

THE TWILIGHT ZONE: THE EXTRA-TERRITORIAL ZONE AROUND CITIES

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Outline



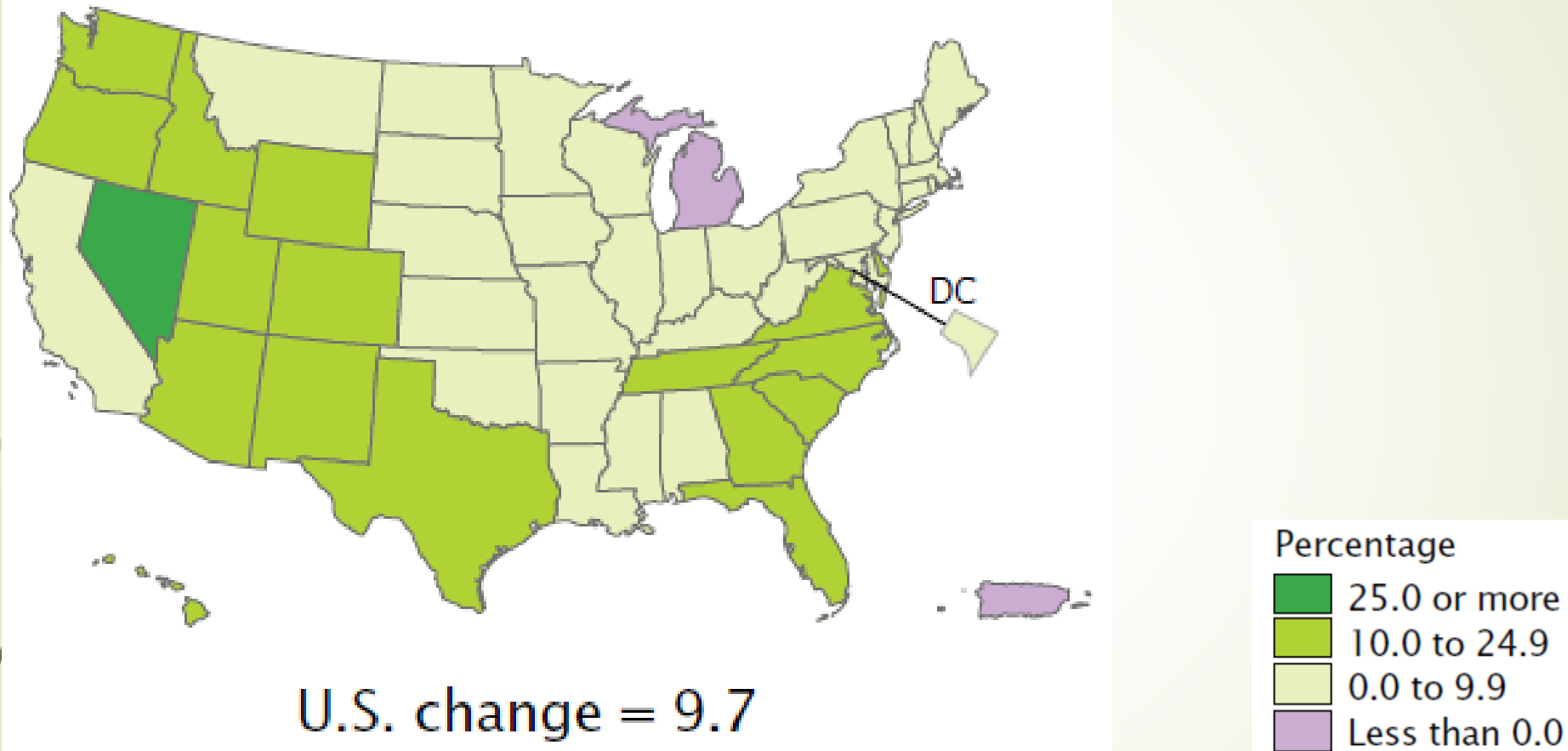
- Introduction
- Annexation
- Extraterritorial Zone
- Planning Outside Municipal Boundary
- Case Study: Laramie, WY
- Case Study: Las Cruces, NM
- Lessons Learned



Introduction

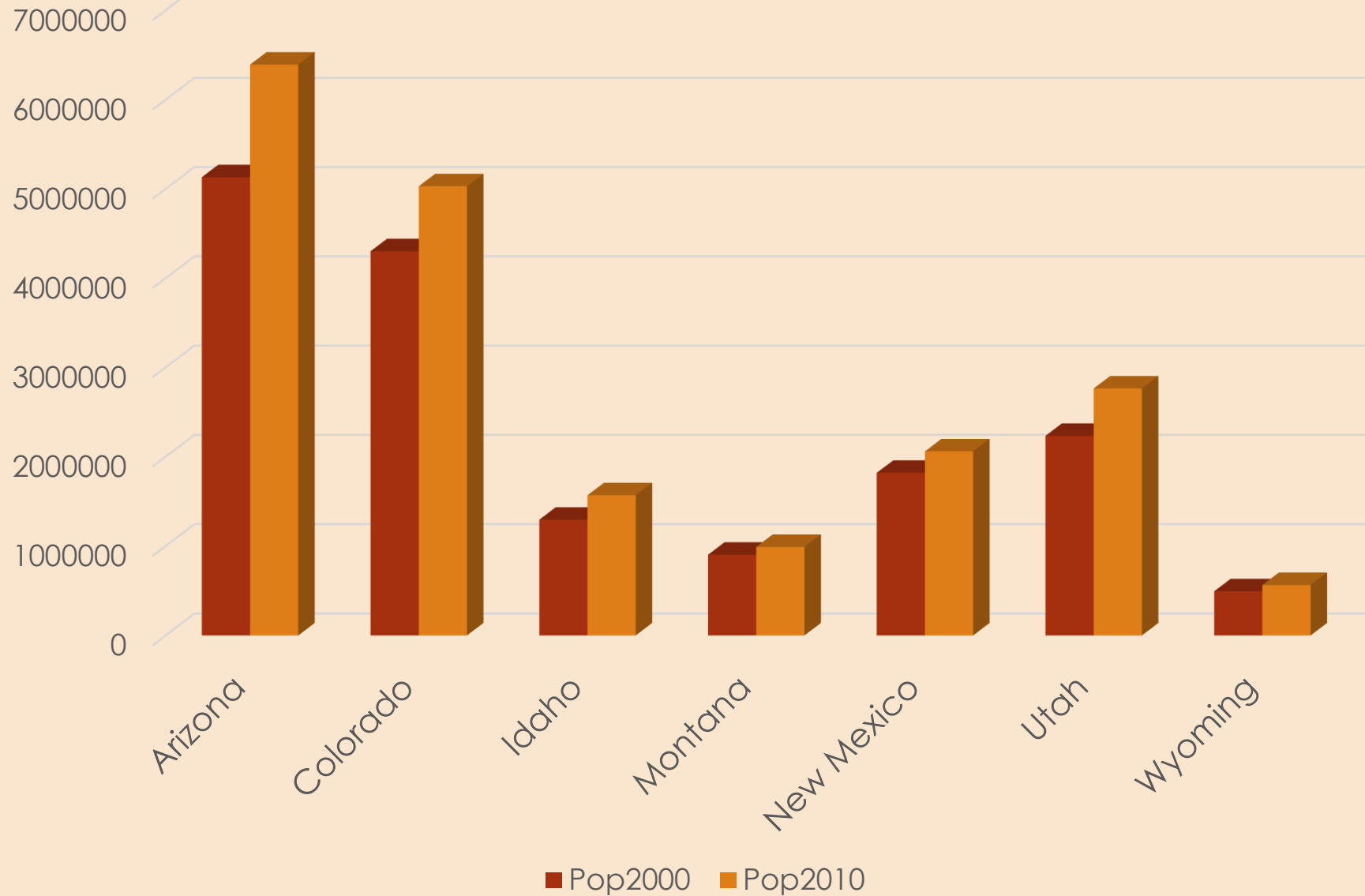
- Rapid Growth of Rocky Mountain Region
 - Rapid Growth of Metropolitan Areas
 - Increasing Population in Micropolitan Areas
- 

