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3 **RESOLUTION BY THE RACINE COUNTY ECONOMIC DEVELOPMENT AND LAND USE**  
4 **PLANNING COMMITTEE SUPPORTING DELAYED IMPLEMENTATION OF FARMLAND**  
5 **PRESERVATION REZONING CONVERSION FEE UNDER CHAPTER 91.48(1)(b), WIS.**  
6 **STATS.**  
7

8 To the Honorable Members of the Racine County Board of Supervisors:

9  
10 **WHEREAS**, Racine County has participated in the Wisconsin Farmland  
11 Preservation Program since the Racine County Farmland Preservation Plan was adopted  
12 by the County Board in 1981 and exclusive agricultural zoning was adopted in 1982; and  
13

14 **WHEREAS**, Racine County's participation in the Wisconsin Farmland Preservation  
15 Program has resulted in the preservation of productive agricultural land and allowed  
16 farmers to collect tax credits since 1982; and  
17

18 **WHEREAS**, the authorizing statute, Chapter 91 Wisconsin Statutes, remained  
19 largely unchanged for nearly 30 years until Governor Doyle and the Department of  
20 Agriculture, Trade and Consumer Protection (DATCP) proposed revisions (known as the  
21 "Working Lands Initiative") to Chapter 91 in Assembly Bill 75, the proposed 2009-2011  
22 state budget; and  
23

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

30 **WHEREAS**, Chapter 91 requires all counties to update their farmland preservation  
31 plan over the next five years and, within one year after plan adoption, requires counties to  
32 update their exclusive agricultural zoning ordinances to maintain certification for tax credit  
33 eligibility; and  
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35 **WHEREAS**, Chapter 91 imposes the rezoning conversion fee on January 1, 2010,  
36 based on existing plans, ordinances and zoning maps, without the benefit of an updated  
37 farmland preservation plan or ordinance; and  
38

39 **WHEREAS**, charging the rezoning conversion fee is a burden on property owners  
40 who are not farmers, whose land is not currently being farmed, and who never collected  
41 farmland preservation tax credits in the past; and  
42

43 **WHEREAS**, the implementation of the rezoning conversion fee is an imposition on  
44 county government and places undue pressure on counties to act immediately to revise  
45 their plans and ordinances without the benefit of state financial assistance; and  
46

47 **WHEREAS**, delaying implementation of the rezoning conversion fee until after  
48 revised plans and ordinance adoption and certification allows counties and landowners  
49 time to properly address all the planning and zoning requirements of the new Working  
50 Lands Program.  
51

52 **NOW THEREFORE BE IT RESOLVED**, the Racine County Board of Supervisors  
53 hereby requests that legislation be introduced and passed to delay the implementation of  
54 the farmland preservation rezoning conversion fee under §91.48(1)(b), Wisconsin Statutes,  
55 until a county updates its farmland preservation plan and zoning ordinance, and the plan  
56 and ordinance are certified by the DATCP; and  
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58

4 **BE IT FURTHER RESOLVED**, that this resolution be sent to Governor Doyle,  
5 Senator John Lehman, Senator Robert Wirch, Senator Mary Lazich, Representative  
6 Robert Turner, Representative Cory Mason, Representative Robin Vos, Representative  
7 Samantha Kerkman, Representative Scott Gunderson, the Senate Committee on  
8 Agriculture and Education, the Assembly Committee on Agriculture, DATCP Secretary  
9 Nilsestuen, all County Clerks of Wisconsin counties with exclusive agricultural zoning and  
10 the Wisconsin Counties Association.

11 **Respectfully submitted,**

12  
13 1st Reading \_\_\_\_\_

**ECONOMIC DEVELOPMENT AND LAND  
USELANNING COMMITTEE**

14  
15 2nd Reading \_\_\_\_\_

16  
17  
18 **BOARD ACTION**

\_\_\_\_\_  
Robert D. Grove, Chairman

19 Adopted \_\_\_\_\_

20 For \_\_\_\_\_

21 Against \_\_\_\_\_

22 Absent \_\_\_\_\_

\_\_\_\_\_  
Mark M. Gleason, Vice-Chairman

23  
24 **VOTE REQUIRED: Majority**

\_\_\_\_\_  
Dan F. Sharkozy, Secretary

25  
26 Prepared by:  
27 Corporation Counsel

\_\_\_\_\_  
Kenneth Hall

\_\_\_\_\_  
Thomas Pringle

\_\_\_\_\_  
Q. A. Shakoor II

\_\_\_\_\_  
John A. Wisch

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39 **The foregoing legislation adopted by the County Board of Supervisors of Racine County,**  
40 **Wisconsin, is hereby:**

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42 **Approved:** \_\_\_\_\_

43 **Vetoed:** \_\_\_\_\_

44  
45 **Date:** \_\_\_\_\_,

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48 **William L. McReynolds, County Executive**

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51 **The certificate of publication, in compliance with State Statutes, is available at**  
52 **Racine County Planning.**

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54 **FISCAL NOTE - NOT APPLICABLE**