland, and Halsey do not have comprehensive plans.
 - The towns of Wausau and Stettin will amend the Comprehensive Plan future land use map to reflect the farmland preservation areas.
- Land currently and historically farmed, grazed, or forested lands associated with farming
- In communities with zoning, lands currently in an agricultural zoning district

- Land expected to stay in agricultural use for the next 15 years
- Existing land uses that are complimentary to farming such as:
 - Forested and open spaces that are part of a farm
 - Forest land that could consistently qualify for farmland preservation areas (ex: maple forest used for maple syrup production, forest land actively managed for timber)

Non-Farmland Preservation Areas: Land not meeting the farmland preservation criteria. The Village of Weston is located south and east of the City of Wausau and a member of the Metropolitan Planning Organization (MPO). No land in the village is identified in a farmland preservation area, although some parcels meet the designation criteria of the Environmental Resources Committee. The village has chosen to modify their comprehensive plan to address the land use transition of current agricultural land use. Subsequently, the zoning ordinance will be modified to ensure consistency with the comprehensive plan.

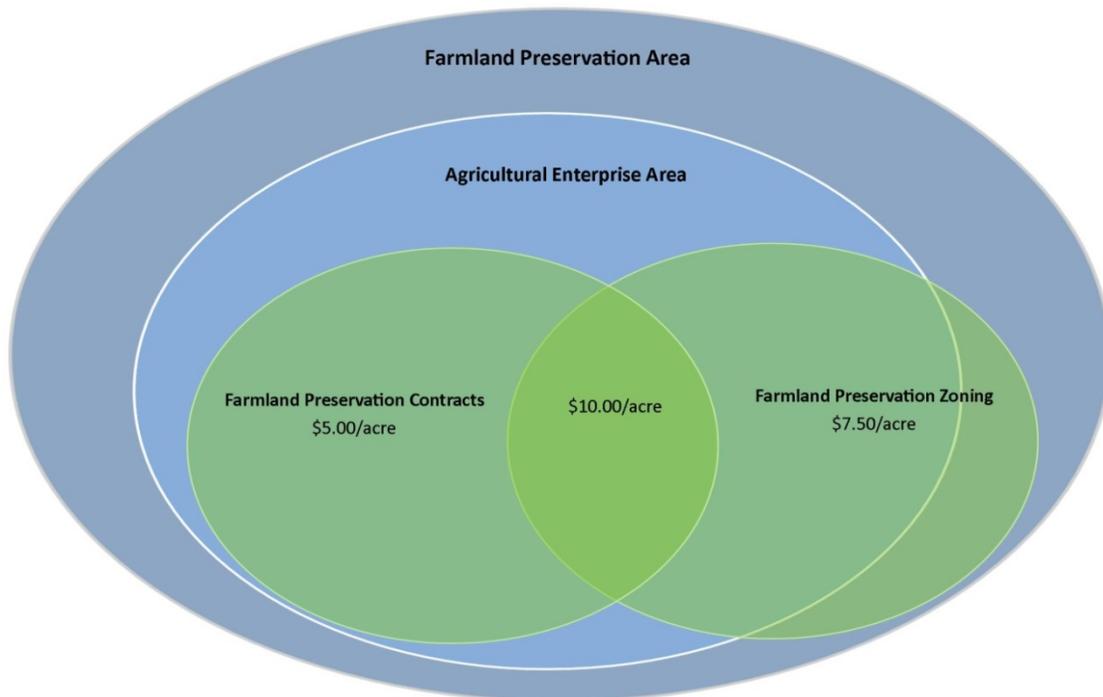
15 Year Growth Areas: Community leaders were asked to identify areas where they anticipate non-agricultural growth to occur within the next 15 years. Those communities that identified growth areas based them on proximity to existing development, land that has been platted but not yet developed, proximity to municipal services (sewer and water), existing boundary agreements (McMillan and Marshfield), and proximity to transportation corridors.

See Appendix D, Town Farmland Preservation Area Maps.

Landowner Incentives

The potential profitability of farming varies with seasonal weather fluctuations, commodity prices, farm sizes and types, and other issues. At the same time, farmers control most of the land in Marathon County, and have some alternative means of profiting from that land via housing and other nonagricultural development. An overall farmland preservation approach that includes financial incentives as one component can serve to counteract this pressure to convert farmland. Figure 5 represents the spatial relationship of farmland preservation strategies and landowner incentives.