U.S. Population Change, 2000-2010

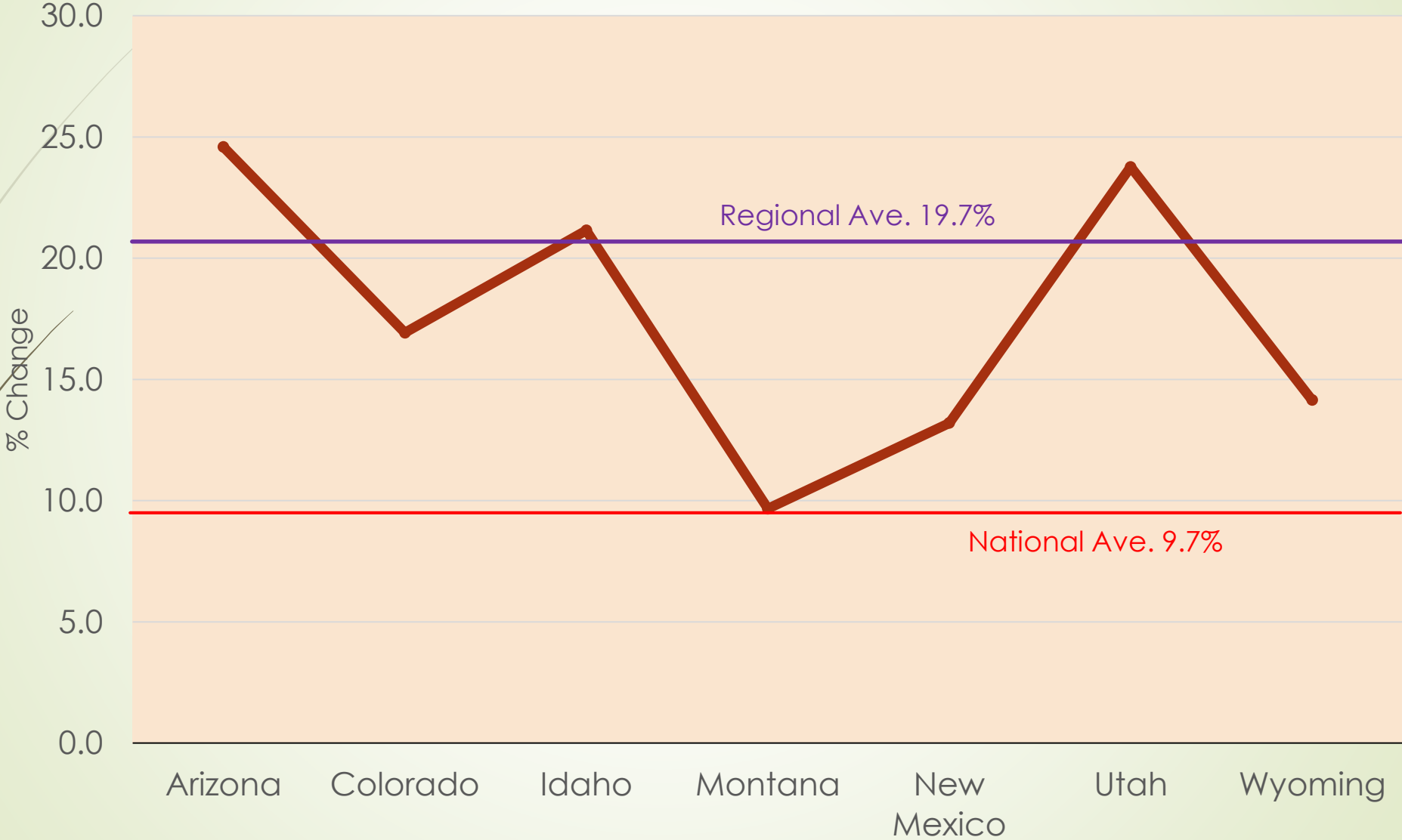


(Census Bureau, 2011)

