

Annexation *in March 2023 Newsletter*

Annexation is the legal process of transferring property from an unincorporated town to an incorporated city or village. Annexation of property is not new; it has been a part of the town/city tapestry for decades and a topic the Town is acutely aware of. It has been a consideration of the Town Board, the Plan Commission and staff during land discussions, comprehensive planning, and intergovernmental communications and agreements. In recent months, proposed developments and Eau Claire and Altoona aggressive growth efforts have brought this topic to the forefront.

Wisconsin State Statutes define methods to accomplish annexation, two of which we will consider here as they are the most applicable. The historically utilized and most accepted method of annexation is by Unanimous Approval in which a landowner(s) contiguous to a city border petitions the city for annexation. Another method, rarely but more recently employed, is by One-half Approval in which the annexation petition must be signed by a majority of electors in the contiguous annexation territory and either the owners of one-half or the real property in assessed value or in land area. In either case, the approving entity is the City Council; the Town Board has no statutory role in the annexation process. That is the difficult and challenging reality.

As residents, we want the Town to remain healthy and successful. As Town officials and staff members, we share in that desire and vigilantly work towards that end.

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Recent annexations by the cities of Eau Claire and Altoona have significantly changed the landscape for the Town of Washington.

With each annexation, the cities reach and control of land use extends further into the Town because of city Extraterritorial Jurisdiction (ETJ) authority. The ETJ extends 3 miles from EC's city limit and 1 ½ miles from Altoona. EC's ETJ now extends south to the town of Pleasant Valley.

Additionally, this year there will be an update to the Sewer Service Area (SSA). It is very likely it will be extended as well. Lands within both the SSA and ETJ are essentially off limits for any development in the Town that require a land division. It is territory that is basically reserved for future annexation and development by EC and Altoona.

The recent annexations by EC and Altoona were of a more aggressive nature than ever before. We should expect that will continue. For example, in the past, I-94 was a barrier for EC expansion to the south. That barrier has now been breached in a significant way and annexations and development has accelerated.

What are some possible options?

1. Do nothing and manage the best we can.
2. Be more aggressive about developing the lands we can control. A rural or town housing development area is not conducive to annexation for a variety of reasons.
3. Incorporate the Town into a Village. This stops annexation completely. However, seeking incorporation is not simple or guaranteed AND would not include the entire Town of Washington. Incorporation also requires that we develop lands. The Town Board is currently evaluating this option.

Note that all the options above will result in more development within the current Town boundaries. We can no longer just assume that things will not change in areas near the cities.