The Urban Book Series

Russell M. Smith

Municipal Incorporation Activity in the United States

Patterns, People and Procedures

Springer

The Urban Book Series

Aims and Scope

The Urban Book Series is a resource for urban studies and geography research worldwide. It provides a unique and innovative resource for the latest developments in the field, nurturing a comprehensive and encompassing publication venue for urban studies, urban geography, planning and regional development.

The series publishes peer-reviewed volumes related to urbanization, sustainability, urban environments, sustainable urbanism, governance, globalization, urban and sustainable development, spatial and area studies, urban management, urban infrastructure, urban dynamics, green cities and urban landscapes. It also invites research which documents urbanization processes and urban dynamics on a national, regional and local level, welcoming case studies, as well as comparative and applied research.

The series will appeal to urbanists, geographers, planners, engineers, architects, policy makers, and to all of those interested in a wide-ranging overview of contemporary urban studies and innovations in the field. It accepts monographs, edited volumes and textbooks.

More information about this series at http://www.springer.com/series/14773

Russell M. Smith

Municipal Incorporation Activity in the United States

Patterns, People and Procedures

Springer

Russell M. Smith
History, Politics and Social Justice
Winston-Salem State University
Winston-Salem, NC
USA

ISSN 2365-757X ISSN 2365-7588 (electronic)
The Urban Book Series
ISBN 978-3-319-72187-3 ISBN 978-3-319-72188-0 (eBook)
https://doi.org/10.1007/978-3-319-72188-0

Library of Congress Control Number: 2017960911

Printed on acid-free paper

This Springer imprint is published by the registered company Springer International Publishing AG part of Springer Nature
The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

To my daughters, may this book provide you with inspiration in your own lives.

Dream the big dream!

Preface

My interest in municipal incorporation as a field of study began not as an academic in search of a deeper understanding of the political and urban geography of the USA, but rather as a practicing AICP urban planner charged with the mundane task of discussing basic planning legislation for a newly established municipality within the Piedmont Triad Region of North Carolina. I was working as a Community Development Planner (aka traveling planner for the state) for the North Carolina Department of Commerce in the Division of Community Assistance and was sent to brief the newly elected town council of a new city recently incorporated. During my presentation in this semirural/semi-suburban town of a couple of hundred people, I kept wondering why these people wanted to create another town, what public services will they provide, how often new cities like this one are created. Little did I know that this event would occupy my thoughts for several decades and become the focus of my first decade of scholarly research in the academy.

This event was one of many experiences I had for a variety of local governments, council of governments, and the State of North Carolina during my tenure as an urban planning professional. During the late 1990s and early 2000s, I worked my way up from the first City Planner in a small town in North Carolina to the Assistant Director of Planning for a community of more than 50,000 residents. During this journey, I was constantly involved in the development of annexation studies, creating comprehensive and land use plans for new communities, supporting and sometimes battling consolidation/mergers and negotiating with special purpose districts. As the Assistant Planning Director of a medium-sized city in North Carolina, I had the unfortunate experience of being "shouted out of a meeting" in which I was presenting the results of an annexation study. The study was acted upon, and more than 1000 acres of previously unincorporated territory was added to the municipality I was working for, against the vehement opposition of those property owners affected. Interestingly, in several cases, annexation studies ended up spurring the incorporation of new cities—something that Rigos and Spindler (1991) coined "defensive incorporations" which will be discussed in this book. These experiences formed the foundation of my interests in local government boundary change and specifically municipal incorporation for years.

When I was a practicing urban planner, North Carolina was at the epicenter of local government boundary change activity, being a national leader in incorporation activity during the 1990s and consistently ranked in the top 5 nationally in terms of the frequency of municipal annexation activity. I was constantly inundated with projects that had to deal with these complex spatial and political events that affected neighboring communities or those where I worked. These early career events provided me with the spark to return to school and receive my Ph.D. in Geography. Specifically, municipal incorporation became the focus of my dissertation research, my early career focus with the publication of numerous scholarly articles on the topic and presentations on the topic as far away as Cape Town, South Africa

The Spiritual City?

As this book will highlight, new cities can be found in a variety of settings across the nation and have been established for a wide range of reasons. However, one of the most interesting newly incorporated municipalities (NIMs) created over the last several decades is located in a southeast corner of Iowa, two hours from Davenport, Iowa, and right in the middle of prime farming country. This new city is known as the "Capital of the Global Country of World Peace, a borderless, global country" (WHO-TV Des Moines 2002). When it was incorporated it became the 950th city established in Iowa and the first new city created in Iowa since 1982…. it's name Maharishi Vedic City! Neighboring places are known as Fairfield, Libertyville, and Packwood….as you can tell by the name Maharishi Vedic City is not your typical Iowa municipality, but rather a city devoted to the principles of Transcendental Meditation.

Maharishi Vedic City was incorporated on July 25, 2001, and derives its name from a pretty unusual combination of terms. First, "Vedic" comes from the Sanskrit word "Veda" and means knowledge. Maharishi is used to honor Maharishi Mahesh Yogi, the Beatles meditation guru, a spiritual leader who founded Transcendental Meditation and a school in nearby Fairfield, IA during the 1970s (Lee 2001; Maharishi Vedic City, Iowa 2017).

The city was established in an effort to create a "national center for perfect health and world peace" by following the Vedic way of life. The planned urban oasis consists of more than 3000 acres and is expected to host a population of 10,000 residents upon completion. According to the US Census Bureau's population estimates the city had 259 residents in 2010.

Some of the more distinguishing characteristics of the construction of buildings within the city include the eastern-facing orientation of all the building facades, gold-colored kalashs or spires that can be found on the roofs of community buildings and Brahmasthan or centers of silence found in each home within the city (Egenes 2005). These building principles are mandated in order to promote environmental and spiritual health for residents. Other unique components to the city include the banning of nonorganic foods, community greenhouse, city-wide

composting, and use of solar and wind power (Lydersen 2004). This is not your traditional suburban style development.

New cities are not just White, suburban enclaves on the outskirts of metropolitan areas. Rather, as this book will show, new municipalities come in all shapes, sizes, and reasons for existing. Some new municipalities are composed of only a few residents, while others incorporate with tens of thousands of citizens. New municipalities also cluster together in a few counties and states, while other states have not seen any municipal incorporation activity for decades as a result of state laws, and unique urban and political geographies. Finally, the rationale behind incorporation events varies greatly. These rationales include "defensive incorporations," which seek to block the annexation from a nearby existing municipality, to the provision of public services, to unique local conditions, which includes the need to be able to sell alcohol!

