

From: [Bill Connors](#)
To: [Plan Commission Comments](#)
Subject: Smart Growth's Concerns about Report from Task Force on Farmland Preservation
Date: Tuesday, May 16, 2023 11:37:10 AM
Attachments: [SGGM Letter to TF on Farmland Preservation 2023-05-10.pdf](#)

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Chair Zellers and Plan Commissioners:

I am writing to you regarding the report from the Task Force on Farmland Preservation, Legistar 77441. Below is a link to the Legistar file.

<https://madison.legistar.com/LegislationDetail.aspx?ID=6180347&GUID=CBDA1A27-37CE-4C71-BDC5-6D56E5F68877&Options=ID|Text|&Search=77441>

This report will be on the agenda for the Plan Commission's meeting on May 22. I am sending this email to you well in advance of that meeting to allow you more time to consider the task force's report and Smart Growth's concerns.

When the task force's report comes to the Common Council on June 6, the resolution regarding the report will say that the Common Council adopts the report. Please note that according to Madison's ordinances, when the Common Council adopts a report, it merely acknowledges that it has received the report and is not adopting any of the recommendations in the report.

If the Plan Commission passes a motion regarding the task force's report, I urge you **NOT** to include any language in the motion recommending that the Common Council go further and adopt or implement the recommendations in the report.

As noted in my May 10 letter to the task force (attached to this email), the following recommendation in the task force's report is particularly problematic:

"Evaluate land added to the city through recent annexation and anticipated future annexation for potential urban agriculture preservation/protection"

This recommendation is vague and will invite wasteful controversy each time a developer requests rezoning and approval of a plat for a new residential subdivision on land recently annexed or annexed in the future into the city. Madison needs more housing, not more obstruction to housing.

I urge you to include in your motion an expression of concern from the Plan Commission to the Common Council about this vague, controversy-creating recommendation.

In addition, preserving farmland within the Madison city limits will not result in preservation of farmland in Dane County as a whole. For each acre of farmland preserved within the city, at least one acre of farmland elsewhere in the county be developed, usually for housing, because farmland preservation in Madison will not decrease the demand for more housing in the Madison area as a result of steadily growing population. Pushing more housing development farther out into the county will result in increased greenhouse gas emissions.

Please read my May 10 letter to the task force, which is part of the record under Legistar 77441, and which I have attached to this email. This letter provides more comments from Smart Growth than the points made in this email.

Thank you for your consideration.

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May 10, 2023

Madison Task Force on Farmland Preservation:

Smart Growth appreciates that many of the recommendations of the task force are focused on making land the city government already owns available to lease for urban farming. For example, parts of existing parks and other preserved green spaces that the city government does not have the capacity to maintain could be converted to urban agriculture without decreasing the amount of prime developable land within or immediately adjacent to the city limits that is available for development.

In addition, new development projects are already required by the zoning code to include green space, and garden plots for residents of a new development could be included within that already required green space.

Smart Growth also appreciates that incentives are mentioned in the recommendations focused on preventing the development of prime developable land within the city limits so it can be preserved for urban agriculture. These incentives appear to be ones that do not involve direct outlays of city government funds, but rather provide “bonuses” above and beyond what is permitted by the zoning code and which would have a financial benefit to developers. Smart Growth would welcome an opportunity to participate in future discussions regarding what those incentives might be. It also is reasonable to question whether such zoning-code-based incentives would provide a sufficiently large value to entice a landowner or developer to agree to permanently commit to no development of substantial parcels of land.

In contrast, Smart Growth strongly objects to the late addition of the following recommendation under zoning and land use, unless limiting, clarifying language is added to it:

Evaluate land added to the City through recent annexation and anticipated future annexation for potential urban agriculture preservation/protection

This recommendation appears to invite a controversy each time a developer applies for rezoning of land from temporary agricultural zoning to a zoning district that permits development, like the controversy that happened when a developer applied to rezone the Raemisch farm property for development and opponents of the application sought to force the

developer to set aside a substantial part of the property for urban agriculture. That process was dysfunctional and it should not be repeated. If it is repeated, it will discourage developers from even seeking to create new residential subdivisions in Madison. Many residential subdivision developers will choose to work in other cities and villages in Dane County rather than deal with such obstruction.

