

January 27, 2025

Kansas Legislature
House Local Government Committee
300 SW 10th Street
Topeka, KS 66612

RE: HB 2025 concerning municipal three-mile extraterritorial zoning authority

House Local Government Committee:

Thank you for the opportunity to provide testimony on HB 2025, which concerns municipal extraterritorial zoning authority. The City of El Dorado supports the preservation of the extraterritorial zoning authority given its importance to planning for future growth of our community. The City of El Dorado is concerned about the proposal to eliminate this essential tool because doing so would undermine our ability to thoughtfully plan for growth, protect property values, and maintain the quality of life that our residents expect.

Zoning may seem like an abstract concept, but it is, at its heart, a promise. It is a promise to the residents and businesses within our community that their investments are protected, their neighborhoods are stable, and their futures are secure. The extraterritorial zoning authority allows cities like El Dorado to keep that promise by ensuring that land use decisions beyond our boundaries and adjacent to our corporate limits are compatible with our community's long-term vision and plans. Without this authority, the City loses the ability to shape development in areas that will one day become part of our community. This is not just about control for control's sake—it is about people, families, and businesses who depend on us to act in their best interest.

Imagine a neighborhood where families have chosen to settle, drawn by the promise of a safe, vibrant, and well-planned community. Nearby, a parcel of land just outside city limits is rezoned for industrial use by the county, without regard for the homes, schools, or parks nearby. Heavy truck traffic begins to pass through residential streets. Noise and pollution increase. Residential property values plummet. The sense of security and pride that drew those families to the neighborhood erodes. This scenario is not hypothetical. It is a potential risk if cities lose the ability to guide development in their growth areas within the three-mile extraterritorial area.

The need for proactive planning is particularly evident in El Dorado's experiences with subdivisions developed many years ago. Some of these subdivisions were built without adequate infrastructure to serve dense, urban-type development. Addressing the resulting challenges required annexation by the City and decades of costly infrastructure upgrades. These efforts ultimately required a higher level of financial commitment from the City than would otherwise have been needed had the annexed subdivisions been part of the city's extraterritorial jurisdiction. The situation also created long-term inequities as the less-than-adequate infrastructure compared to urban infrastructure in neighborhoods located nearby.

Municipalities can prevent similar issues by requiring developments to align with modern best practices from the outset instead of retroactively upgrading infrastructure. Cities are best suited to ensure that

developments are designed to accommodate future growth, meet environmental standards, and integrate seamlessly with the City's existing infrastructure. Extraterritorial zoning authority also provides a legal means of collaboration and foresight. It creates a legal that allows neighboring landowners, developers, rural utility providers, townships, and county governments to ensure that growth occurs in a way that benefits existing and future residents.

I urge you to consider the long-term consequences of eliminating the three-mile extraterritorial zoning authority. Maintaining this authority empowers municipalities to implement these principles beyond our city limits, supporting both the immediate needs of El Dorado and the long-term vision for a thriving, well-planned region. By guiding growth beyond city limits, municipalities can promote smart land use decisions that protect natural resources, reduce infrastructure costs, and ensure equitable access to essential services for all stakeholders.

Thank you for your consideration on this important matter and for your commitment to the well-being of our state and its communities.

Sincerely,



David B. Dillner
City Manager

CC: Representative Will Carpenter