It is with this background information I delve into this book which explores newly incorporated municipalities in the USA. This book is an attempt to explore the spatial manifestation of new municipalities, patterns of new cities, and the people who reside in them. Hopefully this attempt will be a success and leads to additional exploration and discovery related to this interesting, yet understudied arena of research. The theory of local government boundary change needs more voices, who can ask new and interesting questions about this critical topic.

Winston-Salem, USA Russell M. Smith

References

Egenes L (2005) Iowa Shangri-laAAA Living. July/August 2005

Lee J (2001) In many ways, a new Iowa town looks to east. New York Times. Retrieved 22 May 2017 from http://www.nytimes.com/2001/04/17/us/in-many-ways-a-new-iowa-town-looks-to-east.html

Lydersen K (2004) Iowa town booms on eastern ways: meditation, business draw residents. The Washington Post. 9 August 2004, A03

Maharishi Vedic City, Iowa (2017). Home. Retrieved 22 May 2017 from http://www.maharishivediccity-iowa.gov

Rigos P, Spindler C (1991) Municipal Incorporation and State Statutes: A State-Level Analysis. State and Local Government Review Spring, pp 76–81

WHO-TV Des Moines (2002) Fairfield's new neighbor. Retrieved 22 May 2017 from http://www.maharishivediccity-iowa.gov/media/2002_11_09_desmoines.html

Acknowledgements

An undertaking such as writing a book would not be possible without the assistance of a multitude of people. I would like to express my gratitude to all those who helped me think through my ideas, proofread chapters, provided comments and critiques, allowed me to vent my frustrations, and offered inspiration. This book is the result of a "community" effort.

I would like to also thank several colleagues who coauthored earlier research with me related to local government boundary change. I would like to begin by thanking my mentor and dissertation advisor Dr. Keith G. Debbage. When I first proposed the topic of newly incorporated municipalities for my dissertation, he informed me that this area of research was ripe and needed. Ten years later, I am completing a book on new cities in the USA and feel as though I am just touching the tip of the iceberg.

I would also like to thank Dr. Leora Waldner for coauthoring five articles with me on municipal incorporation activity in the USA. I vividly remember the day that she called me in my office at WSSU to discuss my research. She was interested in exploring the proliferation of new cities occurring near her home in Metro Atlanta. Ironically, she would come to live in a NIM and another coauthor of ours, Kathryn Rice, would lead efforts to incorporate another municipality in Metro Atlanta.
I would be remised if I did not thank Springer Publications for allowing me to publish this book, a dream that I had since I began to work in this arena of scholarship more than a decade ago. I would also like to thank my wife, Marti, and my mother-in-law, Linda, who both provided invaluable editing services during the publication of this book. I am indebted to them for their patience, time, and effort. Your input was invaluable.

The publication of this book would also not have occurred without the experiences that I gained as an urban planner for several governments in North Carolina. My time as an urban planner exposed me to annexations, municipal incorporation, special districts, and municipal mergers, all of which awakened my interests in the field of local government boundary change. These events provided me with critical experiences dealing with "real-world" issues that would serve me well over the next

ten years. Without my exposure to these events, I would have never gone down this path.

Finally, I would like to thank all of my former teachers, mentors, and professors who offered me support throughout my academic journey. I never would have thought I would publish a book and yet here it is.

Contents

Abbreviations

CoC	Cities of Color
MSA	Metropolitan Statistical Area
NIM	Newly Incorporated Municipality
USA	United States of America

List of Figures

Chapter 1
Introduction to Municipal Incorporation in the USA

Abstract Municipal incorporation is one of several types of local government boundary change in the USA. Additional forms of local government boundary change include: annexation, consolidation/merger, secession, and special district formation. Municipal incorporation is the legal process by which unincorporated territory is converted into a municipality. In the USA, this process has produced over 19,000 municipalities ranging in size from a few people to several million residents. Combined these events greatly influence the urban and political landscape of where a majority of US citizens live, work, and play. The reasons for establishing a new municipality have evolved over the centuries since the first cities were created in Mesopotamia. Defense, commerce, and religion have largely given way to annexation, race, and the demand for services as principal rationales for incorporating a new municipality. Today, the USA continues to witness the incorporation of new cities, but these geographic phenomena are generally understudied. This book hopes to shed light on this underexplored topic and lead to a more comprehensive understanding of the complex nature of municipal incorporation proceedings in the USA.

Keywords Annexation · Consolidation/merger · Early cities · Local government boundary change · Municipal incorporation · Secession

1.1 Background

The USA is home to more than 19,000 municipalities that range in population size from a few people to several million residents (U.S. Census Bureau 2012). For the majority of Americans, these cities, towns, and villages provide their first and often closest interaction with government in the USA. These municipalities provide a wide array of public services including: police protection, fire, parks, schools, water, and sewer to name but a few. Not often discussed or studied is the continued establishment of new municipalities.

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_1

The appropriate structure and size of local government in the USA has been the subject of discussion among urban scholars for decades (Schneider 1986; Downs 1994; Orfield 1997; Rusk 2003). Much of this national dialogue focuses on the fragmentation of metropolitan regions into smaller-scale, more responsive units of government that have effectively decentralized political power. The end result is a Jeffersonian style grassroots revolution as small communities across America incorporated in part to control their own destinies. Over the last two decades, more than 400 newly incorporated municipalities were established, directly serving several million people (U.S. Census Bureau 2010).

For the purposes of this book, Newly Incorporated Municipalities (NIMs) are defined as follows:

> Municipalities legally in existence on January 1, 2010, under the laws of their respective states, as cities, boroughs, city and boroughs, municipalities, towns, and villages, with the following exceptions: the towns in the New England states, New York, and Wisconsin, and the boroughs in New York are recognized as minor civil divisions for decennial census purposes; the boroughs, city and boroughs (as in Juneau City and Borough), and municipality (Anchorage) in Alaska are county equivalents for decennial census statistical presentation purposes. In four states (Maryland, Missouri, Nevada, and Virginia), there are one or more incorporated places known as "independent cities" that are primary divisions of a state and legally not part of any county. For data presentation purpose the US Census Bureau may treat an independent city as a county equivalent, county subdivision, and place.
>
> There are a few incorporated places that do not have a legal description. An incorporated place is established to provide governmental functions for a concentration of people as opposed to a minor civil division, which generally is created to provide services or administer an area without regard, necessarily, to population (U.S. Census Bureau 2006, A-19).

The vast majority of these newly incorporated municipalities (NIMs) are small towns with populations under 1000. They have been established on the edge of enormous urban regions, in the suburbs of fast growing Sunbelt cities, in rural environs and in almost every state in the union, with the general exception of the Northeast region of the USA. The specific regional and state spatial dynamics of newly incorporated municipalities (NIMs) will be explored further in Chap. 3.

