

ORDINANCE

SUBJECT: **ZONING CODE**

COMMITTEE: **PLANNING, RESOURCES, & DEVELOPMENT COMMITTEE**

FIRST CONSIDERATION: December 15, 2011

FINAL CONSIDERATION: January 19, 2012

ORDINANCE # **90 – 1/12** **PUBLICATION DATE** January 30, 2012

The County Board of Supervisors of La Crosse County does ordain as follows:

**AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 17 ENTITLED "ZONING CODE"
OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

ANALYSIS

This Ordinance is a comprehensive rewrite of Chapter 17 "Zoning Code" of the La Crosse County Code of Ordinances. This comprehensive change to the La Crosse County Zoning Ordinance is a result of the County Comprehensive Plan adopted in 2008 and certain changes to the Wisconsin Statutes in 2009.

This rewrite incorporates a number of changes. First, the definitions had been amended for simplicity and clarity. Some of the new significant definitions include the following:

1. Agricultural Building – A building constructed and used solely for agricultural use.
2. Base Farm Tract (BFT) – A single parcel or 2 or more contiguous parcels in a farmland preservation zoning district which are under common ownership and part of a single farm at the effective date of the chapter.
3. Manufactured Home Community – one or more parcels of land within a Manufactured Home Community District which has been developed under a single plan approval.
4. Planned Unit Development (PUD) – A housing project, consisting of a group of 2 or more buildings having more than 2 dwelling units each, to be constructed on a site not subdivided into customary lots and streets, or where an existing lot and street layout makes it impractical to apply the requirements of this chapter to the individual building units.

The new Code provides for consistency with the County's Comprehensive Plan so that the amendments to the La Crosse County Code comply with the requirements of the County Comprehensive Plan.

Several changes have been made to zoning districts. The mobile home district is replaced by a Manufactured Home Community District. The new district will require much more detail of a Manufactured Home Community plan and will require certain standards regarding manufactured homes in such a district including height and setback requirements. The new Code combines the old Commercial A and Commercial B Districts into one Commercial District. The old Commercial C District is renamed the Light Industrial District. The new Code allows for conditional uses in the new Commercial and Light Industrial Districts and in the existing Industrial District.

Three districts were renamed as follows: Agricultural District A is renamed Rural District, Transitional Agricultural District is renamed General Agricultural District, and Agricultural District B is renamed the Recreational and Natural Resource District.

In the Recreational and Natural Resource and Industrial Districts, a conditional use is required for any use generating more than 200 vehicle trips per day. This requirement will allow for conditions to be placed on uses that generate substantial vehicular traffic, such as mining operations and other uses that rely on large amounts of vehicular traffic.

Certain uses presently allowed in Agricultural District A will not be allowed in the Rural District, but those uses can be permitted as conditional uses. Finally, the Zoning Districts also add a Public Facilities and Institutional District. The Institutional District is primarily used for schools, libraries, colleges, and faith-based buildings or structures.

The significant land use changes include the following:

The Rural District will no longer allow multi-family dwellings as an authorized use. Such uses can be approved as a conditional use. The Rural District will allow farms on parcels larger than 35 acres. In addition this District will allow such uses as farms, beekeeping, dairy farming, riding, training or boarding stables, and other similar uses.

The Exclusive and General Agricultural Districts will continue to allow limited residential uses at a density of 1 residence per 35 acres; however, the lot size has been reduced to 20,000 square feet per resident if the balance of 35 acres are deed restricted for agricultural preservation. This change will reduce fragmentation and large suburban residential lots. The maximum number of farm residences has also been reduced to 5 through the Conditional Use Process (CUP), including the original homestead. There is additional flexibility to allow up to 3% of the farm to be rezoned for cluster residential use to encourage small dense residential clusters in these two zoning districts.

The Manufactured Home Community District will require any developer of a new manufactured home community to submit a detailed plan, depicting lot layouts and building envelopes. The District will also allow a maximum of one detached building per lot. The plan will require a landowner to enforce the standards of the plan, with assistance from the La Crosse County Zoning & Land Information Department.

Finally, there are also small minor amendments to the administration and enforcement provisions of the ordinance. A separate section also details the highway setback requirements.

INFORMATION:

County Board Rules: Governing Body s. 2.02(8) states, in part: Ordinances are drafted by the Corporation Counsel. After the ordinance has been reviewed by a standing committee, each Supervisor will be given a copy of the ordinance showing the deleted language (grayed) and the new language (underlined) and an analysis of the intent of the ordinance. After introduction to the County Board, the ordinance shall be referred to the next monthly meeting unless waived by a 2/3 vote of the Supervisors present and a public hearing may be held if requested by a Supervisor. An amendment may be introduced and debated at either the original or the referred meeting. Copies of the ordinances of the County of La Crosse in their entirety are available with Corporation Counsel, County Clerk, or www.co.la-crosse.wi.us/code/.

(rev. 3/03)