

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-2078/1	Introduction Number SB-335
Description notice requirements for zoning actions related to frac sand mining	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
Local: <input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
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Date 7/17/2017	

Fiscal Estimate Narratives

DATCP 7/17/2017

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Assumptions Used in Arriving at Fiscal Estimate

Political subdivisions are not required to adopt a farmland preservation zoning ordinance, but if they do, the ordinance must meet certain minimum standards enumerated in chapter 91 of the Wisconsin Statutes. These standards allow for certain uses compatible with productive agriculture. Chapter 91 provides that local zoning authorities may include, but do not have to include, nonmetallic mineral extraction in the farmland preservation zoning district. Frac sand mining operations have been considered a non-metallic mining use under the law.

Before taking any action on a frac sand mine, the proposed bill requires a local jurisdiction to publish a class 2 notice at least 30 days before the meeting and must send written notice of the meeting at least 30 days-ahead of time to the owner or occupant of land located within one mile of the proposed mine. For those jurisdictions that choose to allow a frac sand mining operation in the farmland preservation zoning district, the farmland preservation law requires that the zoning authority make a series of determinations before issuing the permit. Chapter 91 is silent, however, with respect to notice requirements for issuing conditional use permits.

Long-Range Fiscal Implications

Most farmland preservation zoning ordinances currently allow for nonmetallic mineral extraction through a conditional use permit in the farmland preservation zoning district. Local jurisdictions with farmland preservation zoning ordinances may consequently experience greater administrative costs in meeting the proposed bill's notice requirements.