The act of incorporating a municipality falls under the larger study of local government boundary change. In addition to municipal incorporation, the field of local government boundary change includes: annexation, consolidation/merger, secession, and the formation of special purpose districts. Each of these types of boundary change can have dramatic impacts on the urban structure of the USA regarding tax rates, land use patterns, school districts, and the provision of other municipal services. Due to the interconnectedness of these five forms of local government boundary change, a brief overview of each is provided below.

1.1.1 Municipal Annexation

Annexation is the most common form of boundary change. "Literally, thousands of municipal annexations occur each year" (Feiock and Carr 2001, 384). Annexation is a process by which a city can add territory to its existing city limits. "Procedures for annexation are established by state statute, and no two states provide for precisely the same procedures" (Palmer and Lindsey 2001, 60). Several states in the Northeast only allow annexations to occur through a state legislative approval process. Some states require the area being annexed to approve the annexation (popular determination) and still other states allow municipalities to annex unilaterally (municipal method) (Palmer and Lindsey 2001). Annexation is an important tool for municipalities to capture tax revenue (Rusk 2003) and for extending public services into unincorporated areas.

Annexation research has taken on two primary forms: classification studies and the analysis of annexation activity. Research has attempted to classify state laws concerning annexation (Sengstock 1960; Hill 1978; USACIR 1993; Palmer and Lindsey 2001). These studies classified legislation according to each state's general statutes on annexation. Classification efforts summarize the different hurdles a municipality may face when expanding their boundaries. The second primary area of research examined the effects of various types of annexation requirements on overall annexation activity (Dye 1964; Wheeler 1965; McManus and Thomas 1979; Galloway and Landis 1986; Liner 1993; Carr and Feiock 2001). Both broad research areas focus on determining the relationship between the type of annexation available to municipalities and the frequency of annexation.

1.1.2 Municipal Secession

The process of secession involves the separation of a part of the city from the rest of the municipality. Secession efforts are important to the study of municipal incorporation because they may lead to the incorporation of a new municipality. Additionally, secession offers residents the opportunity to "exit" a municipality without having to relocate their place of residence (Hogen-Esch 2001).

Numerous studies by urban scholars have examined secession as a form of boundary change. Secession efforts can be the antithesis of incorporation as many initiatives simply involve an area becoming unincorporated. However, some secession initiatives have led to the incorporation of new cities. Much of the research conducted on secession has primarily focused on the Los Angeles region (Keil 2000; Purcell 2001; Boudreau and Keil 2001; Hogen-Esch 2001; Hasselhoff 2002). Los Angeles has been the epicenter of secession research partly because of the significant interest in the failed effort to secede from Los Angeles by San Fernando Valley residents. The LA secession studies have specifically investigated the efforts of the Valley Voters Organized Toward Empowerment (Valley Vote)

lobby group and the political implications of the San Fernando Valley seceding from the City of Los Angeles.

An off-shoot of secession activity is de-annexation. De-annexation is the legislative process by which territory that is official part of a municipality is removed from the city limits. This process returns land that was within a municipality back to unincorporated territory. While research on this type of event is limited, most de-annexations occur after careful deliberations are held between property owners in the affected area and the existing municipality from which the land will be de-annexed. State legislators often will pass a local bill that only impacts the property within the de-annexed area, at the request of property owners and the municipality impacted by the de-annexation.

1.1.3 City–County Consolidation/Municipal Merger

Boundary change can occur through the amalgamation of existing governments. "Merger refers to the joining of two or more incorporated governmental units of the same level. Consolidations involve the merging of two or more governments of different levels, often combining cities and a county government" (Feiock and Carr 2001, 384). The merging of two cities is more common than the consolidation of a city and a county. Interestingly, considerable research has focused on consolidation and merger activities around the country even though they occur relatively infrequently.

Scholarly research on consolidations and mergers has focused on a variety of different issues. Feiock and Carr (1997), and Carr and Feiock (1999) examined the impact that city and county consolidations had on economic development efforts. Other studies have looked at individual consolidation efforts around the country (Durning 1995; Lyons and Scheb 1998). Additionally, Marando (1979) completed one of the first national examinations of consolidation. Finally, Lyons and Lowery (1989) surveyed residents of two metropolitan areas (a consolidated government structure and a fragmented metropolitan region) to determine levels of satisfaction with governmental services.

1.1.4 Special Districts

Boundary change may take the form of the creation of a special district government. Special district governments "provide specific services not currently provided by an existing general-purpose government or (seek) to replace service provision by an existing jurisdiction" (Feiock and Carr 2001, 384). The definition of a special district government varies substantially across the country. Some significant differences include the size of the special district government, how it is formed, and its ability to generate revenue. Additionally, special district governments are formed

for a multitude of reasons including the provision of water and sewer service, fire protection, police protection, and airports, or hospitals. Special district governments are important because they are a rapidly growing geographic phenomenon (Burns 1994).

Research conducted on special district governments has been of growing interest to scholars in recent years. Work on the topic has focused on the spatial distribution of special district governments and the types of state policies that impact their creation and development (Bollens 1986; McCabe 2000). Additionally, Burns (1994) found that many special districts are formed in response to citizen demands for public services. The growth in private or alternative special district governments (e.g., Business Improvement Districts and Community Benefit Districts) has recently been examined by several scholars (Baer and Marando 2001; Baer and Feiock 2005). Finally, some scholarly work has linked stricter state municipal incorporation laws with a rise in the formation of special district governments (MacManus 1981; Bollens 1986; Nelson 1990; Feiock and Carr 1999).

1.1.5 Municipal Incorporation

Incorporation is the legal process established by state statutes through which a new city is created. The US Advisory Commission on Intergovernmental Relations concluded that:

> Procedures for incorporation typically include: (1) presentation of a petition from the community describing the boundaries and the population of the proposed municipality, (2) an election to ascertain popular support for the incorporation, and (3) certification by the secretary of state that the election results support creation of the municipality and that all legal requirements for incorporation have been met (US Advisory Commission on Intergovernmental Relations (1993, 12).

Incorporation can fundamentally impact the urban geography of America. The creation of a new city can result in the redistribution of wealth in a given locale, determine the amount of taxes paid by individuals, and shape the level of public services such as water, sewer, fire, and police provided to residents.