Rocky Mountain State, Populations, 2000-2010



Rocky Mountain States, Population Change, 2000-2010



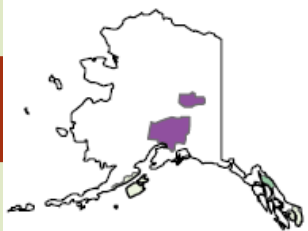
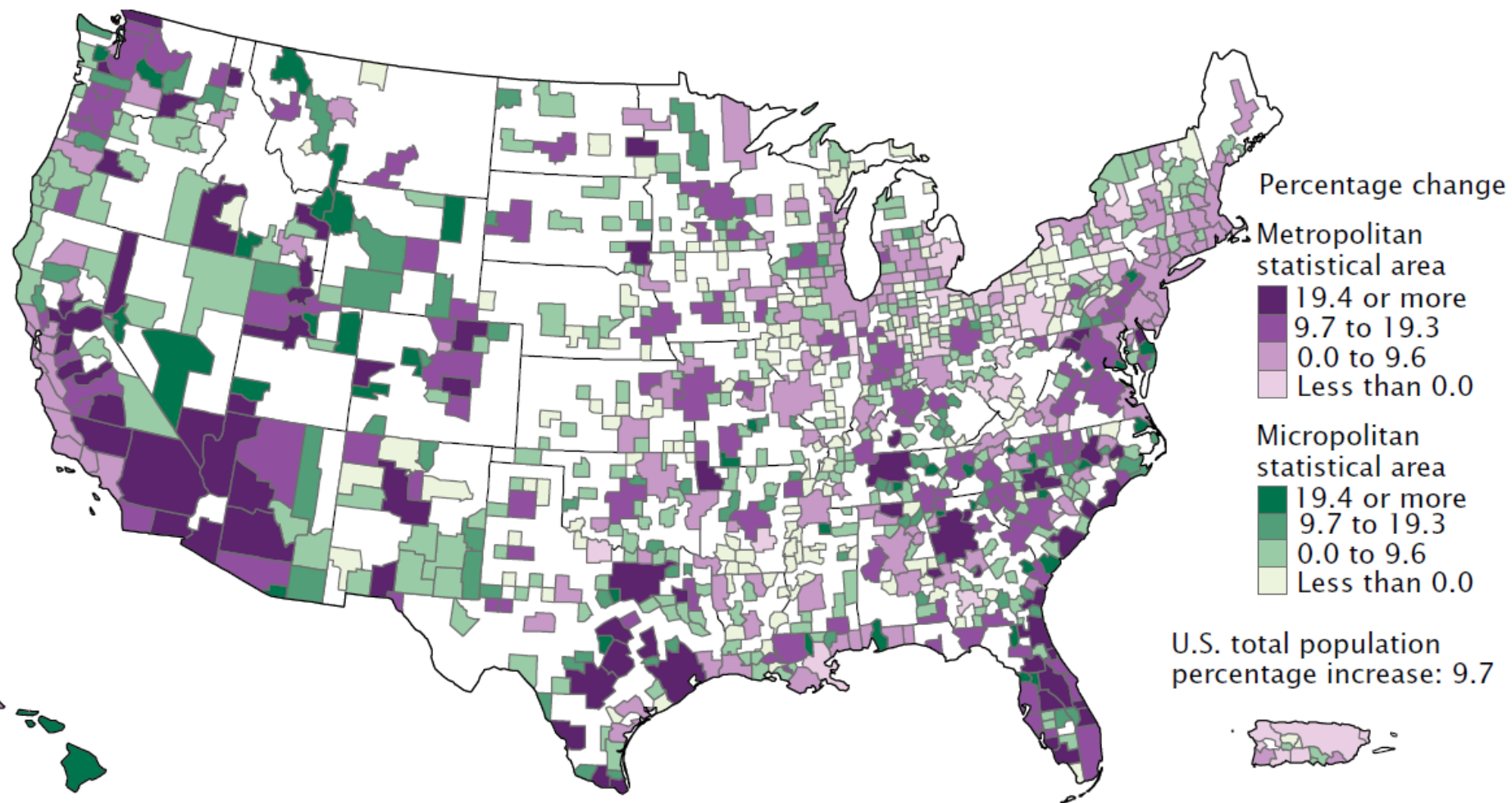


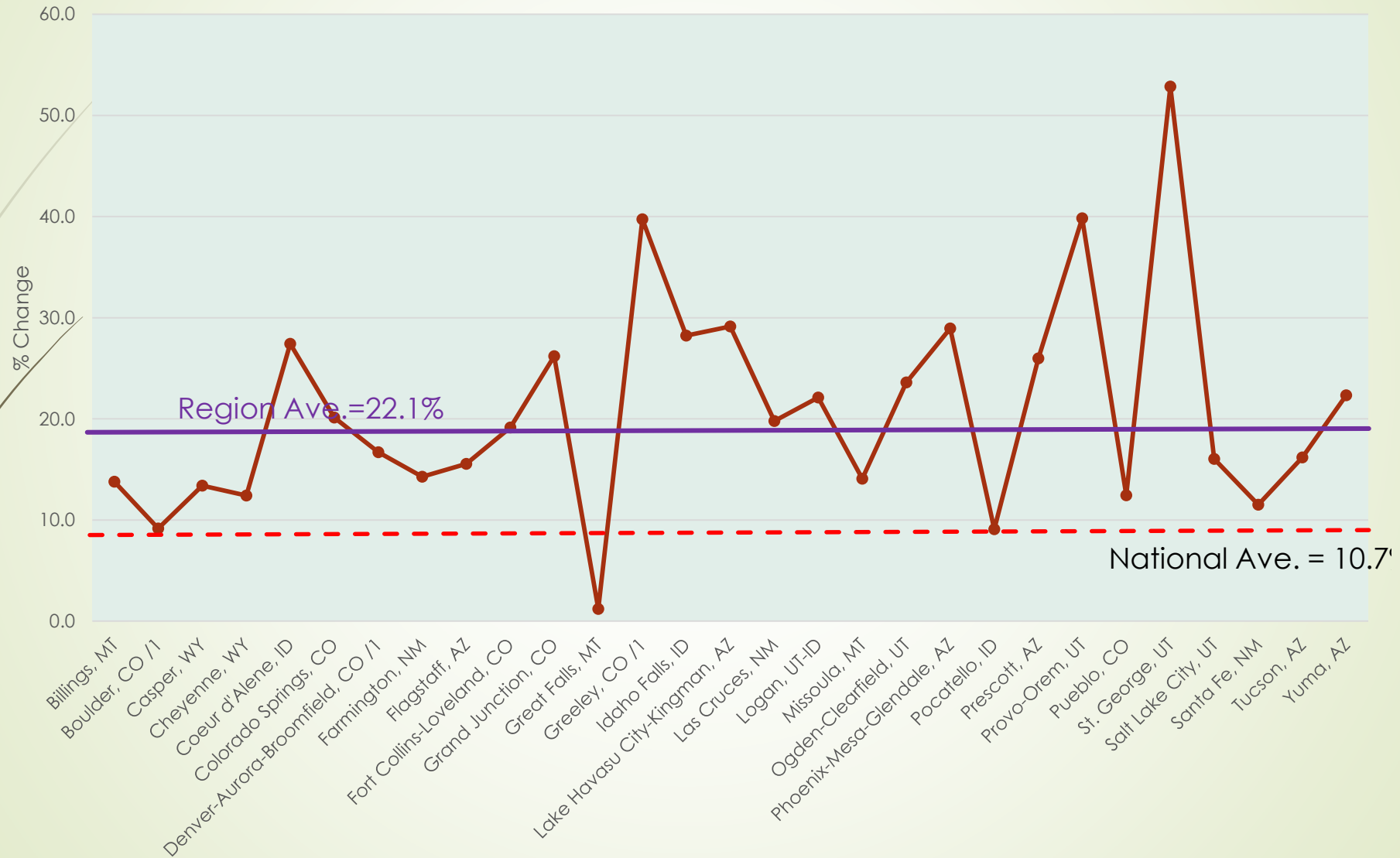
Figure 4.

