



ROBERT WITTKE

STATE REPRESENTATIVE • 62nd ASSEMBLY DISTRICT

TESTIMONY: ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT
FEBRUARY 2, 2022

Chairman Novak and Committee Members,

Thank you for holding a public hearing on **Assembly Bill 894 (AB894)** relating to land use issues. This bill was brought to me by the League of Wisconsin Municipalities and the Wisconsin Towns Association who came together on this compromise bill that addresses concerns each organization has with boundary issues.

In basic terms, this bill would close an incorporation loophole, allow municipalities to annex town territory across county lines with unanimous consent, clarify that municipal extraterritorial land division and zoning powers do not apply to village or city islands, and reduce the time an extraterritorial zoning freeze can be imposed unilaterally by a city or village.

Joining me today are representatives of both the League and the Towns who will fill in the technical details of the legislation. Suffice to say, **Assembly Bill 894** is an important step in compromise for both organizations who represent Wisconsin's local elected officials and constituents. This bill will benefit the working relationships of local governments and create more efficiencies as they work together.

I appreciate the public hearing on **AB 894** and hope the committee will move swiftly to pass the bill out of committee.



WISCONSIN TOWNS
ASSOCIATION

Empowering Town Officials



MEMORANDUM

TO: Assembly Committee on Local Government
FROM: Wisconsin Towns Association & League of Wisconsin Municipalities
DATE: February 2, 2022
RE: AB 894, Local Land Use Restrictions

The League of Wisconsin Municipalities and the Wisconsin Towns Association support AB 894, relating to local land use restrictions. Our organizations have set aside our differences and reached agreement in this compromise bill addressing concerns each organization has about the municipal incorporation process, extraterritorial powers of municipalities, and municipal annexation powers.

Cities, villages, and town officials across Wisconsin strive to passionately serve their constituents while simultaneously acting as good neighbors toward each other. AB 894 modifies a number of the statutory tools that municipalities use when interacting with each other to relieve tension that can build between neighboring municipalities, promote good local government, better reflect legislative intent, and support the rights of individual property owners.

Specifically, this bill closes a loophole in the incorporation process by limiting a newly incorporated city or village from immediately adding the remaining town territory by annexation or a boundary agreement, except when adding territory with the unanimous consent of landowners. This change reflects the original legislative intent underlying the incorporation process and allows for better land use planning within all neighboring municipalities. The bill also restores the ability of cities and villages to annex town territory across county lines by unanimous approval; limits municipal extraterritorial zoning powers, including the duration of zoning freezes within the extraterritorial jurisdiction; and prohibits municipalities from using condemnation to acquire blighted properties located outside a community's borders for the purpose of transferring the property to third-party developers. These changes further promote consistency and cooperation between neighboring local governments as they develop regional land use planning goals.

We urge you to recommend passage of AB 894. Thank you for your considering our comments.