Scholarly research on municipal incorporations has primarily focused on either the frequency of incorporation (Schmandt 1961; Stauber 1965; Rigos and Spindler 1991; Burns 1994) or attempted to explain why specific communities attempt to incorporate (Martin and Wagner 1978; Miller 1981; Hoch 1985; Rigos and Spindler 1991; Lazega and Fletcher 1997; Musso 2001). These studies have occurred at either the national or state level. Rigos and Spindler pointed out that "incorporation has yet to be studied in any systematic fashion" (1991, 76) and little had changed until recently when several scholars began examining municipal incorporation (Smith and Debbage 2011; Smith 2011; Rice et al. 2014; Waldner et al. 2013; Waldner and Smith 2015; Leon-Moreta 2015, 2016).

The dearth of research on incorporation is unfortunate because the growth in the number of newly incorporated municipalities (NIMs) has numerous positive and negative implications for communities. Proponents of new municipalities will point out that they: foster a stronger sense of community among local residents, are "pure" forms of democracy in action (i.e., the creation of a new government entity to service residents), and allow for more choice and competition for the provision of services (Tiebout 1956). Some argue that competition among existing and new municipalities may also result in a more efficient provision of governmental services (Ostrom et al. 1961). New municipalities also have critics that assert that the growth in new government entities can result in metropolitan fragmentation and an inefficient delivery of public services (Jonas 1991; Cox and Jonas 1993; Foster 1993; Orfield 1997; Rusk 2003), economic and racial segregation (Hill 1974; Weiher 1991; Teaford 1993), and the duplication of services by multiple governments operating within an area (Marando 1979; Lowery and Lyons 1989).

1.2 Origin of Cities: Reasons for Municipal Incorporation

1.2.1 Early Municipal Incorporation

The first cities appeared approximately 5500 years ago and continue to constantly evolve (Knox and McCarthy 2005). In a seminal piece, Carter (1983) identified four factors that aided the creation of the first cities: agricultural surpluses, religious causes, defensive needs, and trading requirements.

Agricultural surpluses enabled populations to evolve away from subsistence agricultural production and nomadic wandering and begin the world's first settlement structures. Surplus agricultural production began the "simple division of labor between farmers and nonagricultural specialists" (Kaplan et al. 2004, 28). Childe (1950) and Woolley (1963) speculated that the production of excess food necessitated the need for an organizational structure to administer the surplus, resulting in an early form of local government.

The emergence of religious causes permitted the creation of central places of worship reinforcing agglomerations of residents near these sites. "One of the common features of all early cities was the existence of a temple" (Kaplan et al. 2004, 28). As a result of the importance placed on religious structures, it can be concluded that religious leaders also wielded considerable power (Sjoberg 1960; Wheatley 1971). The emergence of a religious class further enhanced the division of labor and reinforced the importance of the city.

Defensive fortifications provided protection for residents from invading armies and a place to safely store agricultural overstock. Additionally, defensive enclaves forced an agglomeration of population within a set boundary. The defensive walls of a settlement often doubled as city limit lines. Wheatley (1971, xviii) believed that "warfare may often have made a significant contribution to the intensification of

urban development by inducing a concentration of settlement for purposes of defense and by stimulating craft specialization."

Finally, commercial activity facilitated the need for organized centers of commerce. The growth in the trade of goods facilitated the need for an organized structure to administer this system. The organization and administration of trade often took place in marketplaces that were present in cities (Jacobs 1969). What is unclear is if trade was a cause or consequence associated with cities. While none of these explanations fully explain why the earliest cities were developed, each offers some insight into the elements that impacted early urban developments.

While these four reasons have been cited as factors in the creation of early cities, one could argue that they are still relevant for the municipalities of today, with the possible exception of defensive needs as a stimulus for seeking incorporation. In the next section, we will fast-forward several centuries to explore why early and more current cities in the USA were and continue to be established.

1.2.2 Influences on Municipal Incorporation in the USA: 1630–1950

The development of municipalities in the USA covers a relatively short history when compared to other parts of the world. Cities in the USA only developed over the last three centuries. Factors influencing municipal incorporation in the USA have changed over time. Initially, the creation of new municipalities was primarily the result of security concerns. "In the 1660s, the proprietors of South Carolina told their colonists: "You and your council … are to choose some fitting place whereon to build a fort under the protection of which is to be your first town" (Burns 1994, 45). As the country developed and began to be populated, additional factors influenced the development of new municipalities.

Later, cities were created as a result of the combination of several important elements. Burns (1994) states "citizens created towns in order to improve land, create spaces for commercial development, and control the entrance of unwanted others with access to settlement laws" (46). The development of land and the need for commercial or trading areas are factors that continue to contribute to the creation of cities from the earliest of times. "Town founding and speculation were exercises in geographical prediction: which locations would become main centers within the developing commercial networks of the region and nation?" (Meinig 1986). Developers and land speculators determined municipal incorporation to be an excellent tool for financial gain. The notion that the American West was a place in which all people could find prosperity helped the developers sell their property and created "speculator towns" (Meinig 1986).

The beginning of the twentieth century ushered in a period of technological innovation that influenced municipal incorporation activity. People's desire for water, sewer, fire protection, public health initiatives, streetcars, and electricity lead

to the development of cities as the primary providers of these public services (Teaford 1984; Burns 1994). "During the last half of the nineteenth century, American city governments sponsored feats of engineering never before attempted, provided comforts and conveniences previously unknown to urban dwellers, and initiated a range of municipal services of unprecedented breadth" (Teaford 1984, 217). The provision of these services "increased citizens' interest in creating new local governments" (Burns 1994, 47). The ability of a city-type entity to be able to raise the revenues in order to finance the development of new technologies for the masses greatly contributed to municipal incorporation activity at the beginning of the 1900s.

Municipal incorporation efforts from 1920 to 1940 were often shrouded in exclusionary ambitions (Teaford 1979, 1997; Burns 1994). Traditionally, a policy of exclusion could have been carried out through the placement of restrictive deed covenants on property. However, this practice was abolished in 1948 and many areas turned to zoning as a potential way to exclude minorities. The ability to zone property within cities and towns offered a legal mechanism through which municipalities excluded minorities and low-income residents. Through the use of minimum lot sizes and restrictions on multi-family zoning availability, cities could legally attempt to exclude minorities. Zoning could be used to protect property values and protect citizens from undesirable neighbors (Teaford 1979, 1997; Burns 1994).

1.2.3 Influences on Municipal Incorporation in the USA: 1950—Present

The rapid suburbanization of the post-WWII years dramatically effected municipal incorporation. The development of a federally funded interstate system and federally guaranteed low-interest mortgages from the Federal Housing Administration and Veterans Administration opened up land further away from the core of existing cities and allowed for the beginnings of a new settlement pattern (Jackson 1985). However, these new suburban residents still expected to receive the services they grew accustomed to in the older cities. As a result, new municipalities began to emerge in order to provide primary services such as water, sewer, and local zoning.

