



Defendable TIF Project Plans

Planning for Long-Term Success

What Do We Mean By “defendable?”

- Meets statutory requirements
- Easy to communicate to stakeholders
 - ✓ Residents
 - ✓ Joint Review Board (members from all overlapping taxing bodies)
 - ✓ Local Attorney
 - ✓ Developers
- Withstands scrutiny and skepticism
- Guides future implementation

TID Policies

- What type of assistance will be provided?
 - ✓ Traditional (“up-front”)
 - ✓ PAYGO
 - ✓ Other (land donation, infrastructure installation etc.)
- What types of projects should be support?
 - ✓ Job creation
 - ✓ Greenfield development
 - ✓ Redevelopment
- Will any guarantees be required from developer? (Job creation, minimum assessed values, etc.)
- Process for considering TIF funding (TIF application)
 - ✓ How will projects be reviewed?

City of
Oshkosh

Tax Incremental Financing Policy and Application

Eligible Costs:

TIF eligible expenditures are defined by Section 66.1105(2)(e) of Wisconsin Statutes, which the City of Oshkosh may further limit on a project by project basis. The following are typical eligible costs.

1. Capital costs, including actual costs of:
 - a. Construction of public works or improvements;
 - b. Construction of new buildings, structures, and fixtures;
 - c. Demolition, alteration, rehabilitation, repair or reconstruction of existing buildings, structures and fixtures, other than historic buildings and structures.
 - d. Acquisition of equipment to service the district;
 - e. Restoration of soil or groundwater affected by environmental pollution; and
 - f. Clearing and grading of land.
2. Real property assembly costs.
3. Professional service costs (planning, architectural, engineering, and legal).
4. Relocation costs.
5. Environmental remediation.
6. Organizational costs (environmental and other studies, publication and notification costs).
7. Development incentives in the form of loans or grants.

Criteria for TIF Assistance:

All of the following financial criteria must be met in order to be considered for TIF assistance.

1. Equity Requirement. Developers must provide a minimum 15% equity of total project costs. Projects that exceed the 15% equity requirement will be looked upon more favorably by the City. Equity is defined as cash or un-leveraged value in land or prepaid costs attributable to the project. TIF shall not be used to supplant cash equity.
2. Maximum Increment Use. For loans, no more than 75% of the net present value of the tax increment generated by a private development shall be made available to the project. For “pay-go” supported projects up to 90% of the generated annual tax increment can be made available if a financial need is demonstrated and there are no other public infrastructure projects planned in the district.
3. Payback Period. Payback period for loans will match the amortization period but in no case will exceed the statutory life of the district. Preference will be given to projects with payback periods of 10 years or under.
4. TIF Cap. The total amount of TIF assistance should not exceed 25% of total project costs. This limitation may be waived if the project involves redevelopment of existing structures or the assembly and clearance of land upon which existing structures are located.
5. Self-Supporting Projects. Each project requesting TIF assistance should generate sufficient tax increment to cover the requested TIF assistance and a portion of any public infrastructure costs within the district.

The “But For” Test

“But for” the use of TIF, the proposed development would not occur:

- As proposed
- Within the same/similar time period
- With the same level of:
 - ✓ Property value
 - ✓ Jobs
 - ✓ Amenities

How To Prove “But For?”

- How long has the property been in its current state?
- What infrastructure is needed to develop the site?
- Are there significant barriers to developing the site (environmental contamination, dilapidated structures, etc.)
- Independent review of the developer’s sources & uses to prove out the need
 - ✓ Require developer to submit project sources & uses, and ongoing cash flow projections with and without TIF support
 - ✓ Verify appropriateness of their assumptions & identify the “gap” to make the project earn a reasonable return

How Much Development Is Feasible?

- What's the right level of development for your community?
- Be realistic
 - ✓ Use conservative assumptions for future growth/revenues to set reasonable expectations
 - ✓ Construction costs \neq assessed value; talk with assessor!
- Consider modeling as a phased-in approach
 - ✓ Slower growth in the early years

Determine Feasibility

How will projects be funded?

- Up-front vs. PAYGO
 - ✓ If up-front, involve bond counsel
- Non-TID revenue sources
 - ✓ Equity, Deferred Development Fees
 - ✓ State Grants
 - ✓ Tax Credits - NMTC, LIHTC

When will projects funded?

