



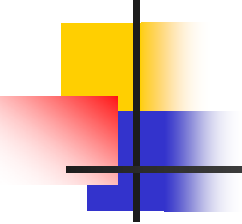
Mapping Excluded and Underserved Communities to Support Litigation and Advocacy

Ann Moss Joyner, President

**Cedar Grove Institute
for Sustainable Communities, Inc.**

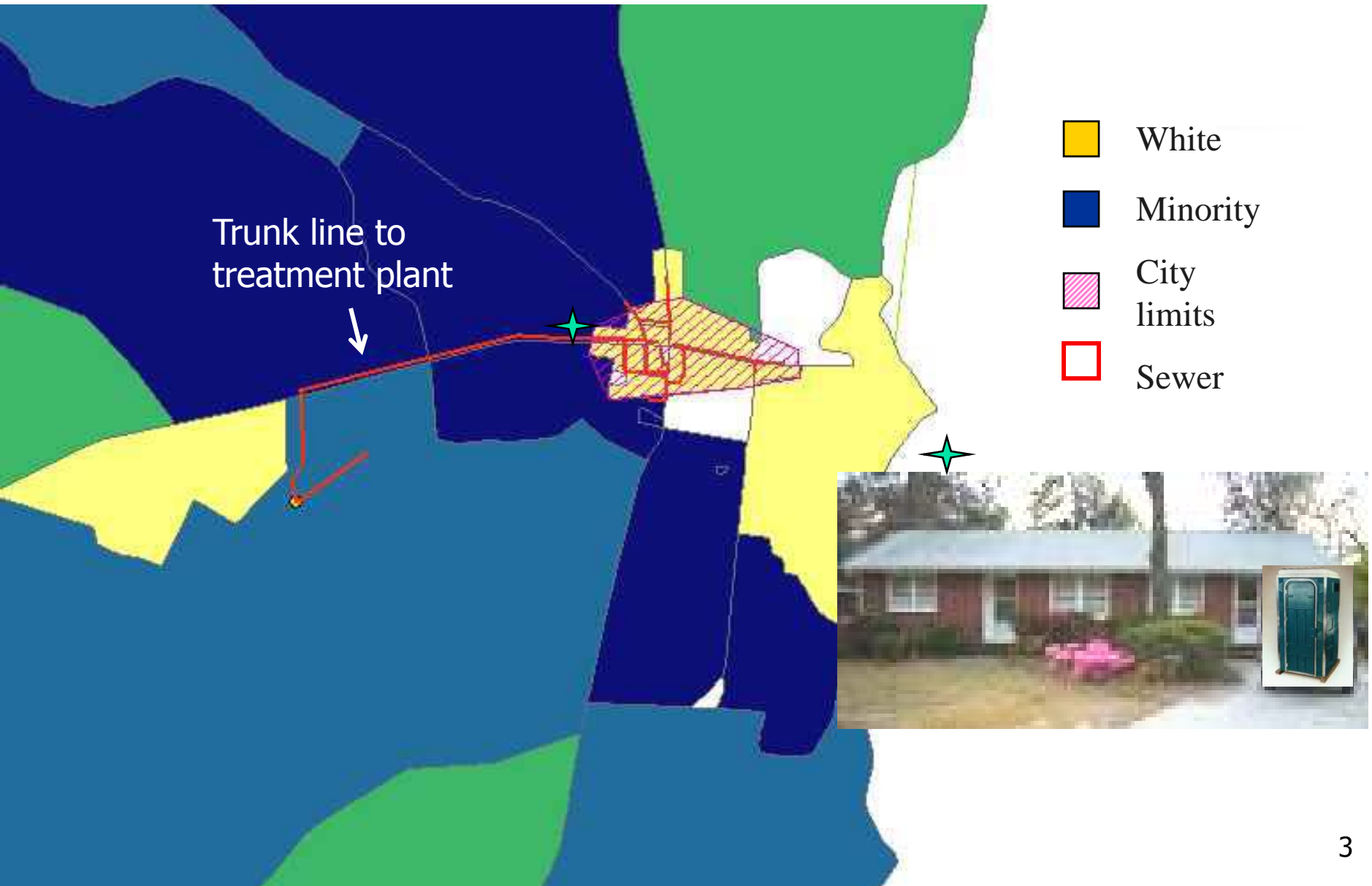
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Maps made in collaboration with
Dr. David Marsh of Bucknell University
and
Dr. Allan Parnell of
Cedar Grove Institute for Sustainable
Communities, Inc.

Colerain, NC: Exclusion, Sewer and Race



What are the underlying causes?

- Good government: Maximize Tax Revenue,
- Politics (maintaining control), or
- Racism?



Trenton, NC
1999
"Smoking Gun"

Mayor:
"Trenton didn't want to
annex
black neighborhoods
because it
didn't want
blacks on the
town board."



