

**Wisconsin Department of Agriculture, Trade and Consumer Protection
Farmland Preservation Program (ch. 91, Wis. Stats.)**

***State of Wisconsin Fee for Rezoning Land Out of a Farmland Preservation
Zoning District***

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is requiring that, under s.91.48, Wis. Stats., beginning January 1, 2010, any person who requests that land be rezoned out of a DATCP certified farmland preservation zoning district must pay a conversion fee for each acre of land to be rezoned or portion thereof, equal to three times the per acre value of the highest value category of tillable cropland in the municipality. The fee is required to maintain municipalities' and counties' compliance with the Farmland Preservation Program. The fee is collected by the Waukesha County Planning and Zoning Division for the Towns of Ottawa and Oconomowoc, which are under the jurisdiction of the Waukesha County Zoning Code. It is also the responsibility of communities with a local zoning ordinance that has been certified by DATCP as a farmland preservation zoning ordinance to collect conversion fees. DATCP currently recognizes the towns of Eagle and Mukwonago and the cities of Muskego and Pewaukee as having certified ordinances.

An annual report and any collected fees must be submitted to DATCP by March 1st of each year in order for farmers within communities to remain eligible for tax credits. **Please note:** For the unincorporated areas of Waukesha County, payment of the fee will be required following County Board approval of the zoning amendment and prior to recording of the final certified survey map or deed transfer document as a condition of the approved amendment. The approved zoning amendment shall be effectuated within twelve months of County Board action. This fee is separate from and is charged in addition to any other fees charged by the County or Town. The per acre 2011 fee for the municipalities within Waukesha County that are subject to conversion fees is shown below:

***2011 DATCP Rezoning Fee**

Town of Eagle	\$ 888 per acre
City of Muskego	\$ 849 per acre
Town of Mukwonago	\$ 879 per acre
Town of Oconomowoc	\$ 876 per acre
Town of Ottawa	\$ 873 per acre
City of Pewaukee	\$ 867 per acre

*The Department of Revenue updates assessment rates annually; this fee is valid until December 31, 2011.

If you have any questions regarding this fee, please contact the following:

DATCP	608-224-4500	<u>DATCPWorkinglands@wisconsin.gov</u>
Legislative Hot Line	800-362-9472	<u>legis.wisconsin.gov</u>
Wisconsin Governor's Office	608-266-1212	