Percentage Change in Metropolitan and Micropolitan Statistical Area Population: 2000 to 2010

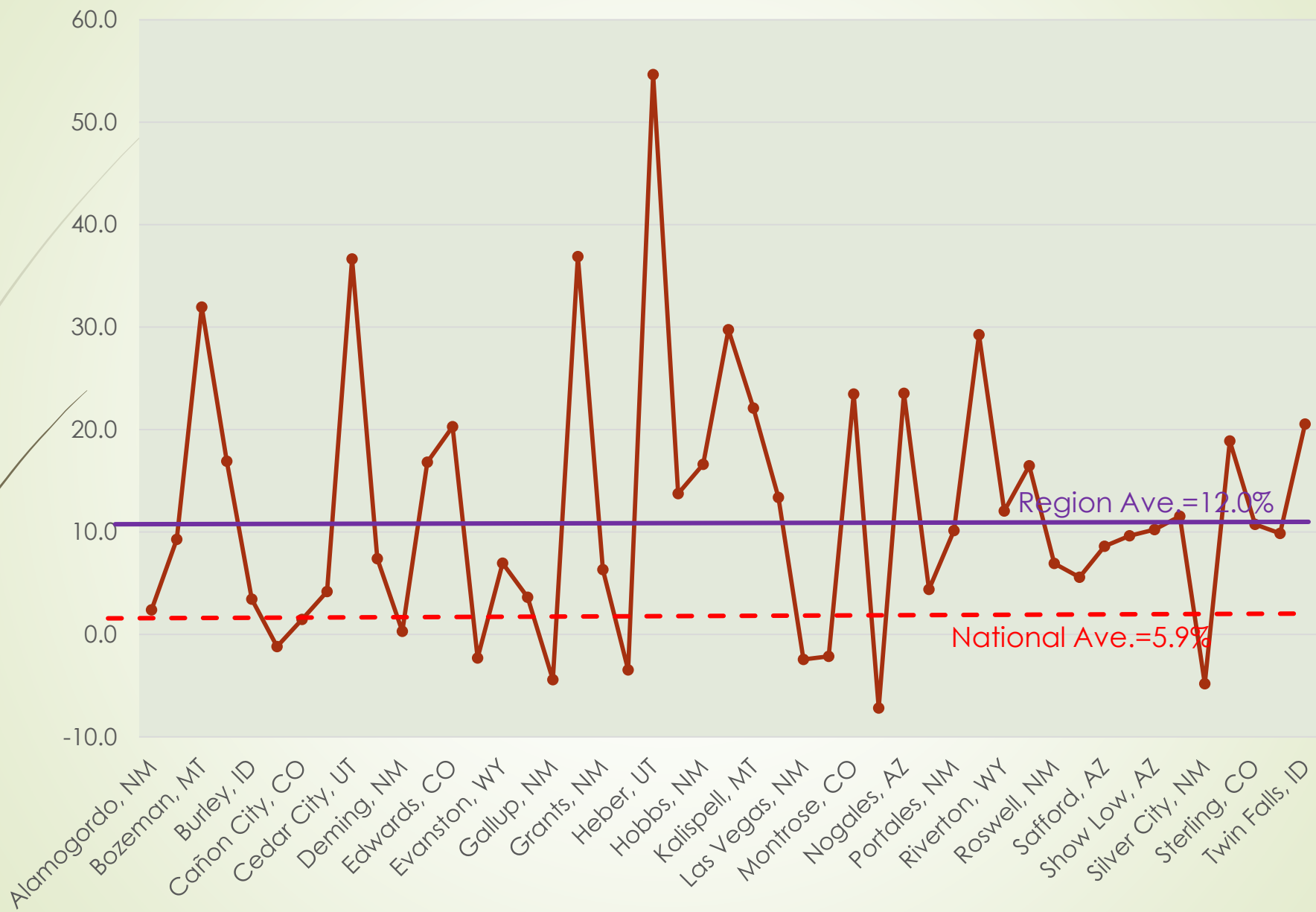
(For information on confidentiality protection, nonsampling error, and definitions, see www.census.gov/prod/cen2010/doc/pl94-171.pdf)



Rocky Mountain Region, Metropolitan Areas, Population Change, 2000-2010



Rocky Mountain Region, Micropolitan Areas, Population Change, 2000-2010






Annexation

- The Main Purpose of Annexation is to **Manage City Growth**
- Other Reasons:
 - Growth Control Outside of Municipality
 - Infrastructure Efficiency
 - Economic Development
 - Tax Strategy
 - Metropolitan Political Structure
- **Problems**
 - Conflict with Adjacent Jurisdiction-County or City
 - Dispute with Residents of Area to be Annexed-Vote, Services, Taxes...



Annexation Methods

- Sengstock (1960) Five Major Methods:
- **Legislative Determination:** State Legislature deliberates each annexation proposal.
- **Popular Determination:** Decision made by local residents through referendum or petition.
- **Municipal Determination:** Municipal boundaries expanded through unilateral action of the local unit of government.
- **Judicial Determination:** State's judiciary decides whether or not an annexation should occur.
- **Quasi-Legislative or Administrative Determination:** Independent and non-judicial commission decides annexation.



Rocky Mountain Region Annexation Methods

State	Legislative	Public	Municipal	Judicial	Administrative
Arizona		X	X		
Colorado		X	X		
Idaho		X	X		
Montana		X	X		
New Mexico					X
Utah		X	X		
Wyoming		X	X		



Restrictions

State	Vote	Contiguous	Surround	Plan
Arizona	Owners/Area	Touch	Yes	Infrastructure
Colorado	Owners/Area	16.67%	Yes	Tax & Zoning
Idaho	Owners/Area	Touch	<100 Parcels	Infrastructure
Montana	Owners/Area	Touch	Yes	Infrastructure
New Mexico	Owners/Area	Touch	Yes	Infrastructure
Utah	Owners/Value	Touch	Yes	Annexation
Wyoming	Owners/Area	Touch	Yes	Infrastructure

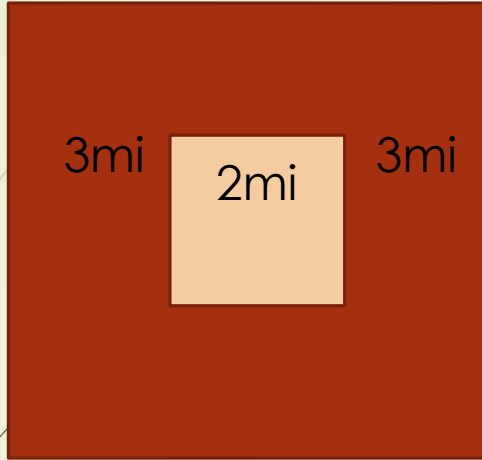


Extraterritorial Zone (ETZ)

