



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

October 4, 2011

Rob Klotz
Jefferson County Director of Planning and Zoning
Jefferson County Courthouse
320 S. Main St., Room 201
Jefferson, WI 53549

Dear Mr. Klotz:

On September 28, 2011, DATCP sent Jefferson County a signed order certifying the county's farmland preservation plan. The certification is contingent on the County adopting the farmland preservation plan in the form submitted to the department.

At the same time that the County submitted its farmland preservation plan, the County also submitted a revised farmland preservation zoning ordinance for certification. Under s. 91.38(1)(g), the department may only certify a farmland preservation zoning ordinance if that ordinance zones lands for farmland preservation that are planned for farmland preservation in the county's *certified* farmland preservation plan. Unfortunately, because the County's new farmland preservation plan does not become certified until the County adopts the plan, and because the department can only certify the farmland preservation zoning ordinance in comparison to the County's *certified* farmland preservation plan, the department cannot certify the County's farmland preservation zoning ordinance until the County adopts its updated farmland preservation plan.

We want to assure Jefferson County, however, that the County's farmland preservation zoning ordinance is ready for certification. The department has already reviewed Jefferson County's farmland preservation zoning ordinance and has compared it to the County's updated farmland preservation plan. The department has determined that the County zoning ordinance meets the requirements of ch. 91 and is consistent with the updated plan. As stated above, however, the department must wait to certify the farmland preservation zoning ordinance until the County has adopted its updated farmland preservation plan.

In light of this complication, we propose that Jefferson County do the following: (1) adopt the Jefferson County farmland preservation plan; (2) adopt the Jefferson County farmland preservation zoning ordinance; (3) send DATCP confirmation of the adoption of both the plan and the ordinance with copies of both documents. Provided the farmland preservation zoning ordinance remains in compliance with ch. 91 (i.e. the ordinance matches the ordinance submitted on September 12, 2011, with the exception of certain previously noted mapping corrections), the department will issue an order certifying the Jefferson County farmland preservation zoning ordinance. Following these steps will enable the County to take action on its ordinance sooner without needing to wait for the department to acknowledge that the County has adopted the correct farmland preservation plan and then issue an order certifying the County's farmland preservation ordinance.

Agriculture generates \$59 billion for Wisconsin

This should not require the County to undergo any additional steps, but it does ensure that statutory requirements are being followed. We apologize for any inconvenience that this might cause. Should you have any questions or concerns about the issue identified above, please contact Keith Foye at 608-224-4603 or Alison Volk at 608-224-4634. Thank you for continuing to work with us on farmland preservation.

Sincerely,

A handwritten signature in black ink, appearing to read "John Petty". The signature is fluid and cursive, with a large loop at the end.

John Petty
Division Administrator
Agricultural Resource Management

- c. Jessica Schmiedicke, Vandewalle & Associates, Inc.
Keith Foye, DATCP