Security and exclusion continued to influence municipal incorporation in the post-WWII years (Miller 1981; Blakely and Synder 1997; Musso 2001). The rising number of gated communities across the country may be the ultimate expression of these exclusionary tendencies. Blakely and Snyder (1997) state that "Gated Communities, one of the more dramatic forms of residential boundaries, have been springing up around the country since the early 1980s. Millions of Americans have chosen to live in walled and fenced communal residential space that was previously integrated with the larger shared civic space" (1). While not all gated communities incorporate, and become cities, Blakey and Snyder (1997) provide some examples

including Canyon Lake, California and Weston, Florida. Bermuda Run, NC provides an example of a gated incorporated community in Davie County. Incorporated in 1999, Bermuda Run is 99% White with a median household income of more than $84,000 according to US Census data. Access to the town is limited by controlled access entry points and a contiguous fence that divides the town residents from the rest of Davie County.

Miller (1981) also outlined a movement toward what he called "minimal cities." Miller characterized these cities as incorporating in an effort to keep taxes low, keep out tract builders, and limit bureaucracy (1981). In comparison to the early twentieth century when cities were formed to provide services, Miller's "minimal cities" offer a dramatic departure from the traditional factors that influence municipal incorporation.

New cities are incorporating in attempts to capture fiscal gains. The potential of collecting shared revenues from state and county governments (e.g., sales tax) is a large incentive for many communities. Collecting and spending property taxes locally is also a major issue in many communities that incorporate. Control over local tax dollars is viewed as a benefit when incorporation is discussed.

As Miller (1981) discusses in his research, financial considerations played a prominent role in municipal incorporation in California. The Lakewood Plan, which paved the way for incorporation activity in Los Angeles County, was centered on LA County contracting out services to new municipalities and as a result continuing to receive money. This is a slightly different spin on the role money plays in city creation. In this case, LA County did not want to lose any money as a result of potential incorporations. Additionally, the new municipalities could benefit from cost savings by not providing duplicate services directly to residents but rather through utilizing the existing county services.

1.3 Why Municipal Incorporation?

1.3.1 Where Are the Geographers?

Before discussing the multitude of reasons for exploring municipal incorporation, there is a need for discussion on the overall lack of geographic research on municipal incorporation and local government boundary change by geographers.

Many factors appear to contribute to the limited amount of incorporation research by geographers. The preconceived notion that the creation of a new city is a strictly political process and should be left to the political scientists and public administration scholars is a contributing factor. Historically, political scientists and scholars of public administration studied the politics of cities. As a result, much of the existing incorporation literature is authored by political scientists. Boundary change research is also largely conducted by public administration scholars and tends to be published in journals like *State and Local Government Review*, *Urban*

Affairs Review, and the *Journal of Politics*. Most of these journals are not traditional outlets for research by geographers.

The creation of a municipality is a complex event that has the potential to make any large-scale geographically based research challenging. For example, state and regional differences make it difficult to analyze municipalities across the country as a coherent group. Every state has different standards for incorporation that vary in terms of minimum population requirements, minimum distances from existing cities, population density standards, and the minimum provision of services required to incorporate. These state-by-state differences and the fact that each municipality is created for a wide variety of reasons (e.g., defensive incorporation to avoid annexation, provision of services, local control) make the study of newly incorporated municipalities much more difficult.

Despite these problems, it is surprising that so few geographers have studied municipal incorporation given the potentially substantive impacts of new municipalities on the geography of tax rates, land use patterns, and the provision of public services. Furthermore, the division of space into political sub-units at the local scale has long been part of the political geographer's sphere of influence. Political and urban geographers have a well-established tradition of studying the political geography of cities as well as metropolitan areas. Consequently, it is well within geography's purview to thoroughly examine the spatial effects of municipal boundary creation and to analyze the geographic variation of new municipalities.

Since 1972, a national clearinghouse of data lists all the incorporations occurring in the USA by state. The Boundary and Annexation Survey (BAS) administered by the US Census Bureau provides information through yearly updates of boundary changes for all jurisdictions in the nation. The BAS is employed annually by the US Census Bureau

> to collect information about selected legally defined geographic areas. The BAS is used to update information about the legal boundaries and names of all governmental units in the USA. The Census Bureau uses the boundary information collected in the BAS to tabulate data for various censuses and surveys, such as the American Community Survey and other Census Bureau programs, such as population estimates (US Census Bureau, Boundary and Annexation Survey, retrieved from http://www.census.gov/geo/www/bas/bashome.html on May 4, 2007).

Although the BAS is a self-reported survey that may not include all the new recently incorporated municipalities in the USA, response rates typically exceed 95% (Miller 1988). Response rates remain high because the Census Bureau and other federal agencies utilize the BAS data in allocating federal monies.

1.3.2 Why Study Municipal Incorporation

The growth in the number of municipalities within the USA has numerous positive and negative implications for the country, individual states, and neighboring communities. Proponents of municipal incorporation point out that they foster a

stronger sense of community for local residents are a form of democracy in action (i.e., the creation of a new government entity to service residents), and allow for more choice and competition for the provision of services (Tiebout 1956). Competition among existing and new municipalities may also result in a more efficient provision of governmental services (Ostrom et al. 1961). These rationales focus on the benefits collected by the residents of the incorporating communities.

Municipal incorporation critics assert that the growth in new government entities results in metropolitan fragmentation (Jonas 1991; Cox and Jonas 1993; Foster 1993; Orfield 1997; Rusk 2003), economic and racial segregation (Hill 1974; Weiher 1991; Teaford 1993), and the duplication of services by multiple governments operating within an area (Marando 1979; Lyons and Lowery 1989). Critics rightfully point out that new municipalities generally do not incorporate in a vacuum, but rather they are part of a larger urban/metropolitan fabric. As a result, there are consequences to local government boundary change actions that impact surrounding municipalities and unincorporated territories including counties.

In the end, the formation of new government entities (i.e., municipalities) has drastic consequences for the urban landscape of America. New cities result in new boundaries that have major impacts on a wide range of issues within the newly established city and the wider region. This book constitutes a step in developing a better understanding of newly incorporated municipalities at a national scale. Rigos and Spindler noted that municipal "incorporation has yet to be studied in any systematic fashion" (1991, 76) and little has changed since their 1991 publication.

This book hopes to assist public policy makers focused on balancing the rights of individual communities to cultivate grassroots democracies with larger concerns about regional economies of scale and metropolitan-level competitive advantage in regard to economies of scale and efficient use of tax revenues.