- At beginning of project
- Upon occupancy
- Over life of TID

Which projects are priority?

How Specific To Be?

- Balance between flexibility & transparency
- General groups of projects are helpful, especially for more prospective TIDs
 - ✓ “Street construction”
 - ✓ “Utility extension”
 - ✓ “Infrastructure improvements”
- Higher level descriptions can avoid unnecessary amendments
 - ✓ Be careful doing this for ½ mile projects
- Easier to be higher level for mixed-use TIDs than blight

What Types Of Projects Can Be Funded?

- Public works & improvements
- Financing costs
- Real property assembly costs (land write-down)
- Professional service costs
- Admin/Organizational costs
- Contribution to Community Development or Redevelopment Authority
- Relocation costs
- Pro-rated costs of utility infrastructure
- Cash grants (requires developer agreement)
- Environmental remediation
- Projects within ½ mile of district
- **All costs must directly relate to purpose of the TID, including ½ mile**

What Types Of Projects Cannot Be Funded?

Costs of constructing or expanding administrative, police, fire, community, recreational, library and school buildings

Costs of constructing or expanding facilities if similar facilities are financed only with utility user fees

General government expenses unrelated to the TIF district

Costs associated with newly platted residential development (except in Mixed Use districts with “qualifying” residential)

Selecting The District Type

Rehab vs Blight

- When to use which?
- Required mailings – community perspective

Mixed-Use

- 35% limit on newly-platted residential

Industrial

- Zoning requirement in place over life of district

Setting The Boundaries

- Site specific TID vs. broader area – *Start small!*
 - ✓ Is there risk of values declining in the district?
 - ✓ Is property already fully developed?
- Boundaries must be contiguous
- 35% test for newly-platted in mixed-use district

When To Create A TID?

- Governing body action date starts the clock
 - ✓ If September 30 or prior, current year will be base year (any construction completed by December 31 will be **INCREMENTAL** value)
 - ✓ If October 1 or after, following year will be base year (any construction completed by December 31 will be **BASE** value)
- If creating before DA have term sheet at minimum
 - ✓ Accurately communicate costs to JRB, avoid substantial changes if DA/TID creation on different timeline

When To Do Project Plan Amendment?

- Exceed expected costs by x%
 - ✓ May be written into policy or project plan, more often it's a gut check
- New project pops up that was not contemplated
- Informing JRB & ensuring the “but-for” is met
- ½ mile projects added by resolution
- Consider including contingent projects for future planning

Project ID	Project Name/Type	Est. Cost			Totals	1/2 Mile	Est. Timing
		Phase I	Future	Ongoing			
1	Pay As You Go ("PAYGO") Development Incentives ¹	2,000,000			2,000,000		2025-2041
2	1/2 Mile Improvements ²						
2a	Danz Park						
	Shelter		250,000		250,000	250,000	TBD
	Ballfield 1		350,000		350,000	350,000	TBD
	Baird Creek Trail Resurfacing		400,000		400,000	400,000	TBD
	Other Trail Improvements		50,000		50,000	50,000	TBD
	Roller Hockey Court		250,000		250,000	250,000	TBD
2b	Henry St Bridge over Baird Creek		1,700,000		1,700,000	1,700,000	TBD
2c	S Danz Avenue - Deckner Avenue to Newberry Avenue		511,600		511,600	511,600	TBD
2d	Deuchert Street - District Boundary to N Danz Avenue		56,000		56,000	56,000	TBD
3	Ongoing Planning & Administrative Costs			464,309	464,309		2025-2053
Total Projects		2,000,000	3,567,600	464,309	6,031,909	3,567,600	

Notes:

1) Represents the Tax Incentive Cap per Section III.C.2 of Development Agreement 2025-03. The actual incentive may be lower if or the total amount of Qualified Expenses incurred is less than \$2.00 million.

2)The City may need to make improvements to streets and other infrastructure adjacent to or within a half-mile of the District to accommodate traffic resulting from the Project. Whether improvements will be needed and when they may be needed is undetermined. Current cost estimates are included below, but projects will only be funded from the District to the extent funds are available and the improvements are for the benefit of the District and needed to implement the Plan. The City may pro-rate the TID contribution to the projects to match costs to the benefit provided to the District.