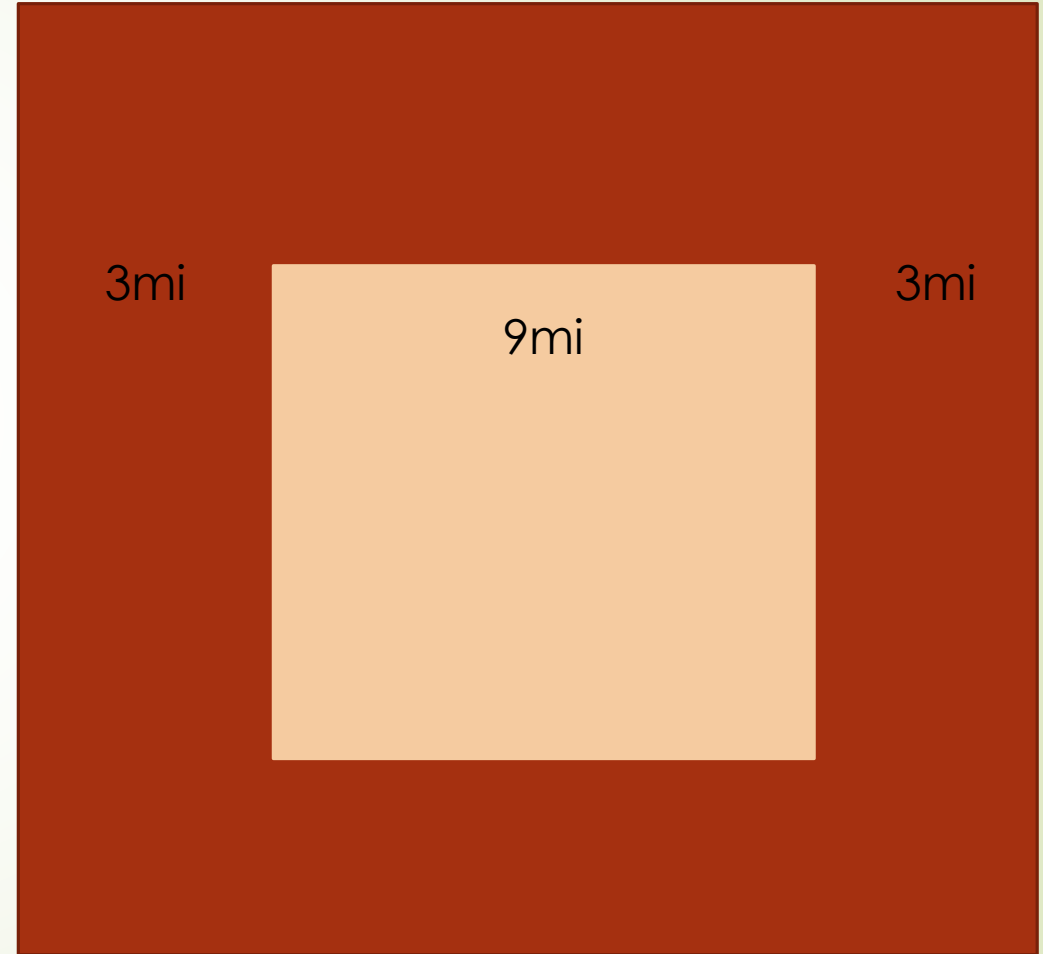
- Authority given to Municipalities by State Statute
- Delineated by set distance from incorporated boundary
- Identified actions within the ETZ
- Purpose: To assist with Managing Urban Growth
- Integrate new Subdivision Infrastructure with Municipal
- Ability to pre-Zone area before Annexation

ETZ Characteristics, Rocky Mountain States

State	Distance	Authority	Administration
Arizona	3 miles	Municipal Planning	County Appoints Board
	20 miles	Joint Plan	InterGovernment Agreement
Colorado	3 miles	Transportation Plan	City Council
		Zoning	
Idaho	3 miles	Planning	Approved by both City & County Zoning Authority
		Zoning	Joint Board-3 County Comm. And 3-City
Montana	3 miles Class I >10000	Growth Policy	
	2 miles Class II 5-10000	Municipal Zoning	
	1 mile Class I 1-5000	Subdivision Regulations	
New Mexico	>300,000	Same Authority as County	ExtraTerritorial Zoning Comm.
	5 miles >25000	Planning and Platting	4 County Comm & 3 City Councilors or Appt.
	3 miles <25000	Zoning	ExtraTerritorial Land Use Comm.
		Subdivision Approval	5 County Planning & 5 Municipal Planning
		Excludes Traditional Historic Community	
Utah	15 Miles Water Diversion & 600' Buffer <20000	Municipal General Plan	Concurrence of County
		Zoning	City Government
	Watershed >20000	Land Use	
Wyoming	1 Mile	Master Plan	Concurrence of the Board of County Commissioners or County Planning Commission
		Zoning	
	5 Mile Urban Renewal	Subdivision Regulations Urban Renewal Code	

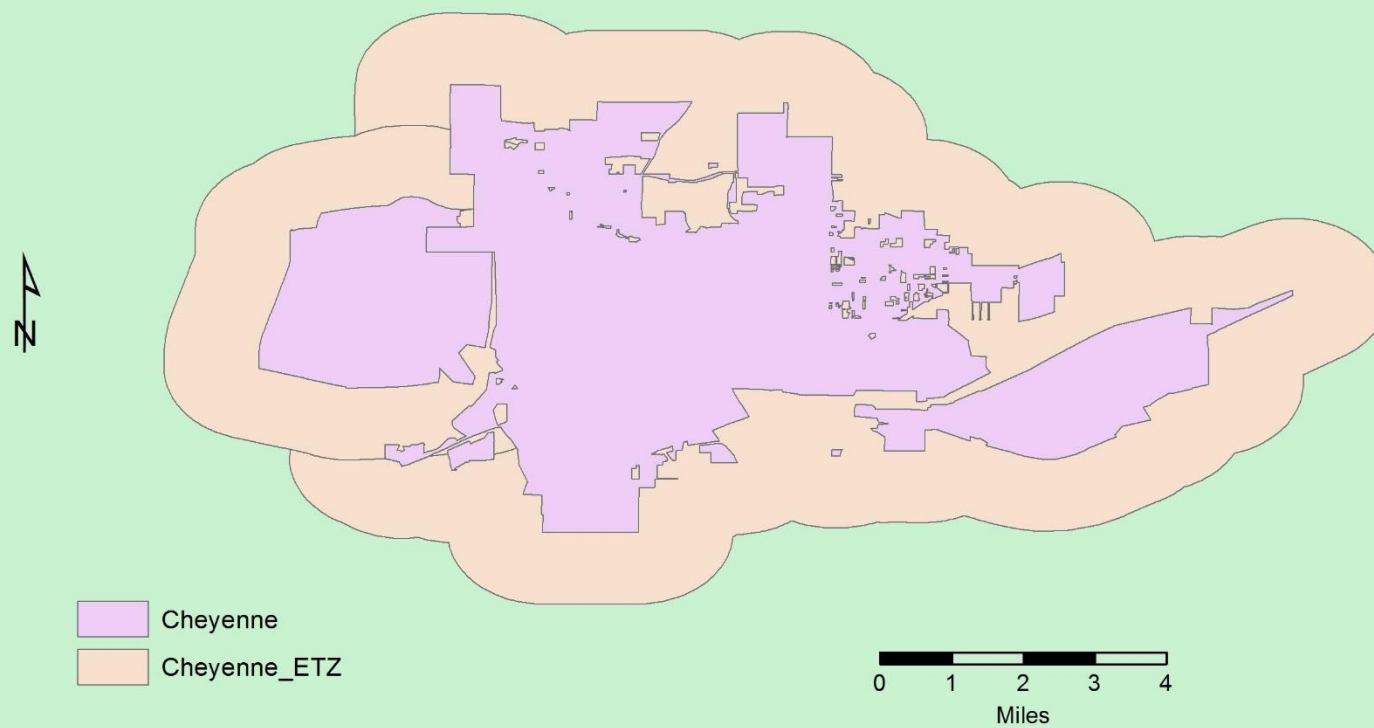


Smaller City
Larger ETZ
4sq. mi.
64sq.mi.