Smart Growth requests that the task force change the wording of this recommendation as follows:

Evaluate land added to the City through recent annexation and anticipated future annexation for potential urban agriculture preservation/protection exclusively through framework area plans, neighborhood development plans or other plans approved by the Common Council and incorporated into the Comprehensive Plan.

This additional language would make clear that designating properties for farmland preservation should be done only through a planning process. It also makes clear that if a property has not been designated for farmland preservation through a planning process, the issue of farmland preservation should not be interjected into the consideration of an application to rezone the property from temporary agricultural zoning to a zoning district that permits development.

It appears the report envisions that a new, separate planning process overseen by the Plan Commission would produce a new plan to implement this recommendation in the medium term, which is defined as 6 to 24 months from adoption of the task force's report and recommendations. Based on the testimony of city Planning staff when the new area planning framework was adopted, it is doubtful that city Planning staff would have sufficient time to devote to this additional planning project when they are focused on creating new framework area plans in all 12 areas of the city over the next 10 years.

Furthermore, if the city government wants to preserve part of a large parcel for urban agriculture, the city government or nonprofit organizations should pay fair market value to acquire that part of the parcel and construct the street, sidewalks, water main, parking lot, etc. to provide access and utilities to the urban agricultural parcel, since the developer of the rest of the large parcel cannot generate any revenue from the urban agricultural parcel to pay for acquiring that land and providing the infrastructure.

The report notes that there are government programs to preserve farmland in rural parts of Dane County but no mechanism to preserve farmland within the city. That is because there are strong public policy reasons for preserving farmland in rural areas while there are strong public

policy reasons for NOT preserving farmland within or just outside of the boundaries of cities and villages.

Smart Growth questions the wisdom of preserving farmland within the Madison city limits at the expense of farmland outside the city limits. Preserving farmland within the Madison city limits does not result in an overall preservation of farmland. For every acre of farmland preserved within the city limits, at least another acre of farmland elsewhere in Dane County will be converted from farming to development because of the demand for new development created by a steadily growing regional population.

From the perspective of promoting farmland preservation and minimizing green-house gas emissions, relatively dense new development should occur within the city limits or on land immediately adjacent to the city limits, not further out in the county. See the Capital Area Regional Planning Commission's document entitled, "Greater Madison Grows Together: 2050 Regional Planning Framework." Preserving farmland within or immediately adjacent to the city limits does the opposite; it pushes more development further out into the county. Preserving farmland within the current or future Madison city limits will reduce the number of housing units constructed within Madison and increase the number of housing units constructed elsewhere in Dane County, because the preservation of farmland in Madison will not reduce the demand for more housing units in the county.

Furthermore, preserving farmland within the city limits will decrease the number of housing units constructed in Madison. This will exacerbate the chronic imbalance between housing supply and demand in Madison and put additional upward pressure on rents and housing prices.

In addition, Smart Growth hopes the task force's report and recommendations will answer the following operational questions.

1. Which source of funds will pay for acquiring land for urban agriculture and providing the infrastructure for that use?
2. Which organizations will administer who receives access to new community gardens and larger parcels for urban farming? It appears the task force's report might envision that a person in a position called Food Policy Director would do this work. What is the source of funds to pay for the salary, benefits and administrative expenses of the Food Policy Director?
3. Will farmers using the preserved urban farmland be allowed to keep more chickens than city ordinances currently allow for a homeowner (8 chickens)?
4. Will farmers using preserved urban farmland be allowed to keep other barnyard animals on the land?

5. Will nearby residents tolerate the pesticides, dust, and animals smells emanating from the preserved urban farmland?
6. How will users of the preserved urban farmland travel to and from the land they are using? If they must drive a vehicle because it is not practical to use transit to reach the land they are using, will a parking lot be provided or will on-street parking be permitted?
7. Where there are storm water inlets near urban farmland, how will runoff from the urban farmland be prevented from running into the storm water inlets and our lakes?

For more information, please contact Bill Connors, Executive Director, Smart Growth Greater Madison, at 608-228-5995 or bill@smartgrowthgreatermadison.com.