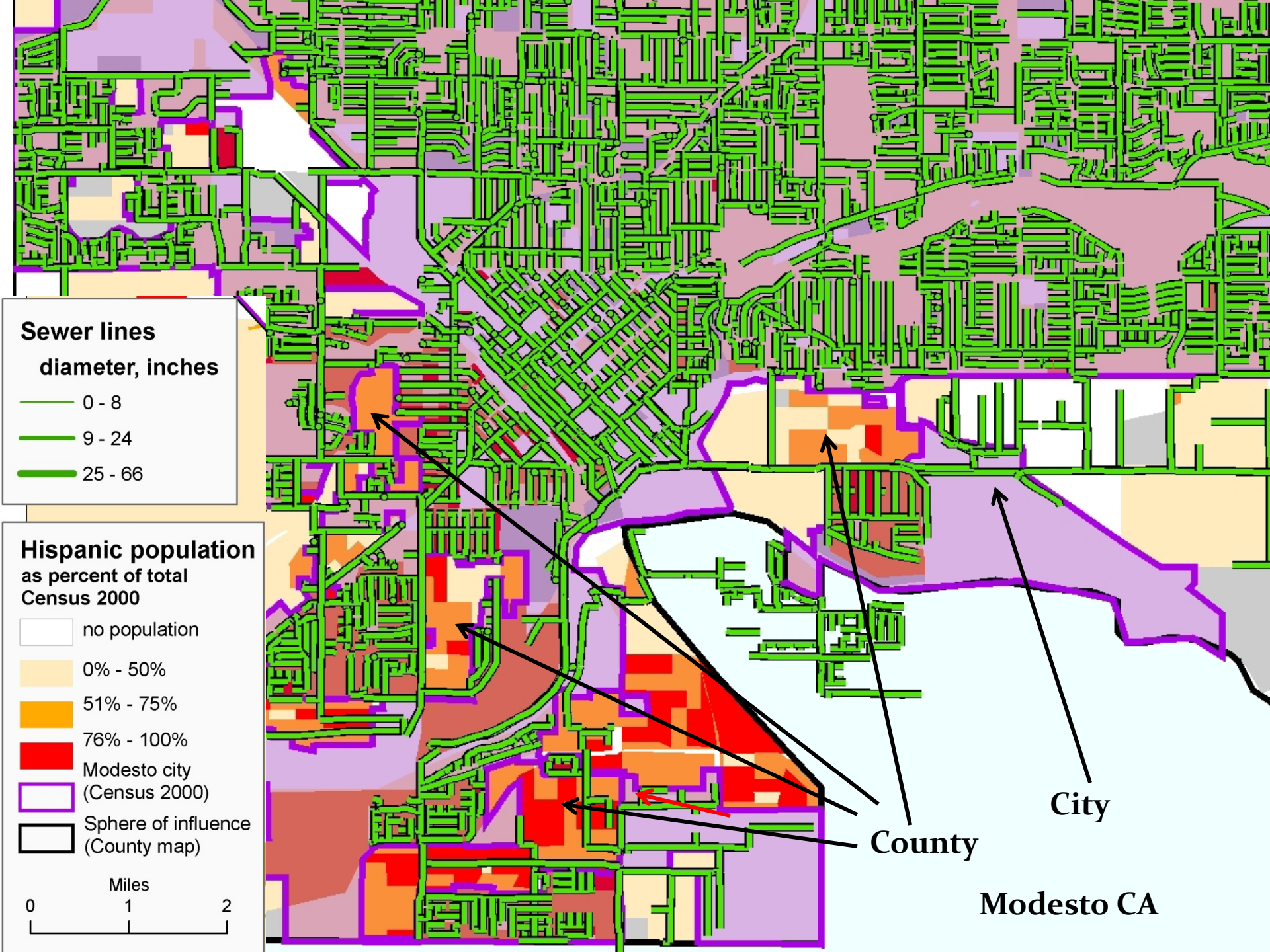
Implications For Excluded Neighborhoods

- Public health is endangered.
- Homes at risk of condemnation.
- Property values lowered.
- Affordable housing decreased.
- Home ownership endangered.
- Neighborhoods divided.
- Residents disenfranchised.
- Civic engagement denied.



How Widespread is This?

- A 2007 study found exclusion of African American communities across the South in the 1990's. (Lichter et al.)
- Others identified *colonias* (dense, under-served, Latino communities):
 - 1,800 in Texas;
 - 138 in New Mexico;
 - 77 in Arizona (Mukhija and Monkkonen, 2007)
 - 217 in California (Rubin et al, 2007).
- Approx. 20,000 people live in predominantly-Latino islands in Modesto, CA. (Johnson 2007)

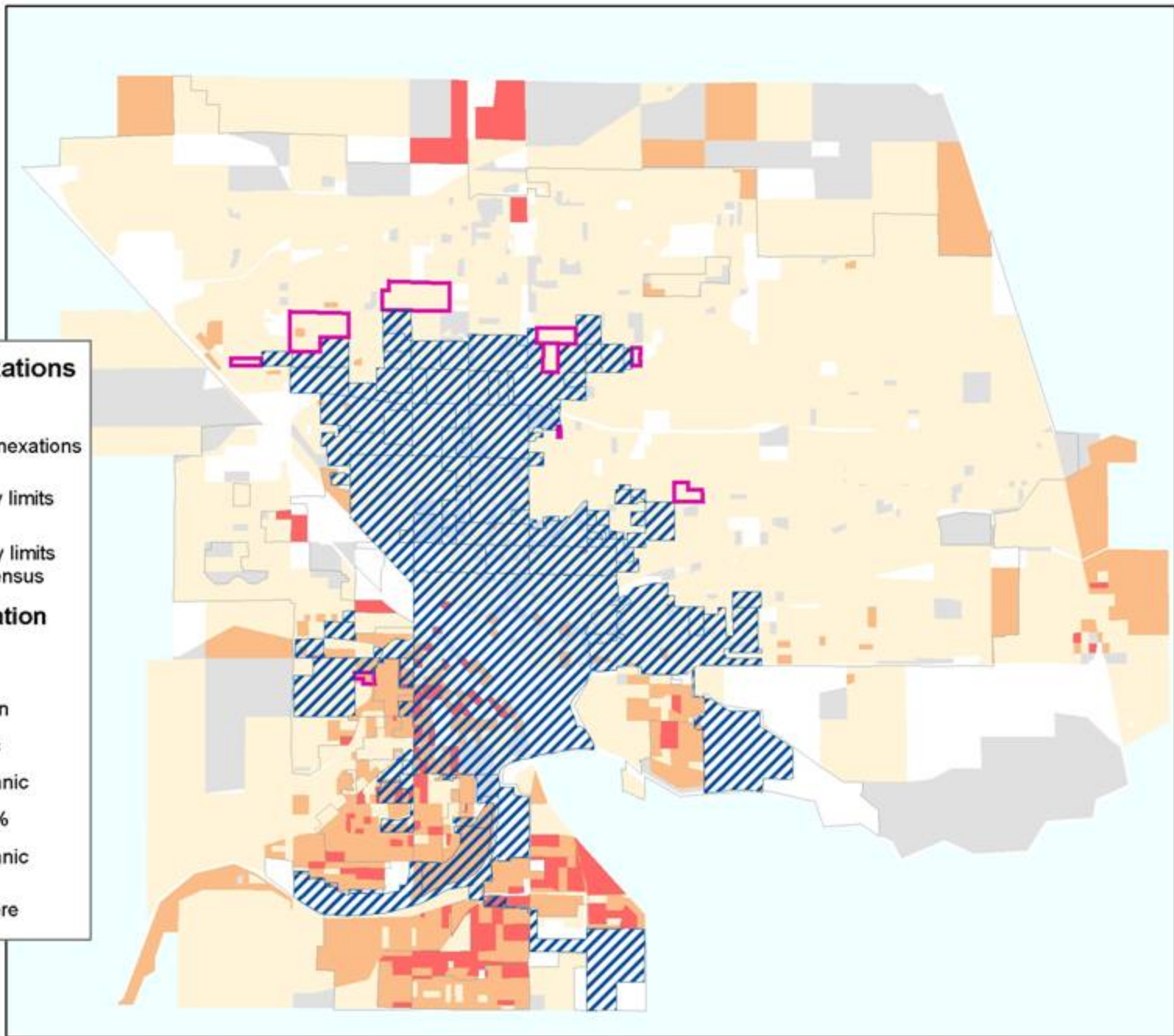


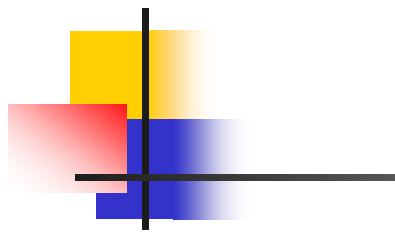
**Modesto annexations
1961**

- Modesto annexations during year
- Modesto city limits prior to year
- Modesto city limits per 2000 Census