Figure 5. Spatial relationship of farmland preservation areas, strategies and incentives



Farmland preservation tax credits

The Wisconsin Working Lands Initiative continues the opportunity for landowners within areas planned and zoned for agricultural preservation to claim farmland preservation income tax credits. Annually, \$27 million is available to provide farmland preservation tax credits to eligible state landowners. Claimants must be in an area planned and zoned for agricultural preservation, have \$6,000 in gross farm revenue (including rental revenue) in the past year or \$18,000 over the past three years, and have an approved conservation plan and nutrient management plan. Within Marathon County, eligible landowners may collect \$7.50 per acre if in an area planned and zoned for farmland preservation, and \$10.00 per acre if also within a designated Agricultural Enterprise Area where the landowner signs a 15 year farmland preservation agreement. Although the conservation and nutrient management implementation costs may be higher, the new income tax credit schedule allows a higher per acre credit on most farmlands. The County continues to support the tax credit as a key incentive tool for farmland preservation.

Farmland Preservation Zoning

Marathon County explored 3 farmland preservation zoning strategies. As part of the proposed 2014 comprehensive zoning amendment process, Marathon County will determine which strategy or combination of strategies meets the Marathon County farmland preservation goals.

- Rezone
- Base farm tract
- Farmland preservation easements

The *rezone strategy* is the current strategy that Marathon County utilizes to restrict non-agricultural development in the existing Exclusive Agricultural Zoning district. The strategy requires a minimum of 35 acres to construct a residence or farm operation. A minimum of 1 acre parcels may be established for the construction of residences for the farm operator and/or the farm operator's parents, children, or employee. Establishment of a minimum of 1 acre parcel is also allowed in the event of a farm consolidation (existing farm operator purchases land but not necessarily existing buildings or residences which are then separated from the farm land). Requests for development or land division that does not meet the standards in the zoning district may be granted or denied through a process that rezones the property into a different zoning district. The strategy does not restrict development to less productive locations, require a minimum term length, or limit the number of land divisions or acreage eligible for rezone to another district. Not allowing non-agricultural development in the farmland preservation zoning district meets DATCP requirements of a maximum conversion rate of 1:20 within the farmland preservation zoning district.

The *basefarm tract* strategy requires that conversion of farmland be no more than 1:20 and that no more than four non-farm dwelling units be constructed or five total residences (includes farm residence) on a "basefarm tract." The strategy requires that non-farm development does not convert prime farmland if there are reasonable alternative locations and that non-farm development does not significantly impair the current or future agricultural use of the protected farmland. There are no restrictions on parcel size. A "basefarm tract" is all farmland that is part of a single farm (property under the same ownership) on a given date (determined by the county). The strategy restricts the number of land divisions and non-agricultural development based on property ownership (basefarm tract) and acreage. The term length is in perpetuity unless the property is rezoned into a different zoning district. The strategy incorporates historical land conversion and dwelling construction into the restrictions. Additional dwellings would not be allowed on basefarm tracts that have 4 non-farm or 5 total dwellings as of the date of adoption. Land divisions would not be allowed on basefarm tracts that have converted at or more than a rate of 1:20. The strategy meets DATCP requirements of conversion at a rate no more than 1:20.

The *farmland preservation easement strategy* uses density credits to minimize the conversion of land from agriculture and direct non-agricultural development to non-agricultural areas or lower productivity agricultural areas such as non-prime farm soils and/or smaller contiguous farmland tracts. Farmland preservation easements are utilized to protect and preserve large tracts of productive agricultural and forested lands and sensitive areas such as wetlands, floodplains, shorelands, and highly erodible soils. To utilize this strategy, Marathon County will need to establish density credit rates and a minimum size for farmland preservation easements that would be no greater than 1:20.

