

1 **AN ACT** *to amend* 66.1105 (4) (gm) 5. of the statutes; **relating to:** industrial zoning
 2 requirements in a tax incremental district.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council’s Study Committee on Review of Tax Incremental Financing.

Background

Under current law, a resolution to create a tax incremental district (TID) must include a finding that not less than 50 percent, by area, of the real property within the district is at least one of the following: a blighted area; in need of rehabilitation or conservation work; suitable for industrial sites and zoned for industrial use; or suitable for mixed–use development. The resolution must also confirm that any real property within the district that is found suitable for industrial sites and is zoned for industrial use will remain zoned for industrial use for the life of the tax incremental district, and must declare that the district is a blighted area district, a rehabilitation or conservation district, an industrial district, or a mixed–use district based on the identification and classification of the property included within the district.

The Draft

The draft specifies that the requirement related to maintenance of industrial zoning applies only to districts that are declared to be industrial districts.

3 **SECTION 1.** 66.1105 (4) (gm) 5. of the statutes is amended to read:
 4 66.1105 (4) (gm) 5. ~~Confirms~~ If the district is declared to be an industrial district under
 5 subd. 6., confirms that any real property within the district that is found suitable for industrial
 6 sites and is zoned for industrial use under subd. 4. a. will remain zoned for industrial use for
 7 the life of the tax incremental district.

COMMENT: During its October 9, 2014 meeting, the committee referenced several ratios of property zoning while discussing its request

for this draft. Was the committee referring to the limit on newly-platted residential land, unaffected by this draft, or did it wish to include some type of limit on changes to industrial zoning in, for example, mixed-use TIDs?

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(END)