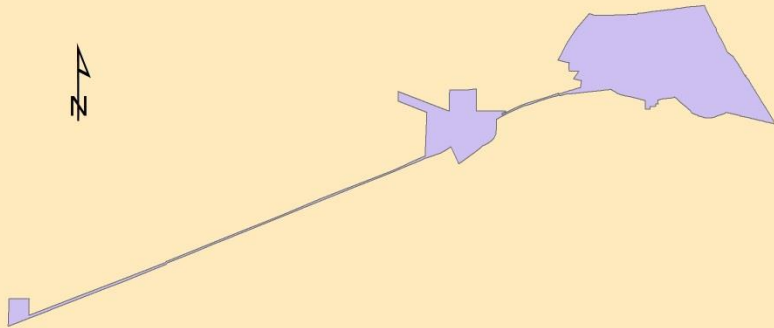


Large City
Smaller ETZ
81sq.mi
225sq.mi.

Cheyenne, WY with ETZ

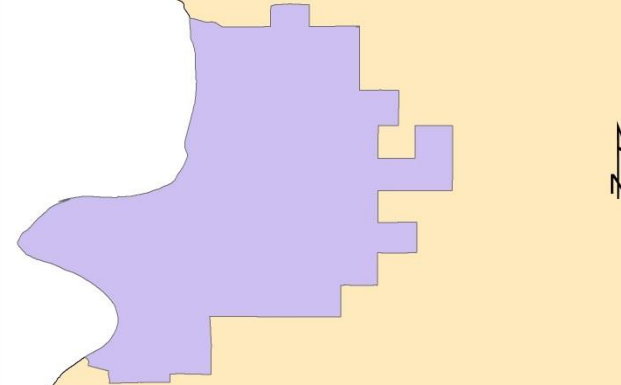


Hatch, New Mexico

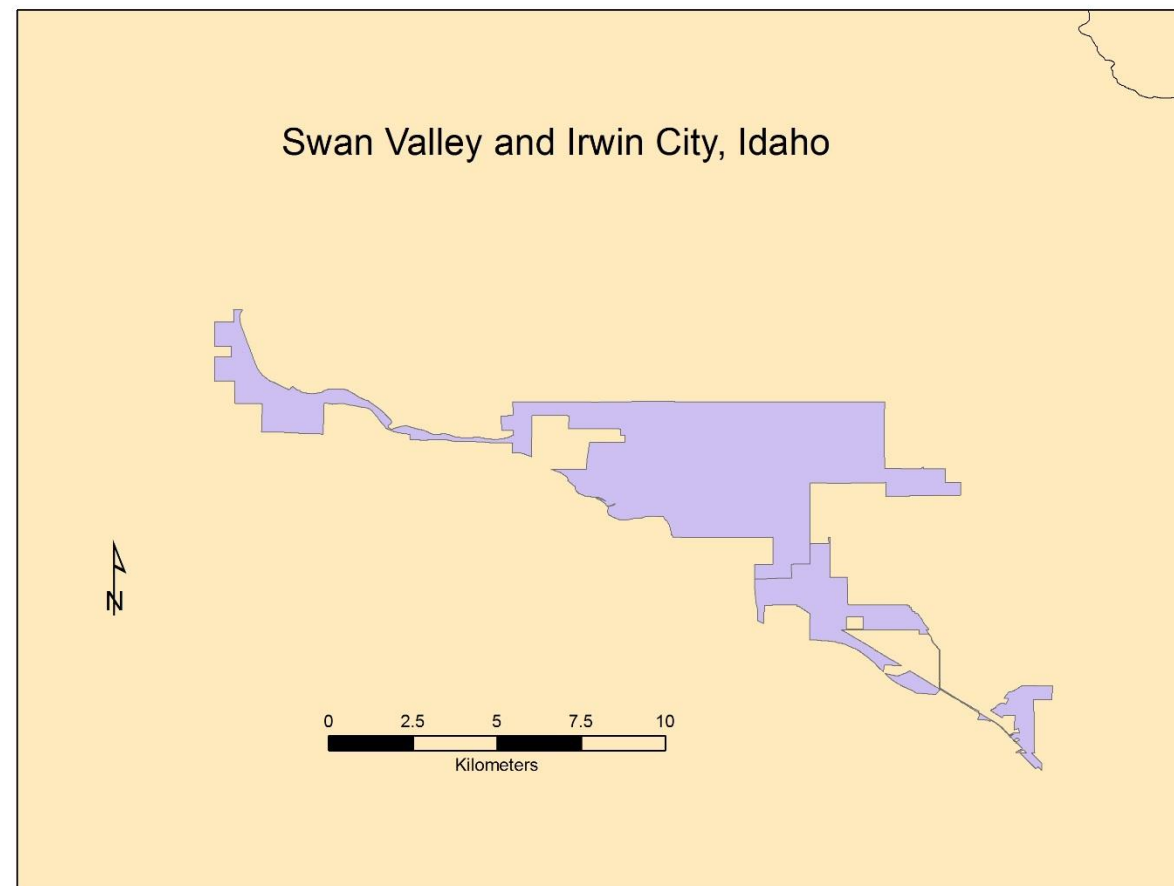
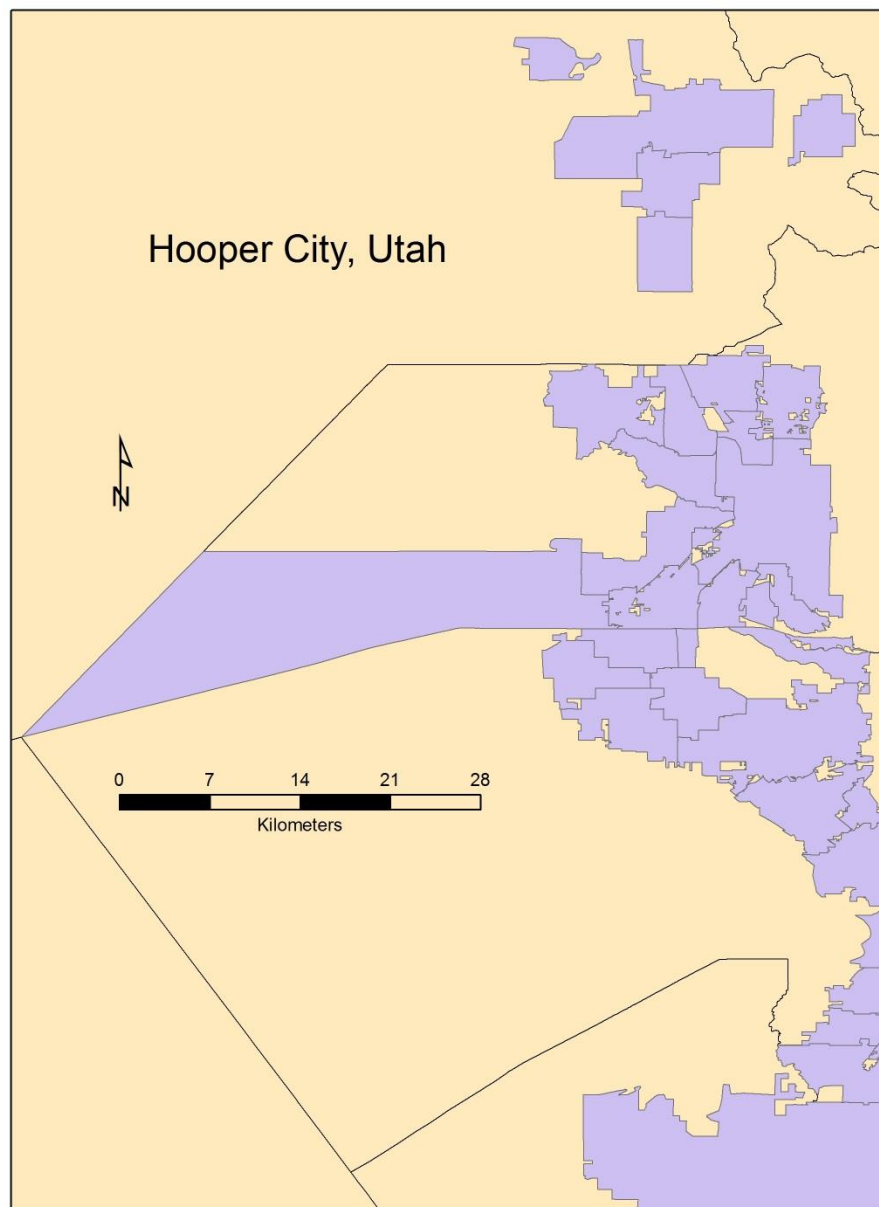