TIF Can Often Be Controversial

Battle still continues over Port Washington data center

Group targets TIDs, while police arrest three at meeting

By Lisa Curtis - GMToday.com Staff Dec 11, 2025 Updated Dec 11, 2025

Milwaukee-area communities are using tax incremental financing more than ever to fund developments, but not everyone likes it



Jim Riccioli

Milwaukee Journal Sentinel

April 20, 2022 | Updated April 21, 2022, 4:53 p.m. CT

Judge dismisses challenge to Mukwonago TIF district

By Brian Huber - Freeman Staff Jan 16, 2024 Updated Jan 16, 2024

Common Reasons for TID Opposition

General opposition to the project and
“NIMBY’s”



“It’s a developer handout”



“My taxes will increase”



Schools and overlapping taxing bodies
will be negatively affected

Prepare for Challenges



Prepare talking points to explain what TIF is to community members and how it will affect them



Stay in compliance with TID statute 66.1105

Procedure & process



If blight/rehab, project plan should include specific language on why the parcels are identified as such

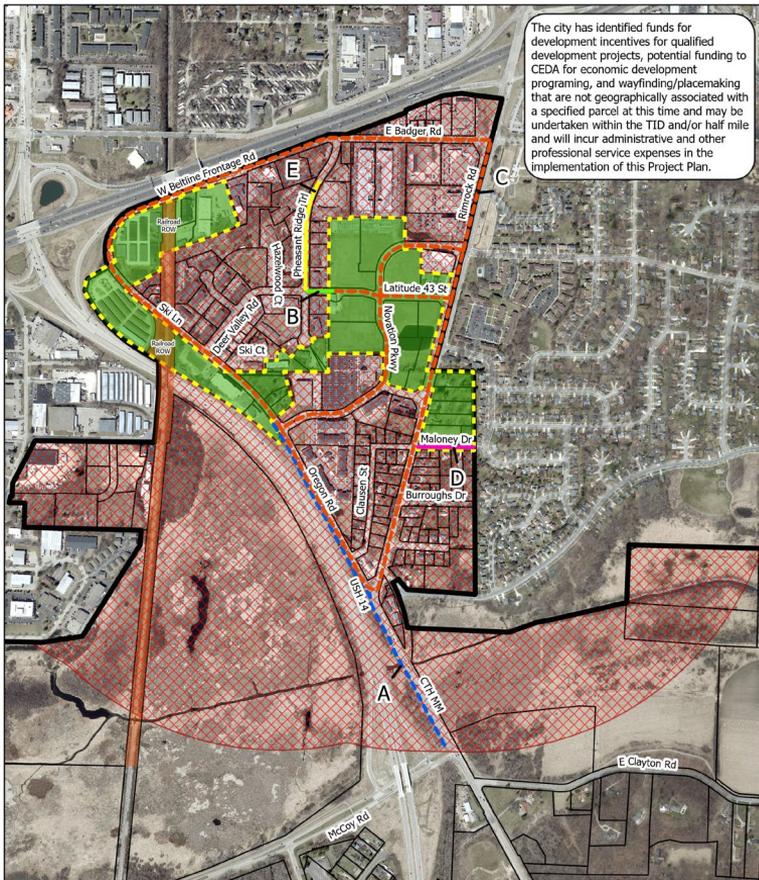


Only fund projects included within project plan

If considering additional projects, consider a project plan amendment