**Hispanic population
as % of total
2000 Census**

- no population
- 0% Hispanic
- < 50% Hispanic
- 50% - 75%
- > 75% Hispanic
- outside sphere

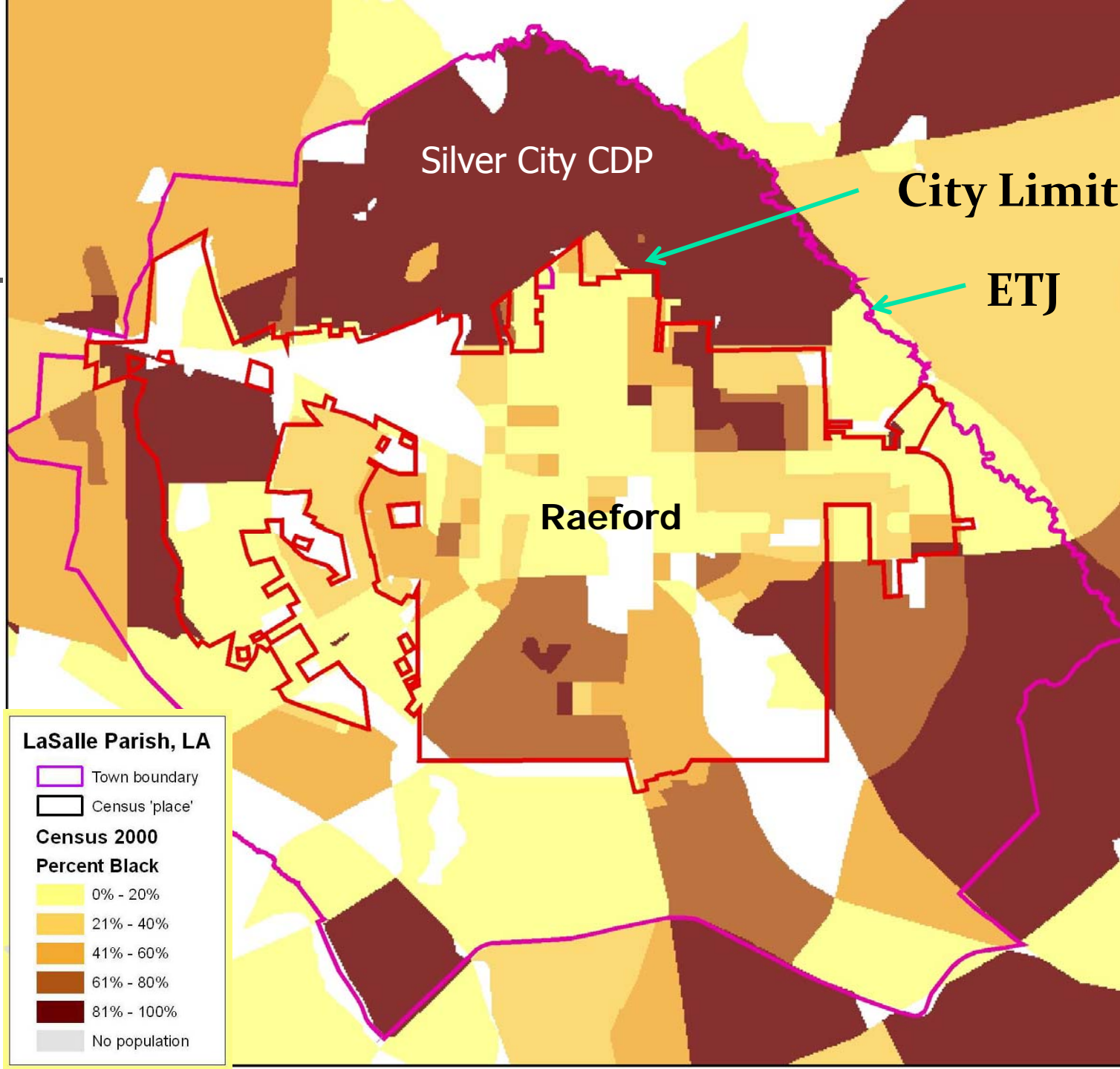




Raeford, NC
45% Black

Silver City
CDP

94% Black,
Densely-settled
Unincorporated



Silver City CDP

City Limit

ETJ

Raeford

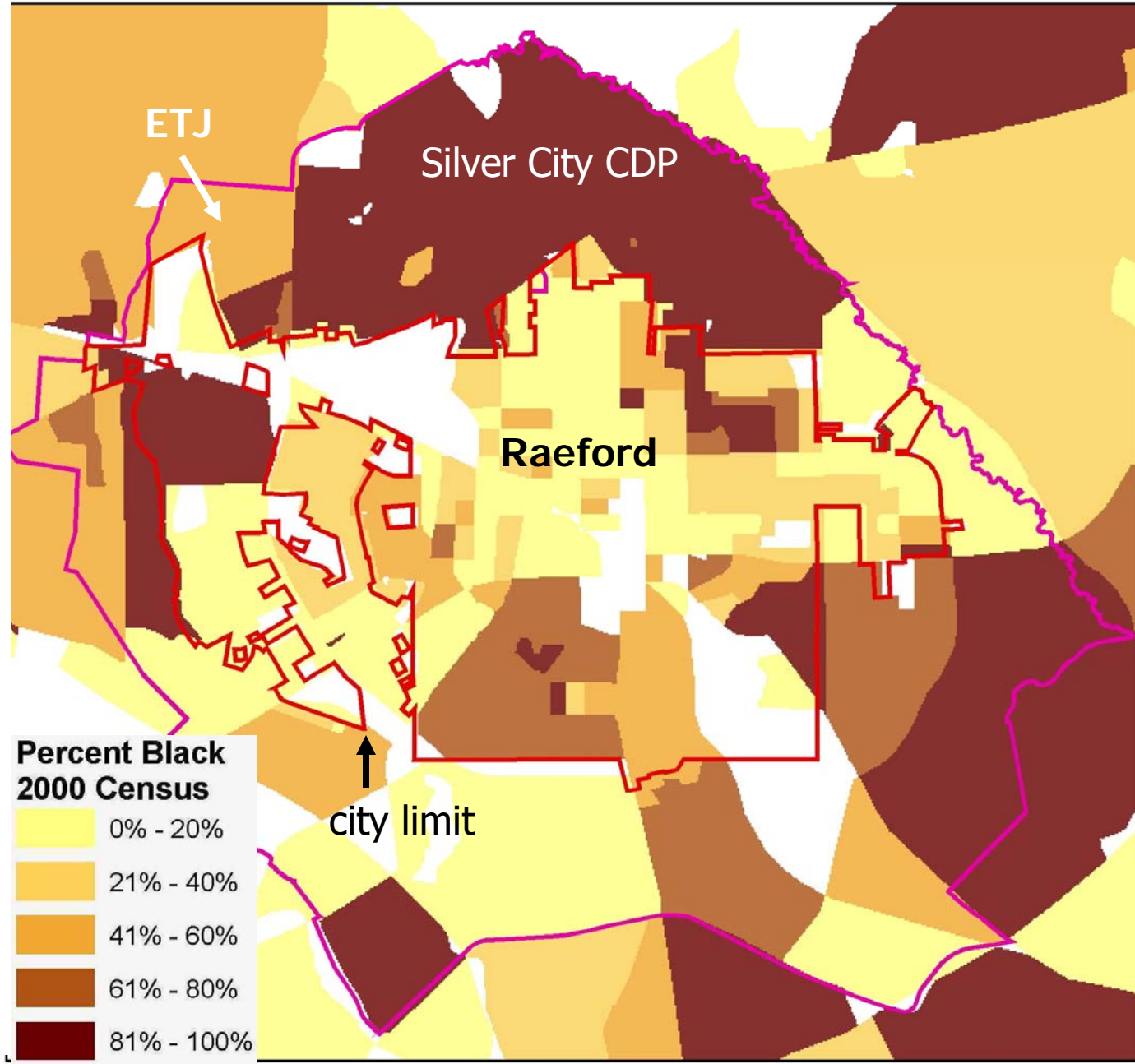
Raeford, NC

City
pop. 3,386
49.4% minority

100+ sides

