

The Exclusive (EA) and General Agricultural (GA) zoning districts were originally created due to the adoption of Chapter 91 of the Wisconsin State Statutes and incorporated into the La Crosse County Zoning Ordinance in approximately 1980. Recent revisions to Chapter 91 have resulted in changes to the County Zoning Ordinance.

Exclusive and General Agricultural Zoning was created:

1. To protect prime agricultural lands in the state
2. To limit the residential uses on prime farmland
3. To allow owners of farmland and those persons earning a living by farming to receive tax incentives

APPLICABLE DEFINITIONS

Agricultural Building. A building constructed and used solely for agricultural use.

Base Farm Tract (BFT). A single parcel or 2 or more contiguous parcels in a farmland preservation zoning district (Exclusive Agriculture District and General Agriculture District) which are under common ownership and part of a single farm at the effective date of this chapter and shown on the official BFT Map.

Farm. All parcels of land under common ownership with more than 35 acres of contiguous land and primarily devoted to agriculture uses.

Farm Employee. A full time equivalent employee of the owner or operator of a farm.

Farm Residence. A residence located on a Base Farm Tract for a son, daughter, parent or farm employee.

Non-Farm Residence. A residence located on a Base Farm Tract for anyone other than a son, daughter, parent or farm employee.

Pre-existing Residence. A residence that was constructed prior to a town’s original adoption date of farmland preservation zoning under La Crosse County’s first certified farmland preservation zoning ordinance, is currently located in a certified farmland preservation zoning district, and is situated on a CSM lot of 5 acres or less split from a larger farm parcel after the town’s original adoption date or on a lot larger than 5 acres that existed on the date of adoption. See Table in s. 17.14(2).

CONDITIONAL USE PERMIT

(Proposed new homes or proposed change in ownership of an existing residence)

A Conditional Use Permit (CUP) must be approved prior to the issuance of a Zoning/Occupancy Permit for a farm residence.

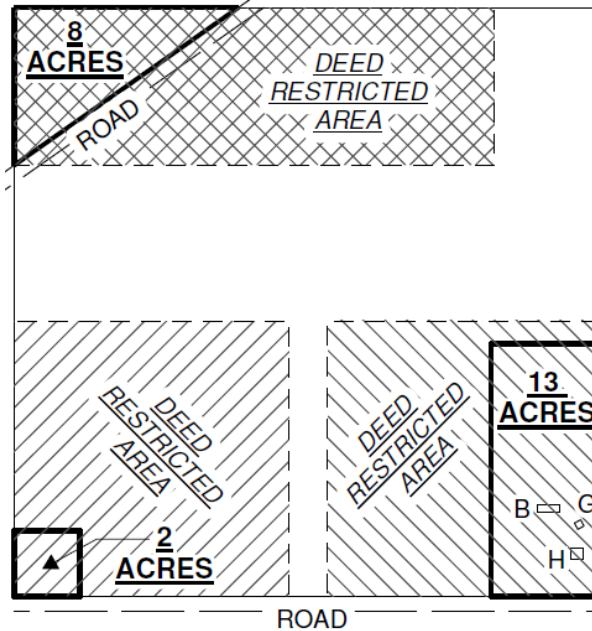
A maximum number of five dwelling units can be authorized at a ratio of 1 dwelling unit per 35 acres of land contained in the BFT.

Residences or dwelling units in existence prior to town’s adoption of the LaCrosse County Zoning Ordinance are counted against the 5 dwelling unit maximum.

A proposed farm residence CANNOT be issued a CUP if:

1. The residence will convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if there is a reasonable alternative location.
2. It significantly impairs or limits the current or future agricultural use of other protected farmland.
3. If any portion of the BFT has been rezoned out of the EA or GA district (by using the 3% development method) after town’s adoption of the county Zoning Ordinance (Jan. 3rd, 2012).

EXAMPLE OF A 160 ACRE BFT

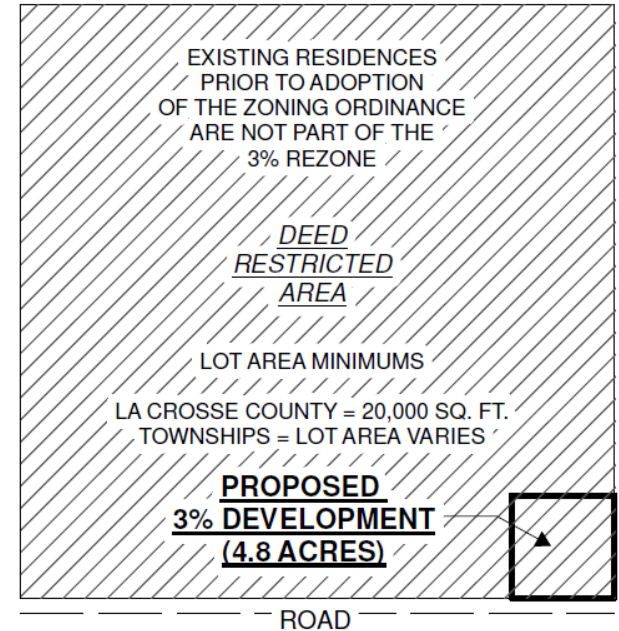


3% REZONING (CLUSTER SUBDIVISIONS)