Preparing For Successful Filing With DOR

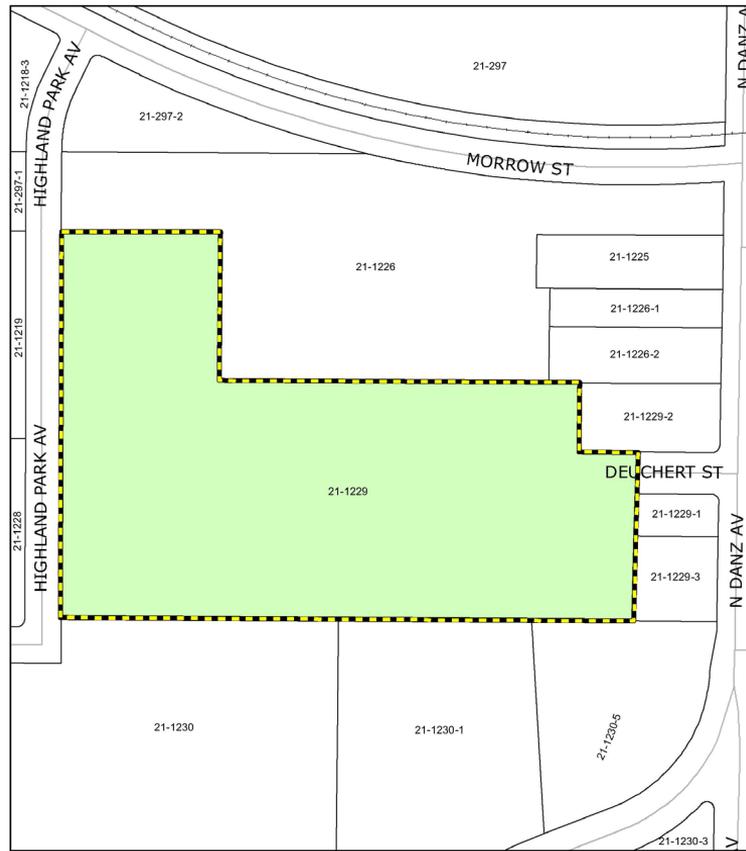
- Municipality name
 - TID #
 - Parcel #'s or key
 - Identity streets, rights of way, bodies of water & political subdivision boundaries
 - Full boundaries of any overlapping districts
 - All project costs & location (including ½ mile & non-geographic costs)
 - ✓ ½ mile buffer if ½ mile costs
 - Parcel layout as of January 1 of the current year
 - ✓ Second map showing new configuration if parcels were split/combined between January 1 & governing body action
- Make sure maps are accurate and complete, they must include:
- 



Disclaimer: The City is not liable for any deficiencies in the completeness, accuracy, content or fitness for any particular purpose or use of any public data set, or application utilizing such data set, provided by any third party.

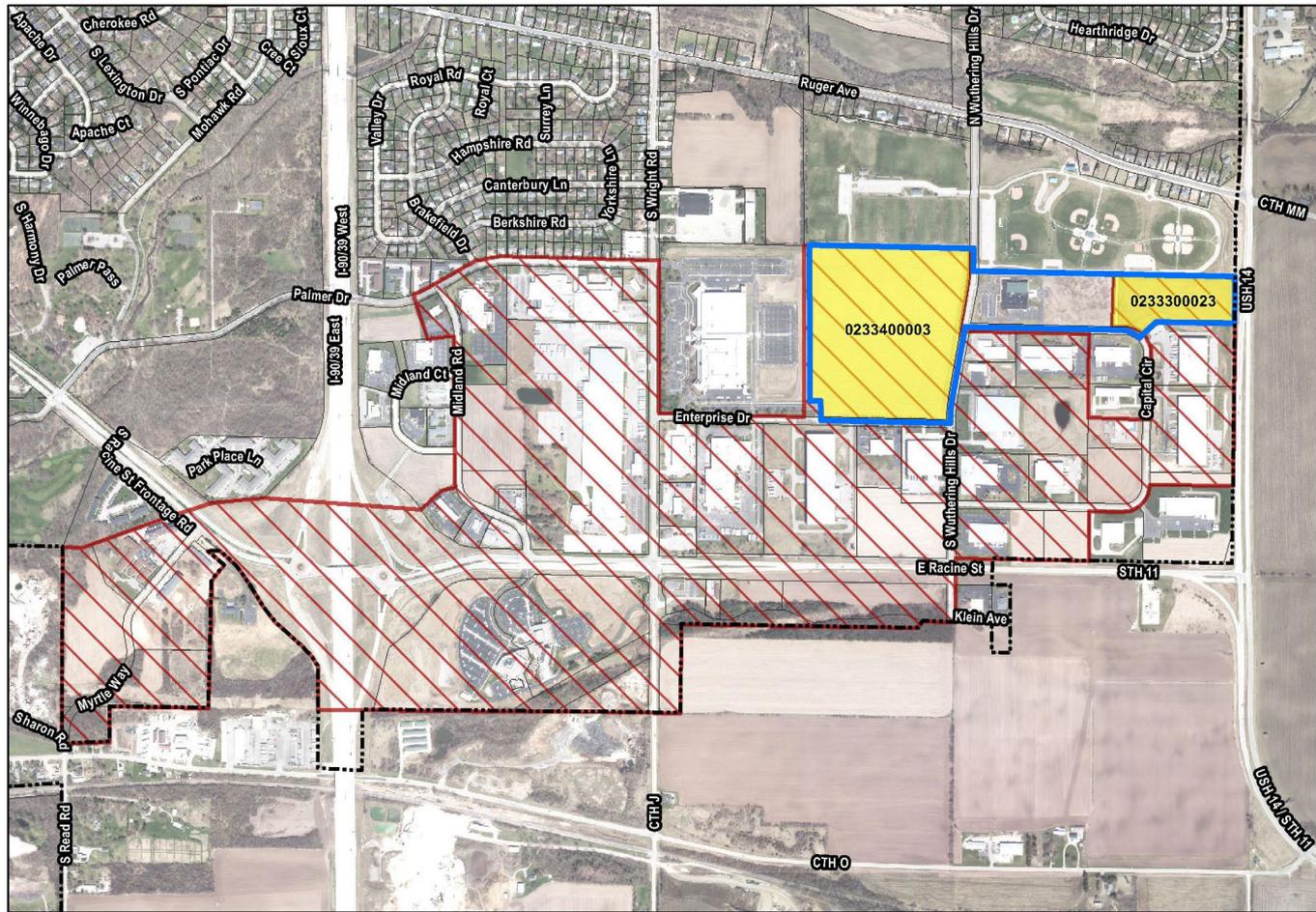
- | | |
|--------------------|-----------------------------|
| City Limits | TID 16 Improvements |
| Parcels | Bike Path Construction (A) |
| TID 16 Boundary | New Road Construction (B) |
| Railroad ROW | Placemaking (C) |
| Half Mile Boundary | Road Reconstruction (D) |
| | Stormwater Improvements (E) |