Planning Board meets 7
a.m.

City Council meetings
frequently cancelled
without notice
or not scheduled.



Raeford, NC

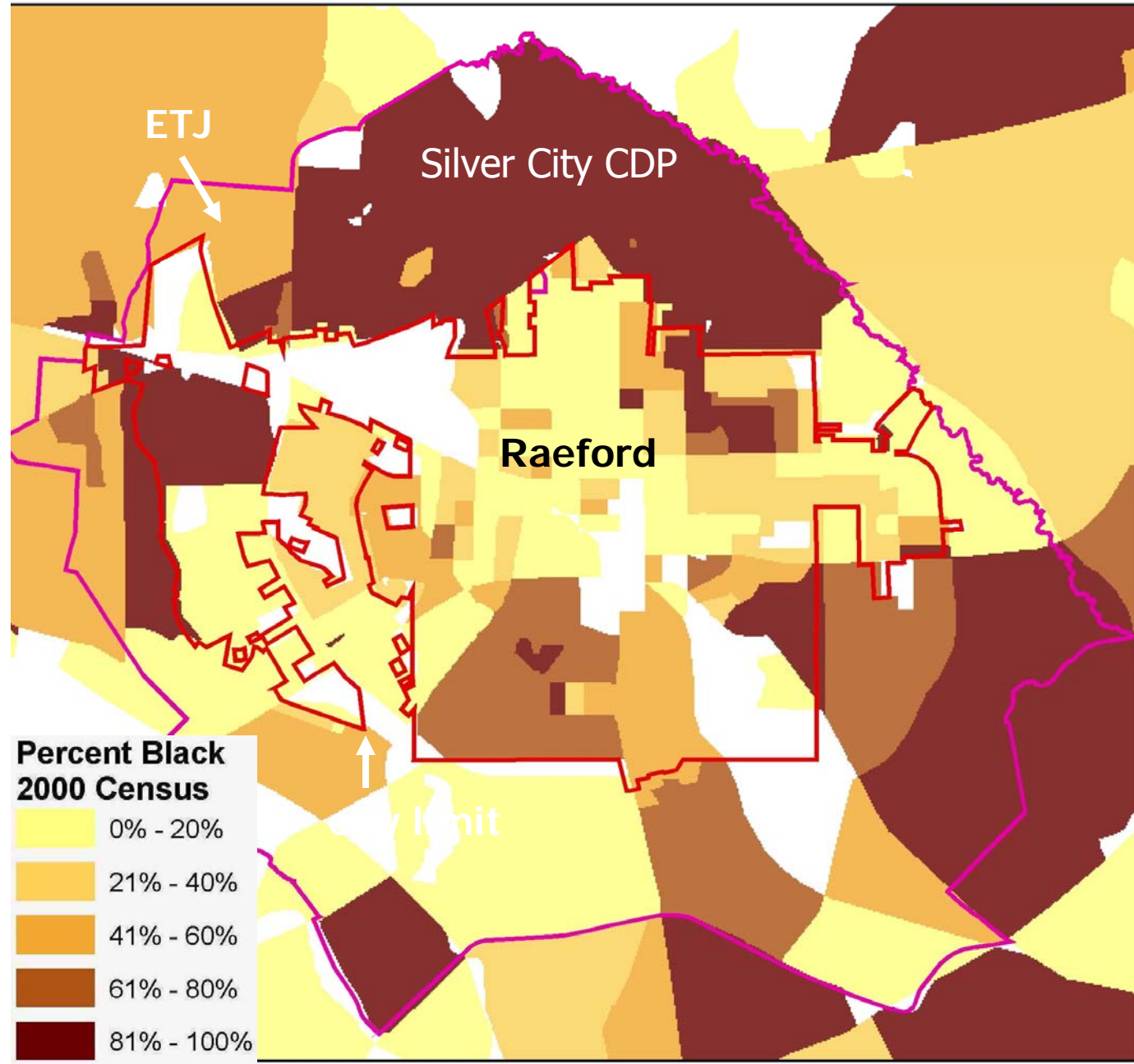
Silver City

Unincorporated
Census-Designated
Place

CDP:

“closely settled,
named, unincorporated
communities that
generally contain a
mixture of residential,
commercial, and retail
areas similar to those
found in incorporated
places of similar sizes.”