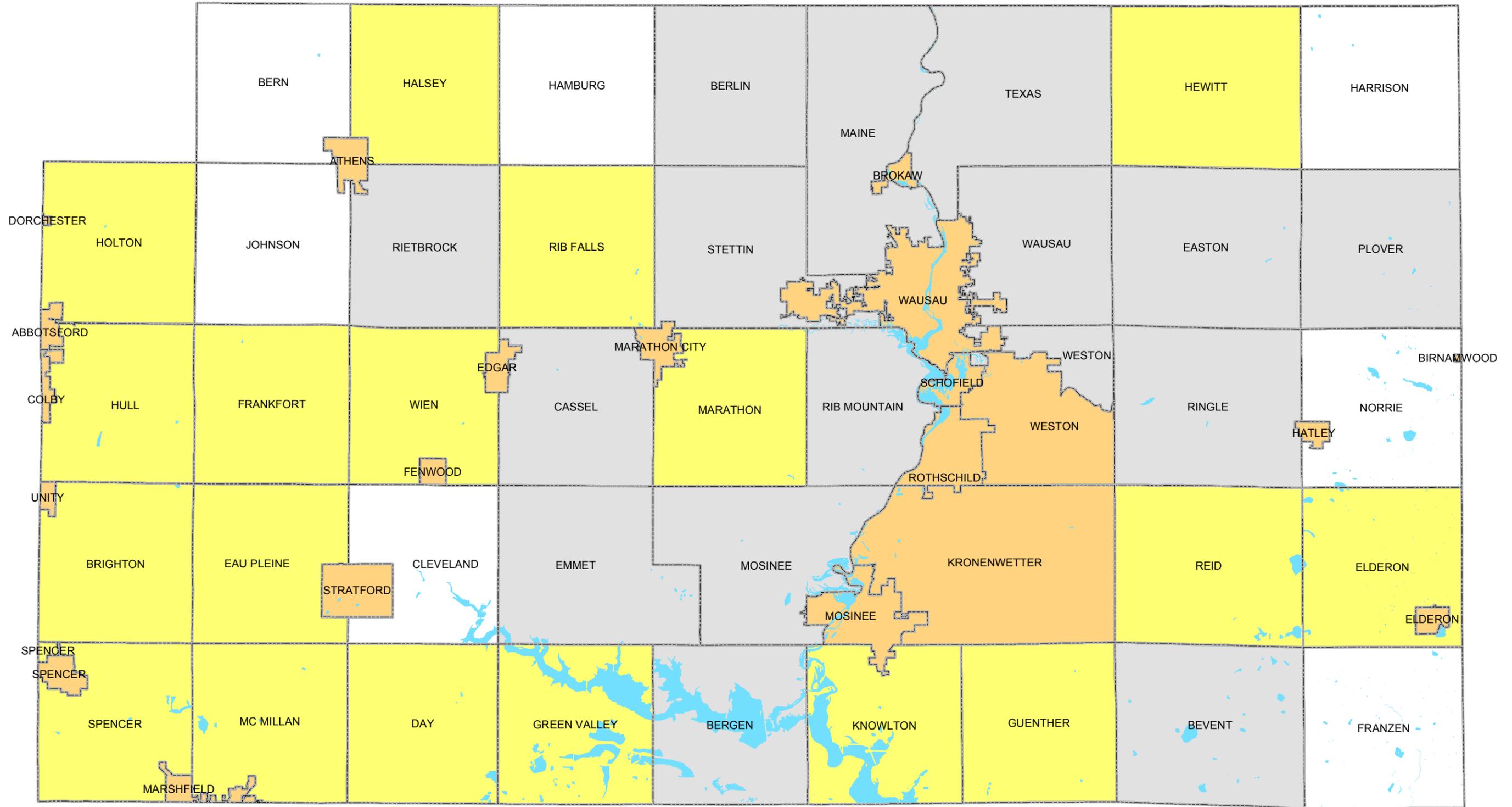
- Density credits are clustered, transferrable, and do not carry ownership restrictions. Minimum and maximum non-agricultural lot sizes would be determined by Marathon County and towns that adopt the farmland preservation zoning district and ordinance. Density credits are granted through a conditional use permit application process.

- Farmland preservation easements length and renewal terms would be determined by Marathon County and towns that adopt the farmland preservation zoning district and ordinance. The easement follows the land. Therefore, subsequent owners must follow the conditions of the easement. Non-agricultural or non-wood production related structures or development is allowed on the land under easement. The easement is terminated upon changes to the farmland preservation program or annexation to a city or village.

Map 2, shows existing zoned communities.

Map 3, shows communities with exclusive agriculture zoning districts.

MARATHON COUNTY WI ZONING - CURRENT STATUS



Map Developed by Marathon County
Conservation, Planning and Zoning GIS



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Zoning Status County-wide		Municipal Boundary
Zoning Type		Incorporated Areas
	County	
	Town	
	No Zoning	

