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## FISCAL IMPACT REPORT

SPONSOR: Rawson DATE TYPED: 02/27/01 HB \_\_\_\_\_  
 SHORT TITLE: Extraterritoriality Zoning SB 621  
 ANALYST: Padilla

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
			NFI		

(Parenthesis ( ) Indicate Revenue Decreases)

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### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Bill

Senate Bill 621 amends zoning regulations to require that at least one-half the members of an extraterritorial zoning commission (formed jointly by a municipality and a county) be residents of the proposed extraterritorial zone.

#### Significant Issues

By definition, only municipalities and incorporated counties (Los Alamos) have extraterritorial zoning areas. The extraterritorial planning and platting authority of a municipality is contained in Section 14-18-5. This section creates extraterritorial planning jurisdiction extending three or five miles beyond the boundaries of municipalities depending upon population, except insofar as another municipality may be affected.

Extraterritorial zoning commissions are formed at the initiative either of a municipality or the affected county to consider zoning ordinances for extraterritorial areas. Members are selected in equal numbers by the municipal zoning authority and the county commission. Senate Bill 621 would require that at least half of the members of an extraterritorial zoning commission reside in the extraterritorial zone. This would mean in practice that at least half the members must live in the affected county and *not* the municipality or incorporated county.

Current statute also provides, however, that one member of the extraterritorial zoning commission live *neither* in the municipality nor in the area of the county proposed for extraterritorial zoning, but in another part of the affected county. This bill would therefore ensure that less than one-half the members of an extraterritorial zoning commission live in the municipal zoning jurisdiction.

**FISCAL IMPLICATIONS**

This bill does not contain an appropriation and has no fiscal implications for state government.

LP/njw