- US Census





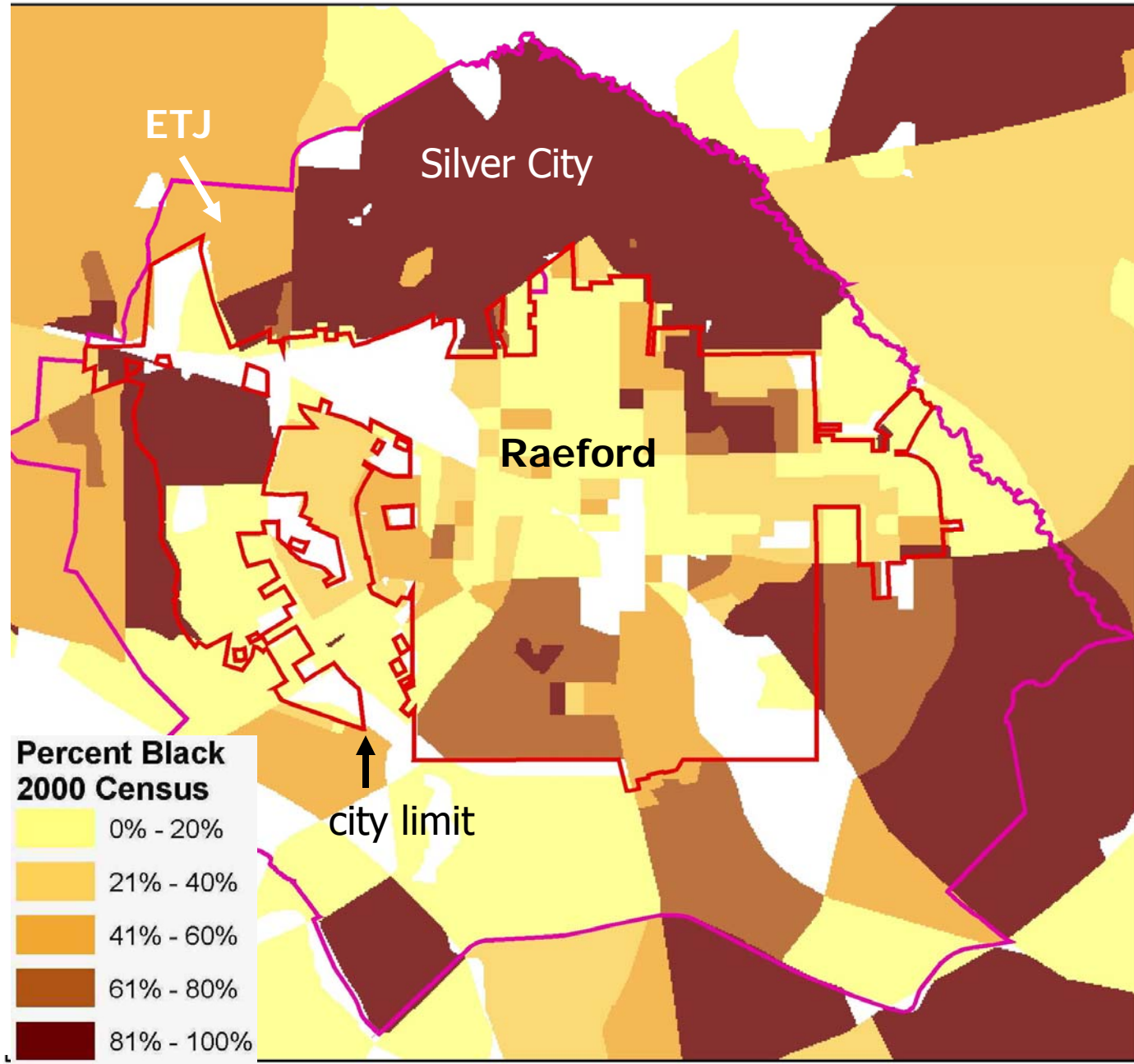
Extra-Territorial Jurisdiction (ETJ)

- Invented to “rationalize” the planning process.
- In North Carolina and 21 other states,
- Allows towns to control areas outside their boundaries.
- Cities select areas for “growth.”
- Use ETJ
 - No promises – Can be in ETJ or Sphere forever.
- Annexation often developer driven (misses existing neighborhoods)

Raeford, NC

ETJ=74% African American


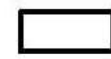
If ETJ or Silver City annexed, Raeford would lose its White majority.



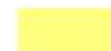







Is it Economics
or
Is it Race?

LaSalle Parish, LA

-  Town boundary
-  Census 'place'

Census 2000 Percent Black

-  0% - 20%
-  21% - 40%
-  41% - 60%
-  61% - 80%
-  81% - 100%
-  No population

Good Pine

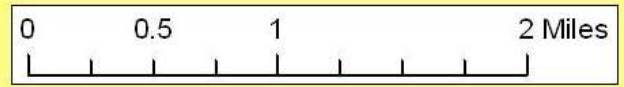


JENA, LA



Midway

CDP







Webb
Quarters



LaSalle Parish, LA

-  Town boundary
-  Census 'place'

Census 2000 people/sq_mi

-  0.3 - 15
-  16 - 58
-  59 - 309
-  310 - 1179
-  1180 - 14,742
-  No population

