

ATCP 49.12 Certification standards. The department may certify a county's farmland preservation plan under s. 91.16, Stats., if that plan complies with the requirements in s. 91.10 (1) and (2), Stats., and all of the following:

(1) RATIONALE. (a) The farmland preservation plan shall describe the rationale used to determine which areas the county plans to preserve for agricultural use and agriculture-related use. The rationale shall be based on objective criteria related to the characteristics of the land parcels themselves, including consideration of all of the following criteria:

1. Whether the soils are suitable for agricultural production.
2. Whether the land has historically been used for agricultural use or agriculture-related use.
3. Whether the land is in close proximity to agricultural infrastructure.
4. Whether the land is in undeveloped natural resource or open space areas that connect other farmland parcels to create a large, uninterrupted block of preserved area.
5. Whether the land may be under some development pressure but the land is not located in an area the county plans for development in the next 15 years.

Note: The criteria listed above are all land-based considerations that may or may not be relevant in the county. Other factors may also be considered such as availability of supporting infrastructure or presence of protected land.

(b) The rationale shall exclude from a farmland preservation area any parcels planned, within 15 years, for nonagricultural development or other incompatible uses in the town or county comprehensive plans.

(c) The rationale may ~~not~~ be based ~~primarily~~ on landowner preferences.

(d) The rationale shall be applied consistently across the county to the extent applicable and practicable.