



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRBs0396/1  
EVM:cdc

**SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 840**

February 17, 2022 - Offered by Senator STAFSHOLT.

1     **AN ACT** *to renumber* 60.61 (2) (b); *to renumber and amend* 62.23 (7) (b); and  
2             *to create* 60.61 (2) (b) 2., 60.61 (2) (b) 3., 62.23 (7) (b) 3., 66.10015 (1) (es),  
3             66.10015 (7) and 236.11 (2) (am) of the statutes; **relating to:** local approvals of  
4             workforce housing projects and a requirement that street addresses be  
5             assigned at the time of subdivision plat approval.

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

6             **SECTION 1.** 66.10015 (1) (es) of the statutes is created to read:

7             66.10015 (1) (es) "Workforce housing" means housing to which all of the  
8             following apply, as adjusted for family size and the county in which the household is  
9             located, based on the county's 5-year average median income and housing costs as  
10            calculated by the U.S. Bureau of the Census in its American Community Survey:

11            1. The housing costs a household no more than 30 percent of the household's  
12            gross median income.

1           2. The residential units are for initial occupancy by individuals whose  
2 household median income is no more than 120 percent of the county's gross median  
3 income.

4           **SECTION 2.** 66.10015 (7) of the statutes is created to read:

5           66.10015 (7) WORKFORCE HOUSING. (a) A political subdivision shall do all of the  
6 following:

7           1. Establish a process for approving, denying, or conditionally approving an  
8 application for approval of a workforce housing project within 90 days of receiving  
9 the application.

10          2. Approve any application for approval of a workforce housing project that is  
11 consistent with the housing element of the political subdivision's comprehensive  
12 plan and consistent with the political subdivision's zoning ordinance unless the  
13 political subdivision demonstrates that all of the following apply:

14           a. The project would have an adverse impact on public health or safety that is  
15 significant, quantifiable, direct, and unavoidable. A political subdivision shall  
16 demonstrate an adverse impact under this subd. 2. a. by reference to objective  
17 written standards, policies, or conditions relating to public health or safety that exist  
18 on the date that the political subdivision receives the application. A zoning  
19 ordinance or other general land use plan is not an objective written standard, policy,  
20 or condition relating to public health or safety under this subd. 2. a.

21           b. The impact under subd. 2. a. cannot be mitigated without making the project  
22 financially infeasible as a workforce housing project.

23           (b) A person aggrieved by the failure of a political subdivision to approve an  
24 application under par. (a) 2. for a workforce housing project may appeal the decision  
25 to the circuit court of the county in which the project was to be completed. If the court

1 finds that the political subdivision has failed to satisfy the requirements of s. 66.1001  
2 (2) (b), 66.10013, or 66.10014, the court shall order the political subdivision to  
3 approve the application.

4 **SECTION 3.** 236.11 (2) (am) of the statutes is created to read:

5 236.11 (2) (am) If a plat is approved or deemed approved by an approving  
6 authority under par. (a) and the approving authority has the right to assign a street  
7 address to a lot within the plat, the approving authority shall, no later than the date  
8 of approval, assign the lot's street address, unless the time is extended by agreement  
9 with the subdivider.

10 **SECTION 4. Initial applicability.**

11 (1) The treatment of s. 66.10015 (7) (a) 2. and (b) first applies to an application  
12 received on the effective date of this subsection.

13 (2) The treatment of s. 236.11 (2) (am) first applies to a preliminary or final plat  
14 submitted for approval under s. 236.11 on the effective date of this subsection.

15 **SECTION 5. Effective dates.** This act takes effect on the day after publication,  
16 except as follows:

17 (1) The treatment of s. 66.10015 (7) (a) 2. and (b) and SECTION 4 (1) of this act  
18 take effect on the 180th day after the day of publication.

19 (END)