

Resolution No. 30-1209

**RESOLUTION SUPPORTING
DELAYED IMPLEMENTATION OF
FARMLAND PRESERVATION REZONING CONVERSION FEE**

Iowa County, Wisconsin

WHEREAS, Iowa County has participated in the Wisconsin Farmland Preservation Program since the Iowa County Farmland Preservation Plan was adopted by the County Board on November 12, 1980 and exclusive agricultural zoning was adopted in 1971; and

WHEREAS, Iowa County's participation in the Wisconsin Farmland Preservation Program has resulted in the preservation of productive agricultural land and allowed farmers to collect tax credits totaling more than \$50 million since 1980; and

WHEREAS, the authorizing statute, Chapter 91 Wisconsin Statutes, remained largely unchanged for nearly 30 years until revisions (known as the Working Lands Initiative) to Chapter 91 in Assembly Bill 75, the proposed 2009-2011 state budget; and

WHEREAS, Assembly Bill 75 was signed into law as 2009 Wisconsin Act 28 on June 29, 2009, and it revised Chapter 91 to require landowners to pay a rezoning conversion fee beginning on January 1, 2010 when they rezone their land from the A-1 Agricultural zoning district to any other zoning district, whether or not they ever farmed the land or ever collected farmland preservation tax credits; and

WHEREAS, Chapter 91 requires all counties to update their farmland preservation plan over the next 5 years and, within one year after plan adoption, requires counties to update their exclusive agricultural zoning ordinances to maintain certification for tax credit eligibility; and

WHEREAS, Chapter 91 imposes the rezoning conversion fee on January 1, 2010, based on existing plans, ordinances and zoning maps, without the benefit of an updated farmland preservation plan or ordinance; and

WHEREAS, charging the rezoning conversion fee is a burden on property owners who are not farmers, whose land is not currently being farmed, and who never collected farmland preservation tax credits in the past; and

WHEREAS, the implementation of the rezoning conversion fee is an imposition on county government and places undue pressure on counties to act immediately to revise their plans and ordinances, without the benefit of state financial assistance; and

WHEREAS, delaying implementation of the rezoning conversion fee until after revised plan and ordinance adoption and certification allows counties and landowners time to properly address all the planning and zoning requirements of the new Working

Lands Program.

NOW THEREFORE BE IT RESOLVED, the Iowa County Board of Supervisors hereby requests that legislation be introduced and passed to delay the implementation of the farmland preservation rezoning conversion fee under §91.48(1)(b) Wisconsin Statutes until a county updates its farmland preservation plan and zoning ordinance and the plan and ordinance are certified by DATCP, and

BE IT FURTHER RESOLVED, that this resolution be sent to Governor Doyle, Senator Dale Schultz, Representative Steve Hilgenberg, the Senate Committee on Agriculture and Education, the Assembly Committee on Agriculture, DATCP Secretary Nilsestuen, all county clerks of Wisconsin counties with exclusive agricultural zoning and the Wisconsin Counties Association.

Respectfully submitted by the Planning and Zoning Committee.

Adopted this 29th day of December, 2009



Mark Masters
Iowa County Chairman

ATTEST:



Gregory T. Klusendorf
Iowa County Clerk