A BFT owner may choose to rezone up to 3% of the acreage contained in a BFT to the Rural Zoning District to create a new cluster subdivision. The following provisions will apply:

- 1.) If a Conditional Use Permit has previously authorized a new dwelling on the BFT, the owner cannot file a zoning petition to create a new 3% cluster subdivision, unless the proposed rezone includes all existing dwellings
- 2.) The rezone must include all residential components (driveways, septic, wells, etc.)
- 3.) Rezone area must be contiguous.

EXAMPLE OF A 160 ACRE BFT



IN OTHER WORDS.....

The owner of a Base Farm Tract may choose one of two options for future residential development. In some cases, it may be more beneficial to choose to develop over time through the issuance of Conditional Use Permits. In other cases, it may be more beneficial to rezone up to 3% of the BFT acreage to the Rural District in order to allow the development of a cluster subdivision. A BFT owner cannot use both options to develop new residential uses on the BFT. Other options may exist for development. **Please contact the La Crosse County Zoning office to schedule an appointment.**

NON BFT PARCELS WITH EA OR GA ZONING

Vacant parcels of Land which are less than 35 acres in size and have EA or GA zoning and are not considered a BFT can only be used for agricultural purposes.

Accessory buildings may be permitted, but shall only be used for agricultural purposes and are subject to area and height limitations. A Zoning/Occupancy Permit is required prior to construction. Owners of these parcels wishing to build a new single family residence will need to rezone to a district which will allow a single family residence and may also need to file an amendment of the towns comprehensive plan prior to filing a rezone petition.

ACCESSORY BUILDINGS

Agricultural Buildings and Structures : Qualified Agricultural Buildings or Structures must meet the following criteria.

- MUST be located on a farm (BFT)
- MUST be devoted SOLELY to agricultural uses (NO RESIDENTIAL STORAGE IS ALLOWED)

PERMITTING

Agricultural Buildings or Structures located within a Shoreland District ARE REQUIRED to obtain a Zoning/Occupancy Permit prior to construction.

All other Agricultural Buildings or Structures are required to be certified by submitting proper forms and documentation indicating the building or structure will only be used for agricultural uses

**Agricultural structures are exempt from height and area limitations of section 17.14(1)*

Residential Accessory Buildings:

- REQUIRE a Z/O Permit prior to construction
- ARE subject to height, area and number limitations of section 17.14(1) of the LaCrosse County Zoning Ordinance.

STATE STATUTES – CHAPTER 91

Chapter 91 of the Wisconsin State Statutes:

- 1.) provides specific guidelines in order for a county zoning ordinance to be certified
- 2.) provides landowners incentives to keep their property in a Farmland Preservation Zoning District

In order to be considered a farm and file for tax incentives, a landowner must meet the following criteria:

- Must have proper farmland preservation zoning (EA and/or GA)
- Land is operated as part of a farm that produced at least \$6,000 in gross income
- Must be mapped as a farmland preservation area within the LaCrosse County Farmland Preservation Plan

Additional Information that the Land Owner will need to provide

- a) A copy of their existing deed of their property.
- b) A legal description of where the development right will be located.
- c) Deed Restrictions: Residential development on a BFT will require that deed restrictions be placed on some if not all of the acreage. These restrictions will prohibit future residential development and only allow agricultural uses.

FEES

CUP and Rezones (Public Hearing)	\$445.00
Administrative CUP	\$142.00
Zoning Occupancy Permits	\$78.00 - \$240.00

COMMON MISCONCEPTIONS

AGRICULTURAL BUILDINGS are NOT always EXEMPT from permitting. Under the new county ordinance, all agricultural buildings and structures require certification by zoning staff prior to construction. Also, any agricultural buildings located within a shoreland district require a Zoning/Occupancy Permit.



ZONING, PLANNING & LAND INFORMATION DEPARTMENT

**LA CROSSE COUNTY CODE OF ORDINANCES
CHAPTER 17 – ZONING CODE
REGULATIONS PERTAINING TO EXCLUSIVE
AND GENERAL AGRICULTURAL DISTRICTS**



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www.co.la-crosse.wi.us/zoning

DISCLAIMER

This brochure is merely an outline of the important provisions of the LaCrosse County Zoning Ordinance as it pertains to lands Zoned Exclusive and General Agriculture. The regulations listed within the official version of the Zoning Ordinance, found on the county website, will take precedence.