Good Pine



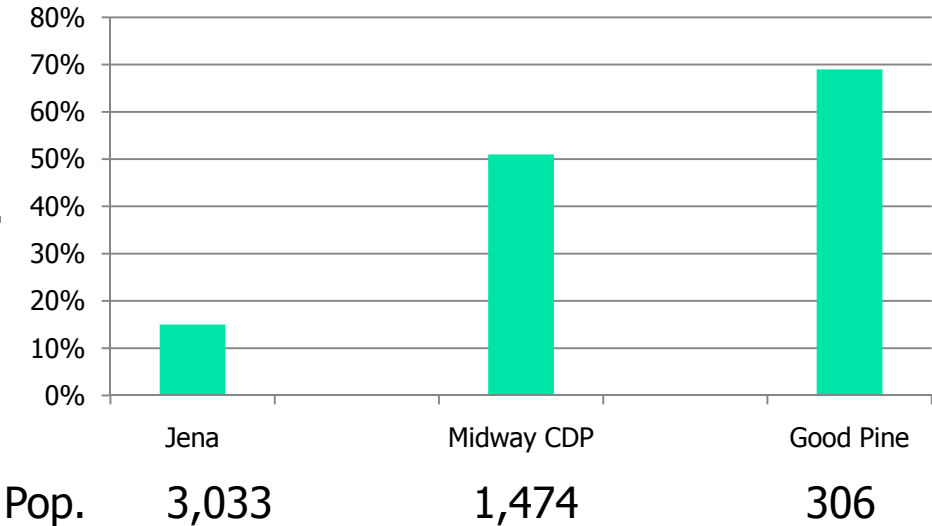
Jena

Midway

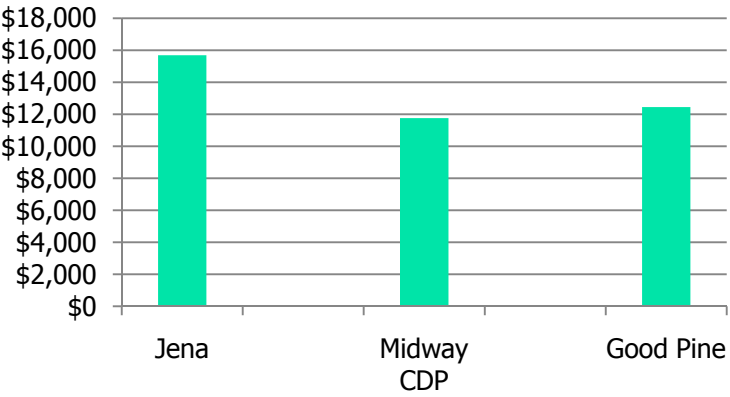
Webb
Quarters



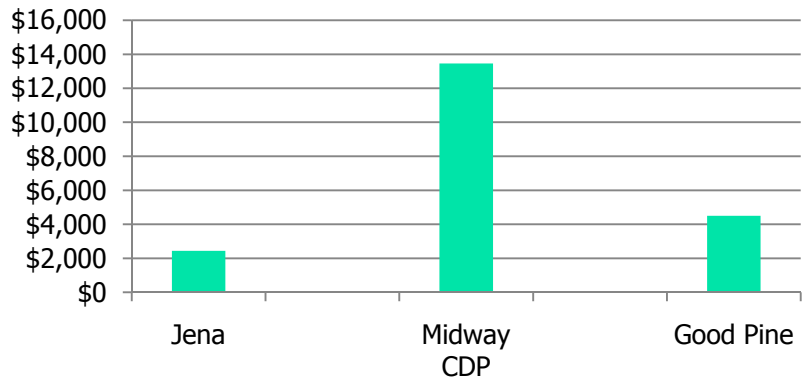
Percent Minority



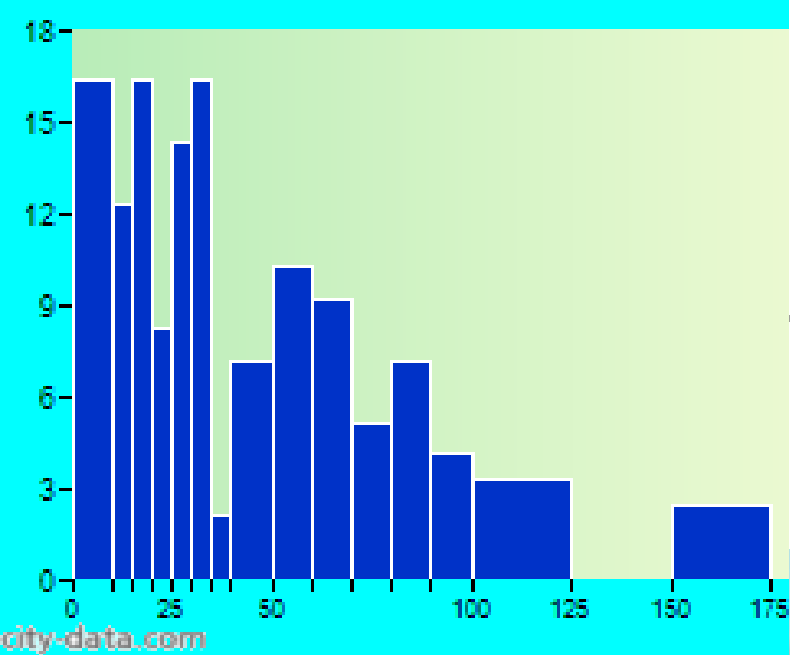
Per Capita Income 1999: White Alone



Per capita income in 1999: Black Alone



2005 Estimate of House



Ft. Yukon, AK Gwichyaa Zhee Gwich'in pop. 595

Accessible only by air or boat

Regional pop. **approximately**
1,320

Races in Zip Code 99740



86% Alaska Native



Yukon River



Ft. Yukon

150 miles

White Mountains



Yukon Flats N.W.R

6

6

Fairbanks


2



Process: A Study in Contrasts

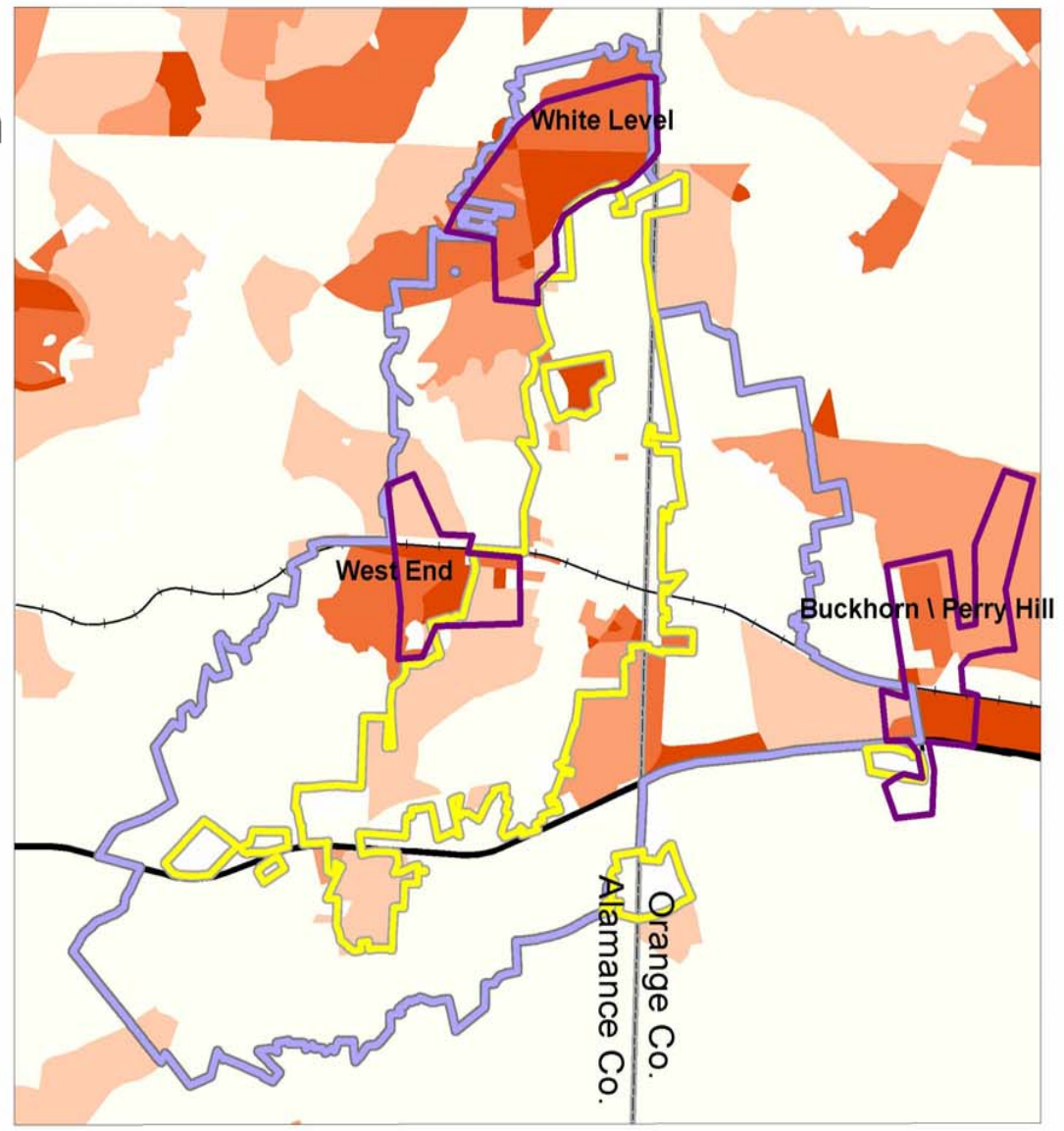
- Government bodies can help or hinder applicants for changes in
 - Zoning
 - Subdivision Approval
 - Special Use Permits
 - Annexation and
 - Other Requests.

