

Plan and zoning districts prevents parcelization

Issue: Parcelization and development of agricultural and forested land

Note: Although this case study focuses on agricultural land, the strategy highlighted here can also be applied to forestlands.

In Jefferson County during 1999 there was a trend of residential development in rural areas as well as changes in agricultural technology, practices, and scale of operation, which combined to create conflicts between agricultural and other land uses. This county's location between the Milwaukee and Madison metropolitan areas is one driver of the rural development trend. Agricultural land was converted to other uses by two main processes:

- Rezoning from agricultural to residential use: An average of 520 acres was rezoned to residential use each year over the previous 20 years.
- Creating 35-acre "dwelling sites" within an agricultural zone (in effect taking those acres out of production): On average 15 to 20 of these sites were created annually, resulting in at least another 525 acres removed from agricultural use each year.

The Jefferson County Board recognized the parcelization of rural land and development pressure infringing on agriculture, as threats to the agricultural resources, economy, rural character, and small town life-style that most residents in the county value. The board also expected these trends to continue and possibly intensify in the future.

Jefferson County is a rural county in southeastern Wisconsin. Forests cover only 12 percent of the land; 84 percent of the land is used for agriculture.



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Approach: Jefferson County adopts Land and Water Resource Management Plan and revises zoning

The County developed a plan to guide the growth they were experiencing. With the participation of the community, the plan was ultimately adopted.

The plan includes:

- General vision statements about how residents want the county to be in the future,
- Agricultural preservation vision statements and guidelines,
- Environmental protection goals and guidelines,
- A county map defining and outlining locations of agricultural preservation areas, cities and villages with associated urban service areas, rural hamlets, and environmental corridors.

Zoning revisions were adopted at the same time as the plan to achieve the plan's goals and visions (See the table below). In the first four years of implementation building permits for new homes throughout the county stayed fairly constant. More than half of these new homes were built in rural residential areas. However, the average amount of land utilized for rural residential purposes decreased from 1025 acres to 225 acres per year.

Jefferson County's creative approach to preserving agricultural land

Component	Vision or goal	Key policy features
Agricultural Preservation	Zoning should not hamper agricultural production	<p>No new dwellings in Exclusive Agriculture Districts = all rural portions of county that are outside of planned Urban Service Areas and Rural Hamlets</p> <p>New homes require rezoning to Rural Residential: Maximum lot size is 2 acres</p> <p style="padding-left: 20px;">Parcels 50 acres or greater can have a maximum of 3 Rural Residential lots (2 if on prime soils)</p> <p style="padding-left: 20px;">Parcels 50 acres or less can have a maximum of 3 Rural Residential lots (1 if on prime soils)</p>
Environmental Corridor	Protect wetlands, woods, floodplains, and steeply sloped glacial features. Protect surface water and groundwater quality.	<p>Environmental corridors will be overlaid: additional regulations are applied to underlying zoning</p> <p>Development densities should not be greater than one dwelling unit per 10 acres</p> <p style="padding-left: 20px;">Wetlands and 100-year floodplain land will be excluded from calculations of maximum allowable densities</p> <p style="padding-left: 20px;">No buildings within 75 feet of wetlands or navigable bodies of water</p>
Urban Service Areas	Encourage higher density residential development in areas where public utilities will be available.	<p>Municipalities are encouraged to adopt phase-in plans for expansion of public facilities</p> <p>Incorporated municipalities and towns are encouraged to enter into voluntary boundary agreements to address annexation issues</p> <p>Environmental corridors will apply to Urban Service Areas</p>

Reflections on Land and Water Resource Management Plan

Strengths

Jefferson County made an effort to involve as many citizens as possible in the planning process. In surveys, 90% of respondents supported zoning and other regulations to protect environmentally important areas. Citizen involvement ensured a successful plan.

The plan has proven to be successful at preserving agricultural land. Since the enactment of the plan and ordinance in March 2000, approximately 500 lots have been created in the Agricultural Plan area averaging 1.8 acres/lot. About 225 acres of land has been approved for rural residential use annually in the four years since the plan was implemented, versus 1025 acres annually in the years before the plan was adopted.

Although the plan does not reduce the demand for rezoning to residential use (20 to 30 rezoning requests are submitted per month), it helps ensure that agricultural land is not fragmented beyond its ability to be productively farmed. Also, close to 15,000 acres have been identified as protected from additional rural residential lots because those land owners have utilized all their potential lots on their properties. On an annual basis, 50 lots in prime agricultural soils are approved utilizing only 60 acres. Past policies took at least that amount of land to create only two rural residential lots in the agricultural zone.







Since agriculture is an important part of the county's economy, preserving agricultural lands directly benefits the local economy. By adopting the plan and zoning ordinances at the same time, Jefferson County ensured that their plan was implemented.

Weaknesses

Individual "rural hamlets" and cities and villages are allowed to lay out their own urban service areas. These areas could include more prime agricultural land than the county plan intended. Fragmentation of agricultural land can still occur because some development is still allowed in the agricultural zone. Also, the plan is subject to change as county board members change.

Future

Jefferson County has scheduled monitoring and revisions for their land use plan to ensure that it continues to achieve the goals and visions previously identified, and to update it as needed.

Allowed use of parcels located in Exclusive Agriculture District			
<p style="text-align: center;">Less than 50 acres, with existing dwelling</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p style="font-size: small;">All prime soils, or non-prime soils unavailable = 1 rural residential lot</p> </div> <div style="text-align: center;">  <p style="font-size: small;">Non-prime soils available = Maximum of 3 new rural residential lots in non-prime soils</p> </div> </div> <p style="text-align: center; font-size: small;">Maximum new lot size = 2 acres</p>	<p style="text-align: center;">Greater than 50 acres, with existing dwelling</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p style="font-size: small;">All prime soils, or non-prime soils unavailable = Maximum of 2 new rural residential lots</p> </div> <div style="text-align: center;">  <p style="font-size: small;">Non-prime soils available = Maximum of 3 new rural residential lots in non-prime soils</p> </div> </div> <p style="text-align: center; font-size: small;">Maximum new lot size = 2 acres</p>		
<p style="text-align: center;">Less than 50 acres, no existing dwelling</p> <div style="text-align: center;">  <p style="font-size: small;">No new dwellings</p> </div>	<p style="text-align: center;">Greater than 50 acres, no existing dwelling</p> <div style="text-align: center;">  <p style="font-size: small;">No new dwellings</p> </div>		

Conclusion

Since the implementation of their land use plan, Jefferson County's development is more structured than before and non-agricultural development has decreased on prime soils. Landowners are generally accepting of the plan.

This strategy of identifying important land and then adopting a plan with ordinances that limit rezoning and parcelization, can serve as a model for conserving any type of land that a community values.

Forested lands are a logical candidate for this type of planning and zoning, especially for counties where forestry is an important part of the local economy.

Source: Schneider J, Grabow S. June 2002. Jefferson County Plan Saves Agricultural Land. *Wisconsin Counties*. 14 -15.

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