1.4 Organization of the Book

This book explores the geographic, political, and social ramifications of municipal incorporation proceedings in the USA. Goals established for this book include:

1. Define the general process of municipal incorporation in the US;
2. Expand the theory of municipal incorporation and local government boundary change;
3. Present the geographic distribution of new municipalities, including patterns and trends;
4. Highlight the varying rational for NIM formation;
5. Discuss the impacts of new municipalities on society; and
6. Open up the field of municipal incorporation and local government boundary change to new interested and concerned parties.

In order to meet these goals, the book is organized as follows. The first three chapters set the stage for discussing municipal incorporation activity in more detail by providing the necessary background on municipal incorporation. Specifically, this chapter provides a general background on municipal incorporation including a general overview of the field of local government boundary change, a synopsis of historic and more recent rationale for incorporating and discussing why the topic is relevant today. Chapter 2 offers a detailed discussion of the processes behind incorporating an unincorporated community. This included an overview of the US political system and the influence of federalism on municipal incorporation processes and procedures. Chapter 2 also explores the commonalities and differences among state municipal incorporation legislation. A discussion of the powers granted to municipalities is discussed in light of differing state regulations. Chapter 3 explores why new cities are created and what drives residents to create a new local government.

Beginning with Chap. 4, the reader is presented with the latest research on municipal incorporation activity in the USA. It illustrates the geography of municipal incorporation events. Chapter 5 explores the socioeconomic characteristics of new cities and seeks to determine if differences exist between "new" and "old" cities. Patterns to the incorporation of new municipalities are presented in Chap. 6 and highlight the unique clustering of new cities including potential explanations for this spatial phenomenon. Chapter 7 delves into the relationship between race and place and how these issues intersect in the arena of municipal incorporation.

Chapter 8 provides an opportunity to discuss the implications of the establishment of new cities, especially as it relates to urban planning. Finally, the concluding chapter will present a NIM Typology and discuss the future of municipal incorporation activity and proceedings in the USA. Specific attention will be given to the debate between "local control" and "regional efficiency." Alternatives to municipal incorporation will also be discussed, as well as the future of the topic in the USA.

References

Baer S, Feiock RC (2005) Private governments in urban areas: political contracting and collective action. Am Rev Public Adm 35(1):42–56

Baer SE, Marando VL (2001) The subdistricting of cities: applying the polycentric model. Urban Aff Rev 36(5):721–733

Blakely EJ, Snyder MG (1997) Fortress America: gated communities in the United States. Brookings Institution Press, Washington, D.C.

Bollens SA (1986) Examining the link between state policy and the creation of local special districts. State and Local Government Review Fall, pp 117–124

Boudreau J, Keil R (2001) Seceding from responsibility? Secession movements in Los Angeles. Urban Stud 38(10):1701–1731

Burns N (1994) The formation of American Local Governments. Oxford University Press, New York

Carr JB, Feiock RC (1999) Metropolitan government and economic development. Urban Aff Rev 34(3):476–488
Carr JB, Feiock RC (2001) State Annexation 'constraints' and the frequency of municipal annexation. Polit Res Q 54(2):459–470
Carter H (1983) An introduction to urban historical geography. Edward Arnold, London
Childe VG (1950) The urban revolution. Town Plan Rev 21(1950):3–17
Cox KR, Jonas AEG (1993) Urban development, collective consumption and the politics of metropolitan fragmentation. Political Geogr 12(1):8–37
Downs A (1994) New vision for Metropolitan America. Brookings Institution Press, Washington, D.C.
Durning D (1995) The effects of city-county consolidation: the perspectives of unified government employees in Athens-Clarke County, Georgia. Public Adm Q 19(3):272–298
Dye T (1964) Urban political integration: conditions associated with annexation in American Cities. Midwest J Polit Sci 8(4):430–466
Feiock RC, Carr JB (1997) A reassessment of city-county consolidation: economic development impacts. State Local Gov Rev 29(3):166–171
Feiock RC, Carr JB (2001) Incentives, entrepreneurs, and boundary change: a collective action framework. Urban Aff Rev 36(3):382–405
Foster KA (1993) Exploring the links between political structure and metropolitan growth. Polit Geogr 12(6):523–547
Galloway TD, Landis JD (1986) How cities expand: does state law make a difference? Growth Change 17(4):25–45
Hasselhoff KD (2002) Motivations for the San Fernando Valley secession movement: the political dynamics of secession. J Urban Aff 24(4):425–443
Hill MB (1978) State laws governing local government structure and administration. University of Georgia, Athens, Institute of Government
Hill R (1974) Separate and unequal: government equality in the metropolis. Am Polit Sci Rev 68 (4):1557–1568
Hoch C (1985) Municipal contracting in California: privatizing with class. Urban Aff Q 20 (3):303–323
Hogen-Esch T (2001) Urban secession and the politics of growth: the case of Los Angeles. Urban Aff Rev 36(6):783–809
Jacobs J (1969) The economy of cities. Random House, New York
Jackson K (1985) Crabgrass Frontier: the suburbanization of the United States. Oxford University Press, New York
Jonas AEG (1991) Urban growth coalitions and urban development policy: postwar growth and the politics of annexation in metropolitan Columbus. Urban Geogr 12(3):197–225
Kaplan DH, Wheeler JO, Holloway SR (2004) Urban geography. Wiley, Hoboken
Keil R (2000) Governance restructuring in Los Angeles and Toronto: amalgamation or secession? Int J Urban Reg Res 24:758–781
Knox PL, McCarthy L (2005) Urbanization: an introduction to urban geography. Pearson Prentice Hall, Upper Saddle River, NJ
Lazega RM, Fletcher CR (1997) The Politics of Municipal Incorporation in South Florida. J Land Use Environ Law 12 (Spring): 215–245.
Leon-Moreta A (2015) Municipal incorporation: socioeconomic and policy factors of influence. State Local Gov Rev 47(4):255–270
Leon-Moreta A (2016) Municipal incorporation in the United States. Urban Stud 52(16):3160–3180
Liner GH (1993) Institutional constraints and annexation activity in the US in the 1970's. Urban Stud 30(8):1371–1381
Lowery D, Lyons WE (1989) The impact of jurisdictional boundaries: an individual-level test of the Tiebout Model. J Polit 51(1):73–97
Lyons WE, Lowery D (1989) Citizen responses to dissatisfaction in urban communities: a partial test of a general model. J Polit 51(4):841–868