Mebane - Racial Composition






-  Mebane City Limit
-  ETJ boundary
-  African-American Communities

Percent African-American,
Census 2000







-  0% - 20%
-  21% - 40%
-  41% - 60%
-  61% - 80%
-  81% - 100%
-  no data

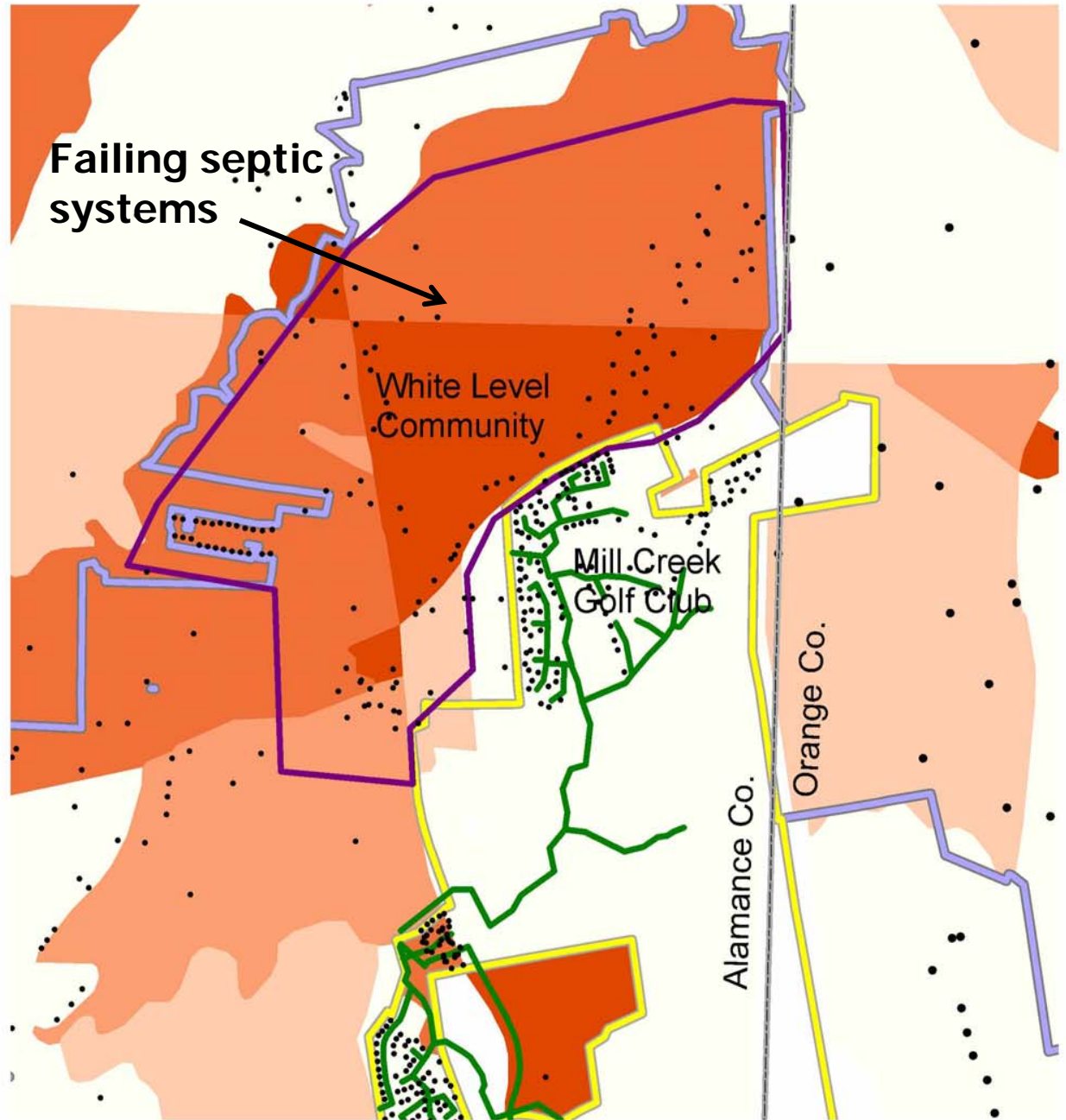


Sewer Service to White Level Community and Mill Creek Golf Club

-  Mebane City Limit
-  ETJ boundary
-  African-American Communities
-  Dwellings
-  Sewer Lines

Percent African-American, Census 2000

-  0% - 20%
-  21% - 40%
-  41% - 60%
-  61% - 80%
-  81% - 100%
-  no data










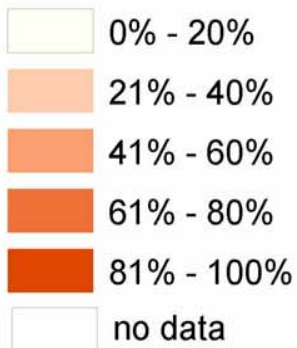
Economics or Race?

	Population	Minority	Minority Homeowners
Mebane	7,300	23%	46%
ETJ	5,000	22%	78%
White Level	350	81%	93%

