

# 5

## Agricultural, natural resources & cultural resources element

The Agricultural, Natural and Cultural Resources element contains a compilation of objectives, policies, goals, maps and programs for the conservation and promotion of the effective management of natural resources, environmentally sensitive areas, parks, open spaces, historical and cultural resources.

### **GOALS:**

Maintain a balanced relationship between development and the environment. Protect and sustain high-quality air, water and trees, native species, and open space networks and identify those places that must be protected from development. Encourage the maintenance and preservation of active farms on the outskirts of the City and ensure they are not prematurely developed.

### **OBJECTIVES:**

1. Protect land area classified as environmental corridors and natural areas from development and ensure that a healthy balance between open space infrastructure and development exists.
2. Encourage the creation of an open space network and protect the ecosystems of Sugar Creek and Jackson Creek as the primary environmental corridors in the community.
3. Encourage private contribution of environmentally sensitive properties through transfer of development rights, conservation easements, or land dedication to appropriate public or private organizations dedicated to preserving open space.
4. Protect and conserve agricultural land adjacent to the City's municipal boundary by ensuring that the agriculture use is not made infeasible by new development. The 2020 Land Use Plan for Walworth County surveyed residents of the County and found that 90% of respondents agree or strongly agree that preservation of farmland in the County is an important goal.
5. Design all new developments to create a minimum disturbance to natural site conditions, drainage patterns, and the ability of land to limit stormwater runoff.
6. Establish minimum setback and buffer areas along creeks, streams and environmental corridors to

reduce the negative impacts on water quality.

7. Ensure all new development provides storm water retention capacity equal to the capacity displaced by that development. Retention areas, where safe and practical, should be designed to incorporate recreational uses.

### **POLICIES:**

1. Prior to approving new development, review implementation standards for phasing of new development. Minimize premature replacement of active agricultural uses by promoting development that is within or adjacent to the City's municipal boundary.
2. Protect historic sites and monitor development that may endanger or negatively impact those sites.
3. Preserve and enhance the aesthetic quality of City entryways and corridors, and preserve landscape buffers along key roads and view points.
4. Encourage landowners to preserve and protect the cultural and historic resources of the City and surrounding areas.
5. Prior to approving new development, evaluate the impacts that will occur to nearby agricultural uses.
6. Prior to approving new development, consider how the development will impact endangered or rare animal and plant species, stormwater management, vegetation, and open space areas.
7. Discourage development on slopes in excess of twelve percent or within the 100-year floodplain.

### **AGRICULTURAL AND NATURAL RESOURCES**

That the City of Elkhorn is located centrally within Walworth County is fundamental to its potential for future development. Although surrounded by prime agricultural soils, the landscape is generally flat and devoid of natural obstacles to urban development. There are few natural lakes or rivers, forests, or major wildlife habitats to constrain or significantly impact future development; unlike Lake Geneva and Williams Bay where significant natural features are present.

Nevertheless, an increasing awareness of the benefit of natural amenities, the sensitivity and fragility of the few natural resources that do exist, and the desire to retain a culture of agriculture in Walworth County suggest that the natural landscape is one to be seriously considered in City, Town and County plans for the 21st century. The north half of the City drains to Sugar Creek (Fox River Watershed) and the south half of the City drains to Jackson Creek (Rock River Watershed). A fundamental goal of this Comprehensive Plan is to preserve and protect existing natural resources; once sacrificed, these precious resources are not likely to be replaced. The two primary environmental corridors existing in Elkhorn were identified in previous plans like 'The Regional Natural Areas and Critical Species Habitat Protection and Management Plan' and 'A Land Use Plan for Walworth County, WI: 2020' (both prepared by the Southeastern Wisconsin Regional Planning Commission). These corridors are at the edges of Elkhorn, the Jackson Creek corridor to the south, and the Sugar Creek corridor to the north.

**Farmland Preservation**

In Wisconsin, agricultural preservation is a sensitive balance between maintaining prime agricultural lands and the general rural lifestyle versus scattered urban development, rising property values, and “sprawling” urban areas. Within Elkhorn’s planning area, a large percentage of land falls in the agricultural land use classification. The State’s Farmland Preservation Plan (2012) recommends land located outside of the Elkhorn Urban Service Area remain as “prime agricultural land.” The County Plan defines this classification as parcels covered at least in half by soil in agricultural Classes I, II, and III. Further, the County plan recommends preservation of those prime agricultural areas. Consistent with the Walworth County Plan, this plan recommends that the agricultural future use areas are withheld from urban development. Historically, Walworth County has been at the forefront of farmland preservation planning and enacted exclusive agricultural zoning in 1974. Elkhorn should continue to work with Walworth County and SEWRPC in preserving farmland outside of the City’s urban service area. A sample of existing County and Statewide preservation programs are described in the following sections.



*Courthouse Square, 1842*



*Congregational Church, 1882*



*County Fairgrounds, 1855*

**HISTORIC RESOURCES**

The first (chronologically) and foremost historic resource in Elkhorn is Courthouse Park. Although the original Courthouse buildings of 1842 and 1875 have been superseded by a new facility constructed in 1962, the adjacent park has remained intact, and most of its 200+ year old trees remain. The historic band shell, which once graced the park, has been relocated and restored in Sunset Park.



*Webster House Museum, 1840’s*



*The Steele House, 1850*



*Octagon House, 1856*

**Exhibit 5.1: Historic Resource Examples**

The original gridiron subdivision of the City continues to influence its overall form and the character of its streets. Downtown, especially Wisconsin Street, exhibits a traditional 19th century “Main Street” character, including such historic buildings as the former Nickel Plate Hotel and the commercial building at the corner of Walworth Street, now known as “Moy’s”. It is this character that has given Elkhorn the nickname of the “Christmas Card Town”. The Sprague Theater, the library, the Elkhorn School District Administration Building at the east end of Walworth Street, nearby churches, and surrounding residential neighborhoods continue to reflect the community’s history.