Lyons W, Scheb JM II (1998) Saying "No" one more time: the rejection of consolidated government in Knox County, Tennessee. State Local Gov Rev 30(2):92–105
Marando VL (1979) City-county consolidations: reform, regionalism, referenda and requiem. West Polit Q 32(4):409–421
Martin D, Wagner R (1978) The institutional framework for municipal incorporation: an economic analysis of local agency formation commissions in California. J Law Econ 21(October):409–425
McCabe BC (2000) Special-district formation among the states. State Local Gov Rev 32(2):121–131
MacManus SA, Thomas RD (1979) Expanding the tax base: does annexation make a difference? Urban Interest 1:15–28
MacManus SA (1981) Special district governments: a note on their use as property tax relief mechanisms in the 1970s. J Polit 43(4):1207–1214
Meinig DW (1986) The shaping of America: a geographical perspective on 500 years of history—Volume 2 Continental America 1800–1867. Yale University Press, New Haven
Miller G (1981) Cities by contract: the politics of Municipal Incorporation. MIT Press, Cambridge
Miller J (1988) Annexations and boundary change. Municipal year book. International City Management Association, Washington, D.C.
Musso JA (2001) The political economy of city formation in California: limits to Tiebout Sorting. Soc Sci Q 82(1):139–153
Nelson MA (1990) Decentralization of the subnational public sector: an empirical analysis of the determinants of local government structure in metropolitan areas in the US. Southern Econ J 57 (2):443
Orfield M (1997) Metropolitics: a regional agenda for community and stability. Brookings Institution Press, Washington, D.C.
Ostrom V, Tiebout C, Warren R (1961) The organization of government in metropolitan areas. Am Polit Sci Rev 55(December):831–842
Palmer JL, Lindsey G (2001) Classifying state approaches to annexation. State Local Gov Rev 33 (1):60–73
Purcell M (2001) Metropolitan political reorganization as a politics of urban growth: the case of San Fernando Valley secession. Polit Geogr 20:613–633
Rice K, Waldner L, Smith RM (2014) Why new cities form: an examination into municipal incorporation in the United States, 1950–2010. J Plan Lit 29(2):140–154
Rigos P, Spindler C (1991) Municipal incorporation and state statutes: a state-level analysis. State Local Gov Rev Spring 1991:76–81
Rusk D (2003) Cities without Suburbs. The John Hopkins University Press, Baltimore
Schneider M (1986) Fragmentation and the growth of local government. Public Choice 48:255–263
Sengstock FS (1960) Annexation: a solution to the metropolitan area problem. University of Michigan Law School, Ann Arbor
Schmandat HJ (1961) The municipal incorporation trend, 1950–1960. Bureau of Government Research and Advisory Service, University Extension Division, University of Wisconsin, Madison, Wisconsin
Sjoberg W (1960) The pre-industrial city, past and present. Free Press, Glencoe, III.
Smith RM, Debbage K (2011) Spatial distributions of newly incorporated municipalities (NIMs) and related socioeconomic characteristics: a national comparison to cohort cities. Urban Geogr 32(4):568–588
Smith RM (2011) City limits? The impact of annexation on the frequency of municipal incorporation in North Carolina. Southeast Geog 51:422–442
Stauber R (1965) New cities in America; a census of municipal incorporations in the United States, 1950–1960. Governmental Research Center, University of Kansas, Lawrence, Kansas
Teaford JC (1979) City and Suburb: the political fragmentation of Metropolitan America, 1850–1970. The John Hopkins University Press, Baltimore

Teaford JC (1984) The Unheralded Triumph: City Government in America, 1870–1900. The John Hopkins University Press, Baltimore
Teaford JC (1993) The twentieth-century American City. The John Hopkins Press, Baltimore
Teaford JC (1997) Post-Suburbia: government and politics in the Edge Cities. The John Hopkins University Press, Baltimore
Tiebout C (1956) A pure theory of local public expenditure. J Polit Econ 64:416–424
U.S. Advisory Commission on Intergovernmental Relations (1993) State Laws Governing Local Government Structure and Administration. Melvin B. Hill, Jr, Washington, D.C.
U.S. Census Bureau Boundary and Annexation Survey (2007) 2005 boundary and annexation survey. Retrieved 4 May 2007 from http://www.census.gov/geo/www/bashome.html
U.S. Census Bureau (2006) Decennial bureau management glossary. Retrieved 11 March 2006 from http://www.census.gov
U.S. Census Bureau (2010) Appendix B 2010 summary social, economic, and housing characteristics: 2000 Census of population and housing. Washington, D.C.: Government Printing Office
U.S. Census Bureau (2012) Census of governments. Government Printing Office, Washington, D. C.
Waldner L, Rice K, Smith RM (2013) Temporal and spatial dimensions of newly incorporated municipalities in the United States. Geogr Rev 103(1):59–79
Waldner L, Smith RM (2015) The great defection: how new city clusters form to escape county governance. Public Adm Q 39(2):171–219
Weiher GR (1991) The fractured metropolis: political fragmentation and metropolitan segregation. State University of N.Y. Press, Albany
Wheatley P (1971) The pivot of the four quarters. Edinburgh University Press, Edinburgh
Wheeler R (1965) Annexation law and annexation success. Land Econ 41:354–360
Woolley L (1963) The urbanisation of society. In: Hawkes J, Woolley L (eds) History of mankind, the beginnings of civilisation, vol 1, Part 2. UNESCO, Paris, pp 109–167

Chapter 2
The Process of Municipal Incorporation in the USA

Abstract The USA operates under a federal system of governance that has implications for local governance and government. Within the federal system, local governments are creatures of the individual states and are not guaranteed any specific rights or privileges. Additionally, within the USA, states can be classified as either Dillon's Rule or Home Rule states. This differentiation largely determines which powers local governments can exercise within their jurisdiction. As a result of this federal system—requirements, procedures, and processes governing incorporation standards across the country can differ dramatically. With that said, some of the similarities in municipal incorporation standards across the country include minimum population size, minimum population density, minimum tax rate and minimum distance between proposed and existing municipalities. Meanwhile, differences in incorporating standards found across the USA include county approval, approval from a local government boundary commission, and/or a feasibility study that explores the financial viability of a new municipality, as well as its impact on existing jurisdictions. In the end, municipalities are granted a wide array of powers that have grown over the years and currently include general governance, public safety, economic development, and a variety of other charges.

Keywords Dillon's rule · Federal · Home Rule · Incorporation methods
Legislative standards · Metropolitan reformers · Public choice proponents
Unitary

Since Alexis de Tocqueville's classic study of democracy in America in the 1830s, the importance of local government in the USA has been recognized as instrumental to the success of the US governing organization as a whole. Jeffersonian style grassroots democracy is often touted as a defining characteristic of American democracy. How governance is carried out at the local level and the similarities and differences that exist among the fifty states are the focus of this chapter. The larger national system of governance that allows local government to operate in the USA will first be examined.

