



Update

Legislative & Legal

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Wetlands

(2017 Wis. Act 183)

- **Permit exemptions**
 - “urban areas”: 1 acre + no mitigation less than $\frac{1}{4}$ acre
 - Artificial wetlands
- **Life of delineations** -- 5 to 15 years
- **Mitigation options** -- Property owner choice
- **Preemption of local regulations**
- **Federal wetland program**

Advertising

(2017 Wis. Act 110)

- **Required:** Listing contract if property is being advertised for sale or lease
- **Required:** Firm's name in advertisements must be clear and conspicuous
- **Permitted:** Cooperation with commercial OSs working with buyers and/or tenants
 - **New** WB-29 Commercial Cooperative Agreement

Developer Bill (2017 Wis. Act 243)

- **Impact fee reform**
 - Timing of payment
 - Park fees
 - Increased service capacity
 - Operations & maint. of public facilities
- **Inclusionary zoning prohibition**
- **Supermajority vote for zoning changes**
- **Local housing affordability audit**

Rental Weatherization

(2017 Wis. Act 59)

Eliminated:

- **The entire Rental Weatherization Program**
- **35,000 open stipulations & waivers**

Conditional Use Permits

(2017 Wis. Act 67)

Statutory framework

- Definition of CUP
- Objective and measurable criteria
- Decisions must be based on “substantial evidence”
- Right to receive CUP

Historic Rehabilitation Tax Credits (2017 Wis. Act 280)

- Increased per project cap from \$500k to \$3.5M
- Overturned Governor's budget veto

RECR & VLDR

(2017 Wis. Act 338)

- **Reformats Real Estate Condition Report (RECR) & Vacant Land Disclosure Report (VLDR)**
- **Both also includes new disclosures**
- **Effective July 1, 2018**

Affordable Rental Housing (2017 Wis. Act 317)

- **Historic preservation -- substantially similar to original for repair/replacement**
- **Municipal inspections and fees -- statutory parameters**
- **Emotional support animals -- applicants may be required to provide documentation from state-licensed professional**

Wisconsin Supreme Court Cases

- **McNally v. Capital Cartage, Inc.** – Whether a commission was owed if a “full price offer” includes a transition services condition.
- **Voters with Facts v. City of Eau Claire** – Whether TIF decisions made by local officials are subject to judicial review.



QUESTIONS?

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