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City of Milwaukee Testimony on SB502 to Senate Committee on Insurance and Housing
January 30, 2014

I would like to thank Chairman Lasee and members of the Committee for hearing SB 502 related to expanding the use of Certified Survey Maps by municipalities with established planning agencies. On behalf of the City of Milwaukee, I would like to also thank Representative Hutton and Senator Lasee for authoring the bill.

This bill is about creating a more developer-friendly and streamlined process of dividing land for the promotion of industrial, commercial and mixed-use development.

Industrial, commercial and mixed-use projects frequently require the creation of multiple parcels and involve the creation of Certified Survey Maps (CSMs). Current restrictions on the number of parcels that may be created by CSMs slow down efforts to develop industrial, commercial and mixed-use properties throughout the state. Under the current procedure, a CSM may only be created to divide land if the division creates four or fewer parcels; and the creation of five or more parcels of 1.5 acres or less, during a five-year period requires a formal subdivision plat.

The approval process for a Subdivision involves approvals from the local municipality which takes between 4 to 6 months. In some instances, the longer period required for the creation of a subdivision can delay commencement of construction until the following construction season.

This bill allows municipalities to permit the creation of multiple CSMs, and unlike the Subdivision process, the approval process for a CSM takes between 2 ½ to 3 months.

In Milwaukee, the flexibility provided by this bill would assist in the development of projects such as the Menomonee Valley Business Park, the North End mixed use project and Century City industrial project.

We see this bill as providing efficiency and cost savings to assist much needed business development in the City of Milwaukee. We ask for your support of SB 502. Thank you.





To: All Legislators

From: Tom Larson, Vice President of Legal and Public Affairs

Date: January 28, 2014

RE: SB 502 – Streamlining the local plat review process

The Wisconsin REALTORS® Association supports SB 502, legislation giving local units of government more flexibility to approve changes to lots in an office and business park without having to go through a more expensive and time consuming process required for “subdivisions” under Ch. 236 of the Wisconsin Statutes.

Background

Under current law, a “subdivision” must be created in situations in which a land owner is seeking the division of a lot, parcel, or tract of land where the division creates five or more parcels or building sites of 1 ½ or less acres in a defined area. A “certified survey map” (CSM) may be created to divide land if the division creates four or fewer parcels of land and does not result in a subdivision. If multiple CSMs in a defined area cumulatively create five or more parcels during a consecutive five year period, a subdivision must be created.

The approval process for a CSM involves approvals from the local municipality and fees totaling \$640. The entire approval process takes between 2 ½ to 3 months. The approval process for a subdivision involves approvals from the both the local municipality and Wisconsin’s Department of Administration and fees totaling upwards of \$3,000. The entire subdivision approval process takes between 4 to 6 months. In some instances, the longer period required for the creation of a subdivision can delay commencement of construction until the next construction season.

When business and office parks are created, the lot sizes and configurations often change due to the specific needs of the businesses looking to locate there. If multiple lot changes occur within a 5-year period, the changes could qualify as a “subdivision” and require a more expensive and time consuming review. This creates problems for local communities who may have businesses interested in locating in the business or office park, but don’t want to wait 4 to 6 months for approval.

SB 502

SB 502 provides local units of government with more flexibility to attract economic development by streamlining their development-approval process. Specifically, SB 502 does the following:

- **Authorizes local governments to determine when a more extensive “subdivision” review is required.** Under SB 502, a municipality is authorized (not required) to change the definition of “subdivision” by ordinance or resolution. This authority will allow local governments to decide how many new lots must be created in order to trigger a more

extensive "subdivision" review. Rather than requiring a "subdivision" review after the creation of 5 lots within 5 years, a local government could decide to increase that number if they wished.

Depending on the time of the year, the subdivision process has the potential to cause development projects to miss a pivotal construction commencement date due to the layers of approval and length of time for approval. Having the ability to use CSM's would instead provide the local government with additional flexibilities and time savings to accommodate the needs of potential site developers.

- **Limits this authority to only local governments with professional planning departments.** To ensure that an adequate review of the land division is conducted at the local level, SB 502 limits this authority to only local governments with professional planning departments. If a local government does not have a professional planning department, any plats creating 5 lots in 5 years would still require a more extensive "subdivision" review.
- **Limits the scope to only commercial, industrial and mixed-use development.** Under SB 502, a local unit of government may change the definition of "subdivision" for only commercial, industrial and mixed-use development. This recognizes the need for flexibility in those types of development to accommodate the different needs of businesses wishing to locate within the community.

We hope that you will support SB 502. If you have questions, please contact us at (608) 241-2047.