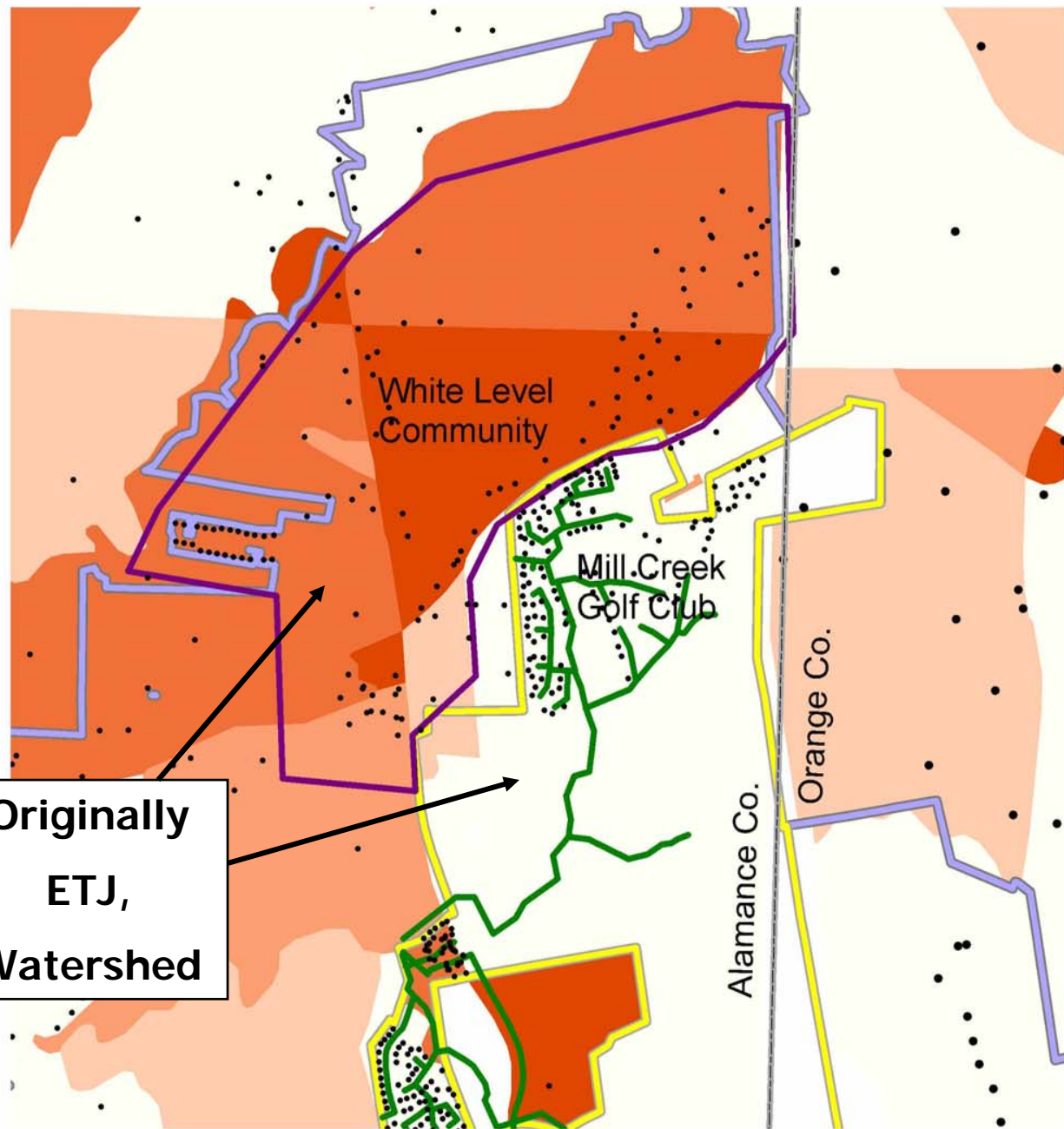
Sewer Service to White Level Community and Mill Creek Golf Club

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-  ETJ boundary
-  African-American Communities
-  Dwellings
-  Sewer Lines

Percent African-American, Census 2000



**Originally
ETJ,
Watershed**





Process Can Illuminate

Case 1: The Club at Mill Creek, 1993

750 home golf course development



Approval Process: City Council

- **In one day**
- **Consecutively**
- **Without adjournments:**
 - A regular council meeting
 - A public hearing
 - A board of adjustment meeting
 - Another council meeting
 - Another public hearing
 - Another regular council meeting.



On The First Day, the City Moved to:

- Approve a Zoning Amendment to allow Zoning Permits with Vested Rights;
- Delete a Water Quality Critical Area;
- Reclassify all R-40W (1-acre, watershed) and R-80W (2-acre, watershed) to R-20 (1/2-acre) Residential;
- Rezone the same land from R-20 to R-12, R-8 and B-3;
- Grant a Special Use Permit for a Golf Course;
- Grant a Special Use Permit for Cluster Housing;
- Approve the Subdivision Plat;
- Approve a Zoning Permit with Vested Rights;
- Accept a petition for Annexation; and
- Vote to Investigate the Petition for Annexation.

12/1/2008

- NOTE: **ALL** of these actions involved The Club at Mill Creek.



On the Second Day, The City:

- Held a Special Meeting in the morning
- To Extend their ETJ
- But a signature was missing,
- So council voted to continue that meeting that afternoon...
- Or as soon as the signature was obtained.



On the Third Day, The City:

- Couldn't get the necessary signature.



On the Fourth Day, the City Again

- **Consecutively**
- **Without adjournments:**
 - A Public hearing
 - A regular council meeting
 - A board of adjustment meeting
 - Another council meeting.



In Order To:

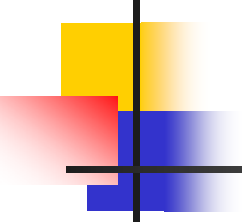
- Receive the Certificate of Sufficiency for Annexation;
- Annex Mill Creek;
- Extend the City Limits, *effective immediately*;
- Deal with land that had been outside of Mebane's ETJ until that moment:
 - Rezone from 1-acre, Protected Watershed to R-12 (~1/4 ac.)
 - Approve a Special Use Permit for the golf course;
 - Approve cluster housing
 - Approve the subdivision plat with Zoning Permit with Vested Rights

THE DEAL WAS DONE.



On the Fifth Day

The City Rested.

- 
-
- Most of the actions received no discussion.
 - All of the votes were UNANIMOUS.
 - All of the actions excluded current minority residents.



Case 2: White Level, 1997

- African American residents petitioned City of Mebane for sewer and annexation, noting failing septic systems.
- The Council quoted \$749,000 for a lift station and agreed to look into a block grant.
- The matter never came up in the minutes again.
- All of the City Council members but one were the same as in 1993 when the Club at Mill Creek was annexed.



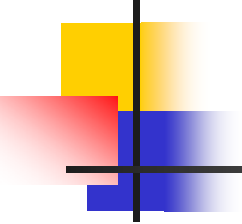
Understanding to Overcome Disparities in Unincorporated Communities

- History and Specifics: in THIS community:
 - Alliances
 - History of requests:
 - Formal or informal?
 - Sewer trunk line or feeder line?
 - Underlying land valuable?
 - Environmental concerns?
 - Health effects?



Underlying Mechanisms

- Incorporation/Annexation requires economic analysis
- Regulatory process
 - Tax-sharing agreements, etc.
- Politics
 - Votes
 - Maintaining control
 - Corruption
 - Financing campaigns

- 
-
- Community Attitudes
 - Residents want incorporation/annexation?
 - Or just services?
 - Do residents understand real costs?
 - Current costs vs.
 - Costs of obtaining services

 - Who has the power in area?



How Do We Overcome?

- Prove NOT just simple cost/revenue problem for the annexing body
- Exclusion ignores cost to the larger community, the financial and health costs to the excluded, and the civic costs everyone.
- Work for system-wide changes



Influence the Outcomes

- Identify leaders and networks.
- Know the law and regulations (federal, state, local);
 - Are they being ignored?
- Identify various interests.
- Monitor and Participate in the process.



Collaborate

- Community Groups and Legal Resources
- Civil Rights Center + CGISC
+ Voices for Justice, etc.
- Similar Communities
 - Modesto and Moore Cnty, NC: multiple neighborhoods
 - Modesto, CA and Moore County, NC partnership
- Media