



American Planning Association

Kansas Chapter

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January 24, 2025

Testimony in Opposition to HB 2025 (SB 37): Repealing the three-mile extraterritorial planning and zoning authority for cities.
Presented to the House Committee on Local Government

Mr. Chairman and Members of the Committee:

The Kansas Chapter of the American Planning Association (KS APA) is opposed to HB 2025 (SB 37) which would repeal the three-mile extraterritorial planning and zoning authority for cities.

This bill is an overhaul of more than 60 years of statutes used by cities and counties to make planning decisions and investments. Changing the law comes with significant consequences, none of which are accounted for in this bill. Before a vote is taken on this matter in either the Kansas House of Representatives or the Senate, the issue should be studied further to allow all legislators the ability to understand the implications.

The KS APA is concerned about the impact to:

- Municipal utility agreements and arrangements;
- Interlocal agreements;
- Projects currently bonded or in planning stages;
- State and federal regulatory practices, particularly utility and telecommunications;
- Metropolitan or regional planning commissions; and
- Joint city and county infrastructure agreements within the three-mile zone.

Subdivision regulation is important for controlling land use. This includes everything from street location to parks to flood protection. State law regulates the ability of cities and counties to enact these regulations within the three-mile boundary, also known as ETJ (extraterritorial jurisdiction).

The ETJ also exists to protect counties from unfettered expansion of a city's boundaries. The rules and regulations in place within this zone provide agreement and cooperation between cities and counties. It properly discourages cities from just annexing these areas.

County commissioners have the ability to stop acts by a city within the three-mile zone. The current system is collaborative and gives counties authority and input over the process. Every citizen in a county who lives in an ETJ has representation through their county commissioners, who have direct oversight into the processes and actions taken by cities in the zone.

These collaborations afford communities with the local control they desire, within the context of their own needs. The ability to have a say in how areas near city boundaries are developing is very important to continued development in various jurisdictions throughout the state of Kansas, and a blanket statute that limits the sovereignty of those communities would be detrimental to development as a whole. The ETJ serves its purpose well and we would ask that you vote against advancing HB 2025 any further and consider our alternate proposal of an interim committee.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Josh White". The signature is written in a cursive style.

Josh White
President
Kansas Chapter of the American Planning Association
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