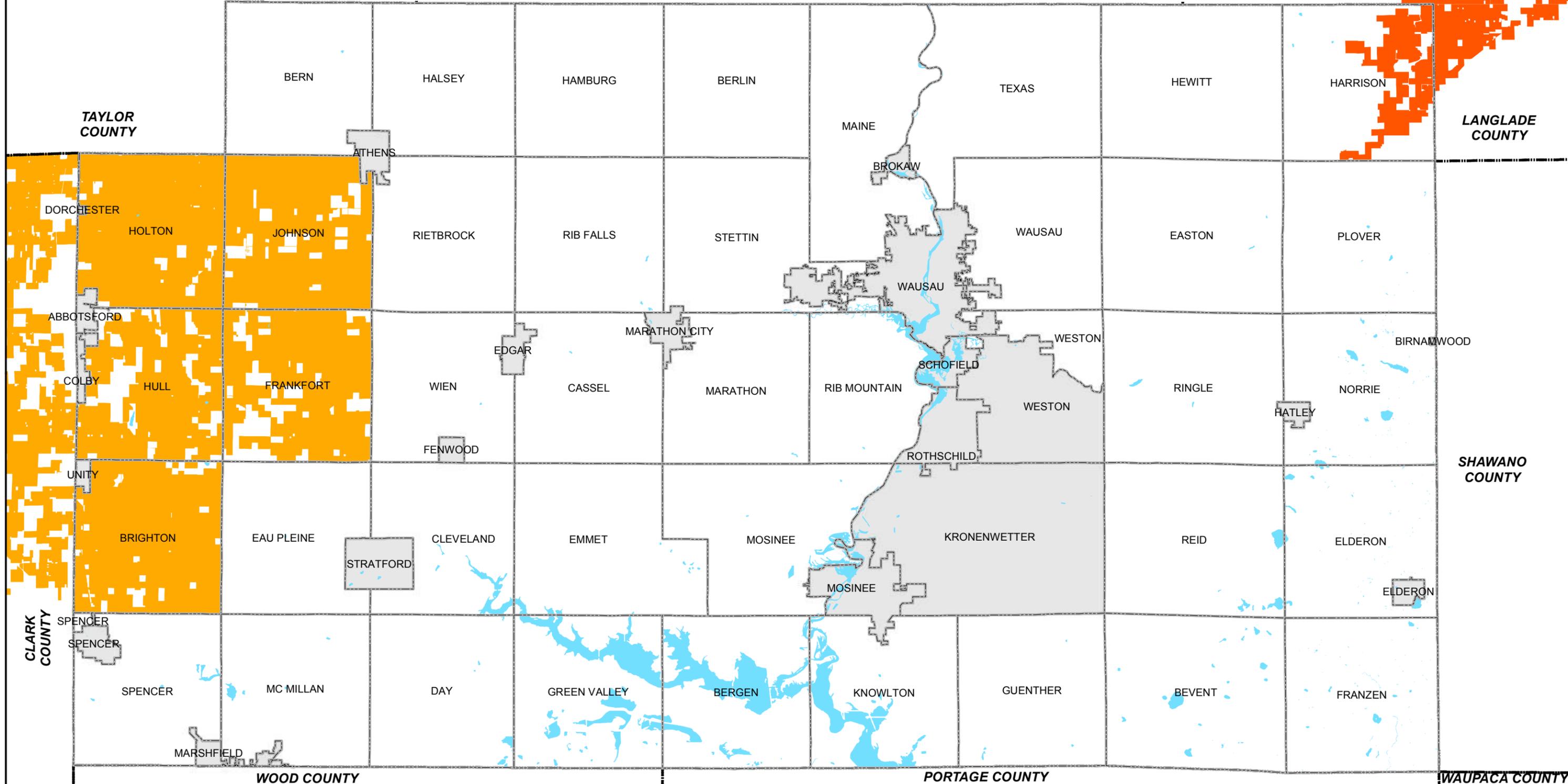
Agricultural Enterprise Areas (AEAs)

An Agricultural Enterprise Area is defined as a contiguous land area devoted primarily to agricultural use and locally targeted for agricultural preservation and agricultural development. AEAs preserve areas considered most valuable for current and future agricultural use, promote the development of agricultural businesses, and ensure eligibility of farm owners for enhanced tax credits through farmland preservation agreements. The County supports the focused development of agricultural enterprises in this area, will work to minimize incompatible development through implementation of the land use policies in this Plan, and will ensure that its other actions within this area are compatible with this designation. The County will also support the creation of additional AEAs where consistent with this Plan, and where there is sufficient town government and landowner initiative to create the AEA. Proposed AEAs must meet the criteria identified in the Farmland Preservation Policy. ERC has established the following additional criteria to consider for the expansion of existing AEAs:

- Additional criteria for Antigo Flats AEA
 - Antigo silt loam soil
 - Seed potato cluster
- Additional criteria for Heart of America's Dairyland AEA
 - Environmental Factors: prime soil association and water resources
 - Dairy cluster

Map 4 shows the current participating communities in AEA's.

AGRICULTURAL ENTERPRISE AREAS IN MARATHON COUNTY WI



Map Developed by Marathon County
Conservation, Planning and Zoning GIS



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	Heart of America's Dairyland AEA
	Antigo Flats AEA
	Municipal Boundary
	Incorporated Areas

MAP 4