Fitchburg TID #16
Half Mile Boundary and Improvements
 Date: 6/20/2023
 Source: City of Fitchburg, County of Dane
 Created By: City of Fitchburg IT Department



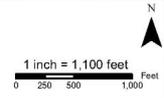
TID 32
 This is a completion of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 25 Jun 2025. X:\Planning\Work Order Requests\2025\25.03 TID\TID 32\TID32 - Boundary.mxd

-
- TID Boundary
 TID Parcel



**TID 39 Boundary
in Relationship
to TID 32**

- TID 39 Boundary
- TID Overlap
- TID 32
- City Limits Line



CITY OF JANESVILLE
Wisconsin's Park Place
 ECONOMIC DEVELOPMENT

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As of January 1, 2023



Map Number	Parcel Number	Owner	Property Address
1	060906482502	CERTCO INC	
2	060906488750	CERTCO INC	
3	060906493307	CERTCO INC	6150 MCKEE RD
3	060906493307	CERTCO INC	5321 VERONA RD
4	060906496202	CERTCO INC	
5	060906495822	CERTCO INC	5305 VERONA RD

As of April 2023



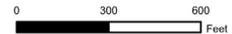
Map Number	Parcel Number	Owner	Property Address
1	060906440112	CERTCO INC	6150 MCKEE RD
1	060906440112	CERTCO INC	5321 VERONA RD
1	060906440112	CERTCO INC	5305 VERONA RD



Disclaimer: The City is not liable for any deficiencies in the completeness, accuracy, content or fitness for any particular purpose or use of any public data set, or application utilizing such data set, provided by any third party.

Fitchburg TID #17 Certco Parcels

Date: 5/11/2023
 Source: City of Fitchburg, County of Dane
 Created By: City of Fitchburg IT Department



Preparing For Successful Filing With DOR

- Legal opinion letter must have wet signature
- Verify base value workbook and final values with assessor
- Include special districts in distribution of public hearing notice
- Use your resources:
 - ✓ [DOR TIF FAQ](#)
 - ✓ [DOR TIF Manual](#)
 - ✓ [DOR TID Checklist](#)

Download the Presentation





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