

Wisconsin Farmland Preservation Zoning

Contact DATCPWorkinglands@wisconsin.gov or 608-224-4630 with questions

What is the Farmland Preservation Program?

The Wisconsin Farmland Preservation Program helps farmers and local governments preserve farmland, protect soil and water resources, and minimize land use conflicts. Owners of farmland who participate in the program also receive an income tax credit incentive.

What is Farmland Preservation Zoning?

Counties, towns, cities and villages can have their locally adopted zoning ordinance certified by DATCP as a Farmland Preservation Zoning ordinance. A certified ordinance ensures that land uses in a Farmland Preservation Zoning district are limited to agriculture and other compatible uses. Landowners with land in a Farmland Preservation Zoning district are then able to participate in the program and claim the tax credit.

How is a certified Farmland Preservation Zoning ordinance different than other agricultural zoning in local ordinances?

In order for a zoning ordinance to be certified as a Farmland Preservation Zoning ordinance, the ordinance must meet the standards for farmland preservation established in Chapter 91, Wis. Stats, including at least one zoning district primarily for agricultural uses. Agricultural uses include raising livestock, cropping, nurseries, floriculture, beekeeping, forest management and more. Many county or town governments already have a zoning ordinance with an exclusive agricultural zoning district which may come close to, or already meet, these standards. Chapter 91 does, however, require that new nonfarm residences in a Farmland Preservation Zoning district be limited or directed to another zoning district.

Who is eligible to claim income tax credits through Farmland Preservation Zoning?

Landowners with land in a Farmland Preservation Zoning district and who are Wisconsin residents may claim the tax credit, provided that:

- All commonly owned land part of the farm is in compliance with the state soil and water conservation standards
- The agricultural use of the farm produces at least \$6,000 in gross farm revenue the previous year or \$18,000 over the previous three years

What income tax credit rates are available through Farmland Preservation Zoning?



\$10/acre for landowners with land in a certified Farmland Preservation Zoning district



\$12.50/acre for landowners with land in a certified Farmland Preservation Zoning district AND a Farmland Preservation Agreement in an Agricultural Enterprise Area.

What are the benefits of Farmland Preservation Zoning?

- **Zoning is a tool that can help accomplish local land use goals.**

Nearly all Wisconsin counties have adopted a Farmland Preservation Plan certified by the state. County Farmland Preservation Plans build upon and work in tandem with local comprehensive land use plans to establish policies and goals for agriculture use and the preservation of agricultural land. These plans alone are guidance documents, but through zoning they can accomplish goals which may include: keeping highly productive agricultural land in agricultural use, strengthening local processing and supply chains, assisting in implementing conservation practices and helping the next generation of farmers continue the industry.

- **Zoning seeks to prevent land use conflicts within large contiguous blocks of land.**

Chapter 91 requires that Farmland Preservation Zoning districts be substantially consistent with the lands planned for farmland preservation in the county's Farmland Preservation Plan. This helps create large, clustered blocks of protected farmland. These clustered blocks minimize land use conflicts better than isolated pockets of farmland, which can make the lives of farmers and rural residents easier.

- **Farmland preservation zoning helps maintain a strong local economy by ensuring a commitment to the agricultural land base.**

Agriculture is a \$104.8 billion/year industry in the state of Wisconsin and is tied to numerous industries across the state, ranging from food and beverage to travel and leisure. Keeping land in agriculture use supports the local and state economy and ensures continued investment in rural communities.

- **The development of a farmland preservation ordinance occurs at the local level.**

Local governments are responsible for the administration, enforcement and amendment of certified zoning ordinances under the Farmland Preservation Program. Within the requirements of Chapter 91, there is some flexibility on what a certified Farmland Preservation Zoning district can allow. As a result, local governments engage in a public process to create and adopt a Farmland Preservation Zoning ordinance which are reflective of the land use interests in the community.

- **Landowners within a certified farmland preservation district are eligible to claim an income tax credit.**

Landowners who meet conservation practice and eligibility requirements can claim a \$10/acre state income tax credit. This credit does not directly affect local property taxes and may be seen as a community investment for those landowners who participate in the Farmland Preservation Program.

- **The community receives a collective benefit through the implementation of soil and water conservation standards.**

State agricultural standards for soil and water conservation ensure that the local community is receiving a benefit in exchange for expenditures on the program beyond the preservation of agricultural land. These standards aim to conserve soil and prevent agricultural runoff.



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