0 1,500 3,000 4,500 6,000
Meters

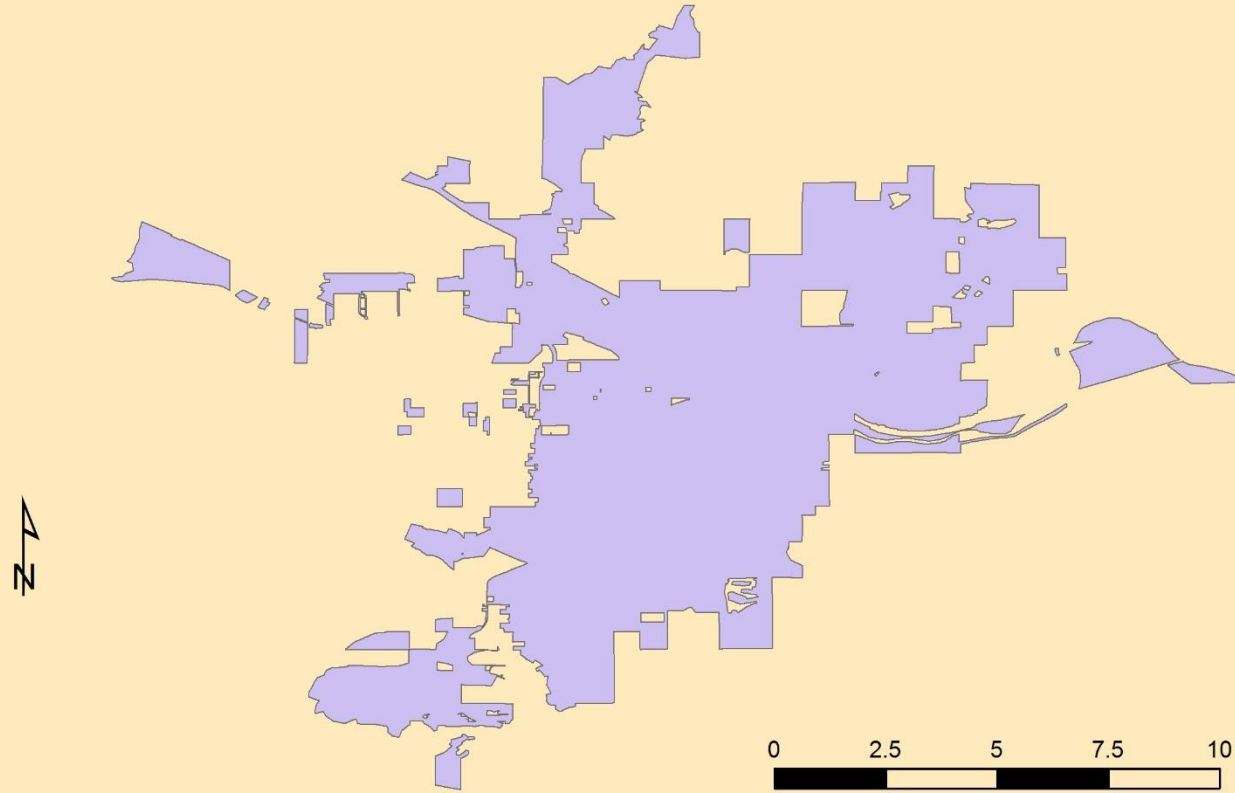
Bullhead City, Arizona



0 4 8 12 16
Kilometers

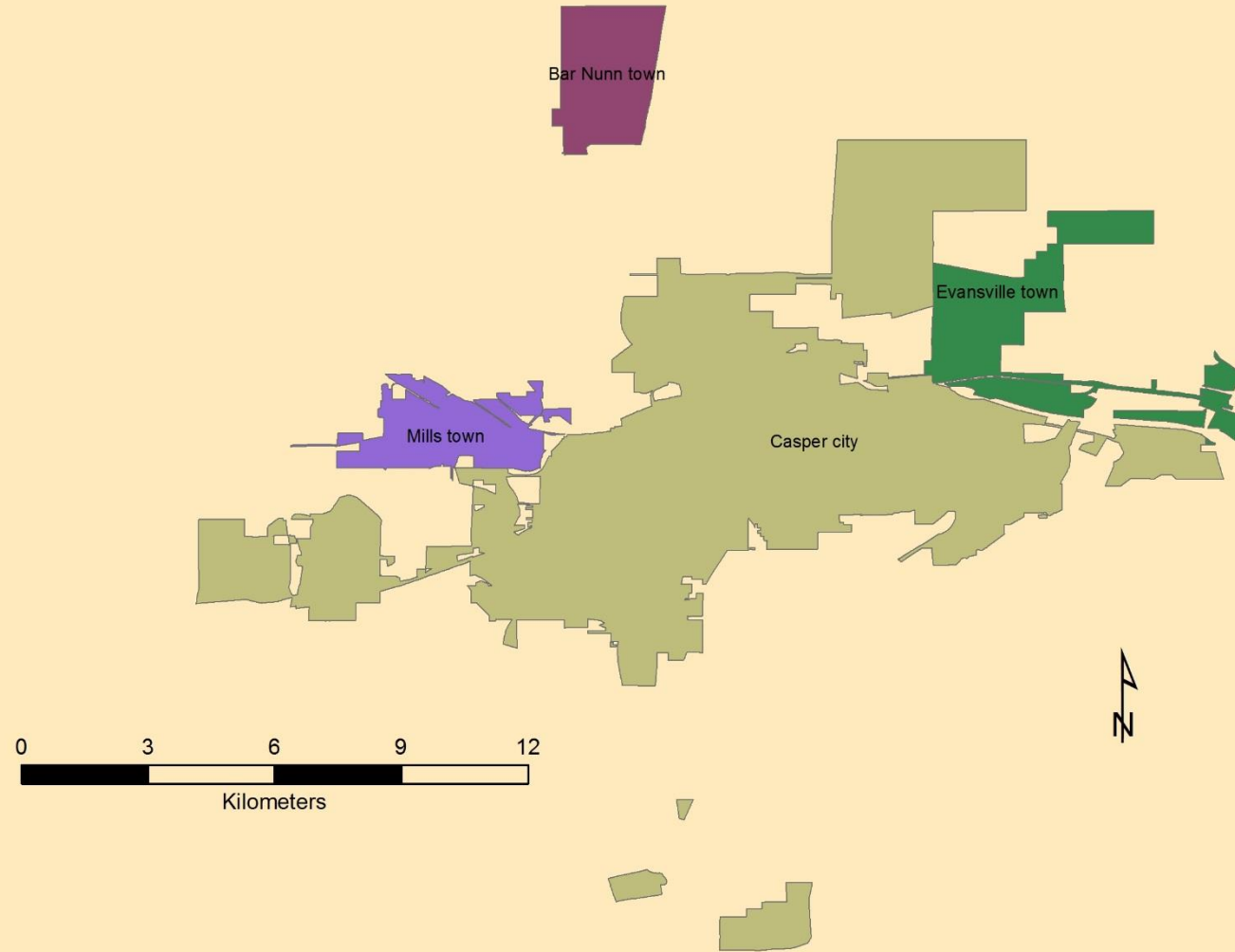


Missoula, Montana

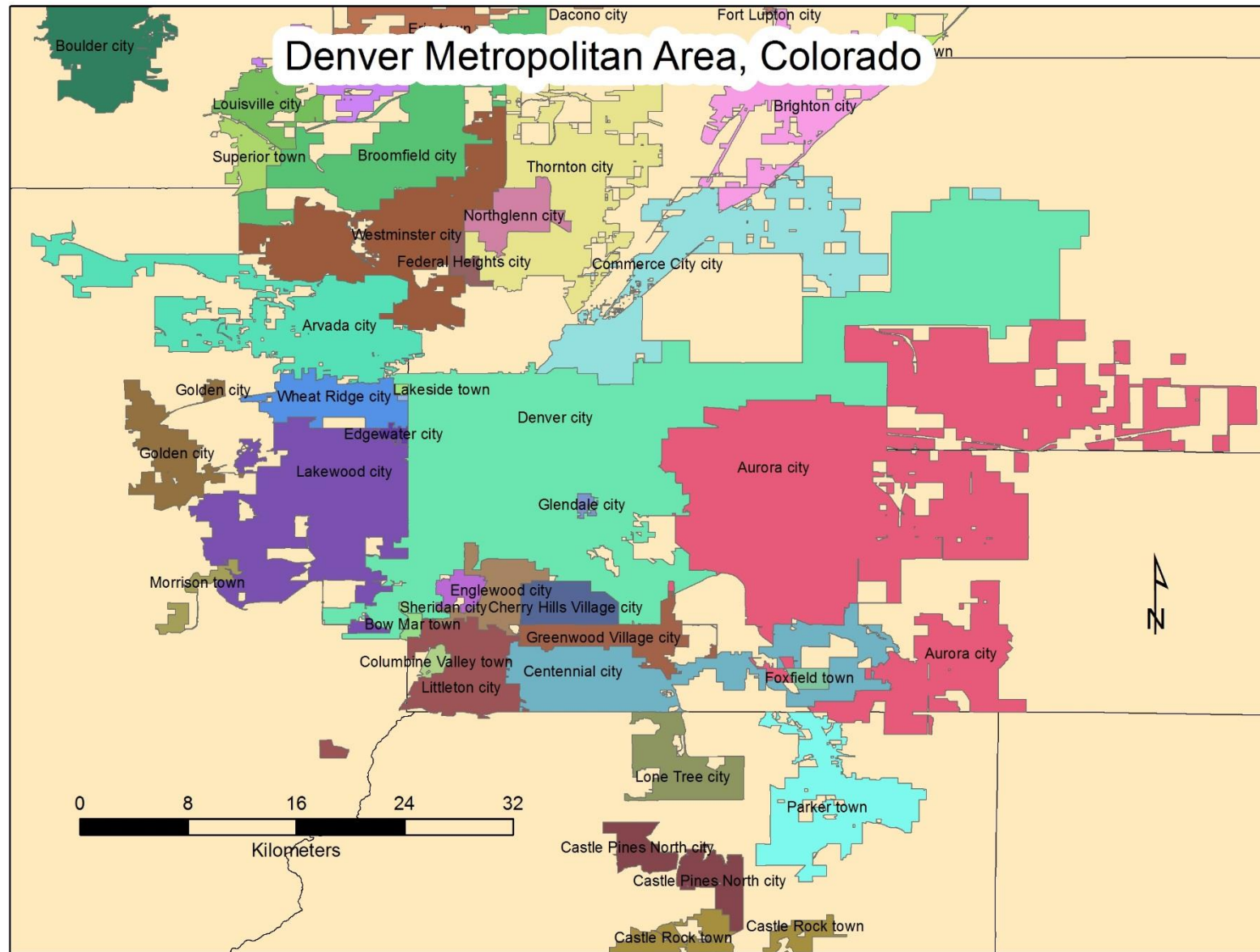


0 2.5 5 7.5 10
Kilometers

Casper, Evansville, Mills and Bar Nunn, Wyoming



Denver Metropolitan Area, Colorado





Planning in ETZ

- Full Comprehensive Planning and Zoning Authority as Municipality
- Limited Planning with Zoning Ordinances and Subdivision Regulation
- Infrastructure Planning, Zoning Ordinances and Subdivision Regulation
- Infrastructure Planning and Subdivision Regulation
- Limited Planning



References

- Arizona Revised Statutes, Title 9 Cities and Towns, Sec. 9-471
- Census Bureau, 2011, www.census.gov/factfinder/ Access: 20Dec2016.
- Colorado Revised Statutes, Title 24 Government, Sec. 24-32-109, 31-12-113.
- Edwards, M.M. 2008, Journal of Planning Literature, 23(2): 119-135.
- Idaho Statutes, Title 50 Municipal Corporations, Sec. 50-223.
- Montana Code Annotated, Title 7 Local Government, Sec. 7-2-4201 thru 4714.
- New Mexico Statutes, Chapter 3 Municipalities, Sec. 3-7-16
- Reynolds, L., 1992, The Urban Lawyer, 24(2): 247-303.
- Sengstock, F.D., 1960, Annexation: A solution to the metropolitan area problem. Ann Arbor, MI: U. of Michigan Law School.
- Utah Code, Title 10 Municipal Code, Sec. 10-2-425
- Wyoming Statutes, Title 15 Cities and Towns, Section 15-1-406.