The Walworth County Historical Society is located in the former Webster House, now a museum, and has actively recorded the City’s historic resources. Each year it sponsors walking tours of selected residences and commercial or institutional buildings.

An additional historic resource not to be overlooked, one which deserves greater attention and nurturing in the future, is the County Fairgrounds, operated by the Walworth County Agricultural Association. The Fairgrounds not only includes many buildings representative of a past era, but is the focus of rural cultural heritage in Walworth County.

### **AGRICULTURAL, NATURAL, AND CULTURAL RESOURCE PROGRAMS**

The following State and County sponsored programs are currently available for the City of Elkhorn:

#### **Agricultural Programs, Statewide:**

**Wisconsin Farmland Preservation Program** – This program is sponsored by the Wisconsin Department of Agriculture. The purpose of the program is to utilize local planning and zoning to protect farmland, promote soil and water conservation, and provide tax relief to participating farmers. Farmers can participate if their land is zoned or if they sign an agreement to use their land only for agricultural purposes.

#### **Agricultural Programs, County wide:**

The Walworth County Land Conservation Department (LCD) administers numerous programs providing technical and financial support to landowners in the County. The department has the following programs in place (as listed on the Walworth County website):

**DNR Grants - TRM** - Targeted Runoff Management (TRM) grants are provided to control polluted runoff from both urban and rural sites. The grants are targeted at high-priority resource problems. Projects funded by TRM grants are site-specific and serve areas generally smaller in size than a subwatershed. The grant period is 2 years, with a possible 1-year extension. The maximum cost-share rate available to TRM grant recipients is 70 percent of eligible costs, with the total of state funding not to exceed \$150,000.

**Wisconsin Farmland Preservation Program:** Tax incentives and technical assistance are available to landowners who preserve agricultural land, minimize conflicting land uses, and promote soil and water conservation.

**Land and Water Resource Management Plan:** This program sets forth long-range strategy to target Land Conservation Department Activities, staff and financial resources and is funded in part by a grant from the Wisconsin Department of Agriculture, Trade, and Consumer Protection.

**Transect Survey:** Valuable information is gathered on an annual basis to help demonstrate the prevention of soil erosion in the county. The survey serves as a monitoring tool to determine compliance with statutory soil erosion goals, performance standards local trends and progress toward county and water resource management plans. Each year over 700 sites are surveyed and data is sent to Purdue University to be incorporated into a national database.

**Farm Stewardship:** Land Conservation staff provides assistance to landowners and farm operators to plan and implement conservation tools including animal waste storage, nutrient and pest management, various soil saving practices, and conservation cropping.

**CREP (Conservation Reserve Enhancement Program)** - CREP is an opportunity for Wisconsin landowners to voluntarily enroll agricultural lands into conservation practices, such as riparian buffers, filter strips, wetland restorations, waterways and establishment of native grasslands in the grassland project area. There is no waiting period; enrollment and eligibility determinations are made on a first-come, first-served basis. It is a Federal-State-Local partnership between the United States Department Of Agriculture (USDA), the Farm Service Agency (FSA), Department of Agriculture Trade and Consumer Protection (DATCP), Natural Resources Conservation Service (NRCS), the Wisconsin Department of Natural Resources (DNR) and participating county Land Conservation Departments (LCD) throughout much of the state. USDA is providing \$200 million in federal funds to landowners for the implementation of the federal portion of the program. The State of Wisconsin is contributing \$40 million in bond funds to landowners while participating counties are utilizing LCD staff to implement the state portion of the program.

### Natural and Cultural Resources Programs:

**Wisconsin Historic Preservation Fund Subgrants:** Historic Preservation Fund (HPF) subgrants are administered by the Wisconsin Historical Society's Division of Historic Preservation (DHP). Owners of historic income-producing properties in Wisconsin may be eligible for two (2) income tax credits that can help pay for their building's rehabilitation. The Wisconsin Historical Society's Division of Historic Preservation (DHP) administers both programs in conjunction with the National Park Service (NPS). The programs are:

- **Federal Historic Preservation Credit:** This program returns 20 percent of the cost of rehabilitating historic buildings to owners as a direct reduction in their federal income taxes.
- **Wisconsin Supplemental Historic Preservation Credit:** This program returns an additional five (5) percent of the cost of rehabilitation to owners as a discount on their Wisconsin state income taxes. Owners that qualify for the Federal Historic Preservation Credit automatically qualify for the Wisconsin supplement if they get NPS approval before they begin any work.

**Historic Home Owner's Tax Credits:** The Wisconsin Historical Society's Division of Historic Preservation (DHP) administers a program of 25-percent state income tax credits for repair and rehabilitation of historic homes in Wisconsin. Applicants must meet stated qualifications and eligible work requirements.

**Archaeological Sites Property Tax Exemption Program:** Wis. Stats. 70.11(13m) provides a property tax exemption for owners of archaeological sites listed in the National Register of Historic Places or the State Register of Historic Places. The intent of the legislation is to provide an incentive for landowners

to protect significant archaeological sites on their lands. To obtain the tax exemption, the landowner must agree to place a permanent protective covenant on the site. The protective covenant encourages land use planning to avoid disturbing the site area. The covenant contains a legal description of the area that is to be exempted from property taxes and defines landowner and Wisconsin Historical Society obligations in the protection of that area.