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_2

2.1 Organization of State Governments: Unitary Versus Federal Systems

"All states are divided for political purposes into a hierarchy of administrative units" (Glassner and Fahrer 2004). The process by which states are organized and the relationship between the different levels of government can greatly vary. Generally speaking, two main types of state government exist in the world: unitary states and federal states. It should also be noted that a third less common form of state government exists—the regional state, a term coined by a Spanish scholar Juan Ferrando and potentially best realized in the organization of government in the UK as a cross between Unitarianism and Federalism.

States that function under a unitary system of government experience a high degree of control emanating from the central authority equally across all governed regions of the state. Unitary states have traditionally been found in countries with a high degree of homogeneity and connectedness across their territory. States with a unitary system of government are found in much of Western Europe, the Arab countries of the Middle East, and most African countries. Glassner and Fahrer (2004) identified four common characteristics to unitary states including: relatively small size, compact in shape, densely populated, and only containing one core area. By the end of the last century more than 160 unitary states existed across the globe.

This system of direct control over local governance from the central authority has several impacts for local governments including cities, towns, and villages. First, these lower order civil divisions are created by the central government and as such are beholden to the central government. Second, most if not all of the finances for the lower levels of local government in a unitary state come directly from the central authorities. Local governments have limited control over their ability to raise funds. Finally, and potentially most important, these lower levels of governance tend to function as administrative units doing the work of the central government and not necessarily deciding local policies. This does not imply that local governments within unitary states have no control or that they are merely "paper pushers," but rather they are utilized as effective mechanisms by which to implement national policies. This is a different relationship compared to the one that exists between local governments in a federal system.

The federal system of state governance relies on a more indirect relationship between the central government and local authorities. Federal states are far fewer in number than unitary states and can be found in larger countries including Australia, Canada, Nigeria, and the USA. Under a federal system, the central authorities relinquish many perceived governmental powers to other lower entities, while retaining control over the aspects of government that are deemed to be of "common interests" including: defense, foreign affairs, trade, and communications to name a few. This results in a system in which differences can and do exist across a country based on the perceived needs and local desires for differing levels of services, legislation, and representation. Practically speaking, a federal system creates

first-order civil divisions like states, provinces, or regions with their own capitals, political leaders (i.e., governors, premiers), and budgets (Glassner and Fahrer 2004).

The impact of a federal system on local government (i.e., lower-order civil division) is dynamic. Local governments under a federal system are creatures of the state, province, or region and are not guaranteed by any founding documents (e.g., US Constitution). A federal system is predicated on a tiered system of governance in which the central government is responsible for certain functions, the state/province/regional government is in charge of an additional basket of services and then local governments (i.e., counties, townships, cities, towns, and villages) can be established, but do not have to be created by the states/provinces/regions in order to carry out additional government responsibilities.

A second impact a federal system of government has on local government is that the process, functions, and responsibilities of these governments can and do vary greatly by state, province, or region. In effect, each first-order civil division can and does create its own system for approving lower-level governments. In addition to developing different rules and regulations by which these governments can be created, the first-order civil divisions in a federal system can also determine what power to give local governments within its borders. As a result, the power of individual municipalities can vary greatly across a federal system. These differences will be explored further in this chapter.

Finally, as creatures of the state, local governments must deal with changes in state politics much like local governments within a unitary state must respond to changes in national politics. As a result, the relationship between local governments and the state in which they reside can change drastically over a single election cycle. This has been experienced by municipalities in federal systems across the globe and can result in major changes to how governments are funded, the services they provide and in some instances whether they continue to exist.

2.2 Overview of US System of Governance

The USA operates under a federal system of government that divides power among three branches of government (i.e., executive, legislative, and judicial) at the federal level. Under the US system, 50 states have been created since its inception to oversee certain aspects of governing as previously briefly discussed above. These 50 states are then subdivided into even smaller jurisdictions to bring public services to the people of the country. These services can include, but are not limited to: police and fire protection, transportation infrastructure, water and sewer, electricity, education and health-related service. According to the most recent US Census of Governments, the USA is comprised of more than 89,004 local governments that perform some of these functions. This includes 3031 counties, 19,522 municipalities, 16,364 townships, 37,203 special purpose districts, and 12,884 independent school districts (US Census Bureau Census of Governments 2012) (Fig. 2.1).

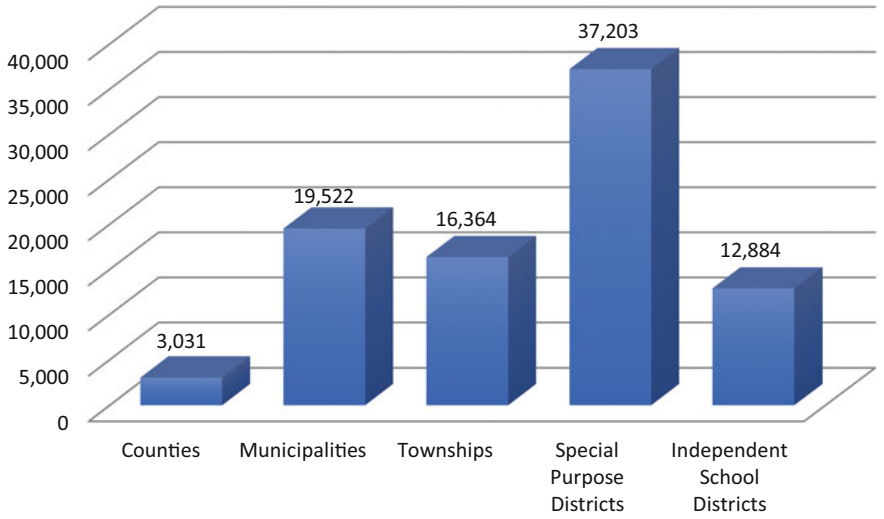

Fig. 2.1 Number of local governments in the USA by type, 2012

Except for Alaska, all of the states are subdivided into counties. Alaska utilizes a system of boroughs and Louisiana a system of parishes as a variation on the idea of a county (Krane et al. 2001). It should also be noted that in Connecticut and Rhode Island, counties are only utilized for statistical and judicial purposes (Glassner and Fahrer 2004). The more than 3000 counties in the USA range in number from 3 in Delaware to 254 in Texas and from less than 100 people to populations greater than 9 million. Generally, counties have been responsible for providing some of the following public services to their populations: law enforcement, tax assessing and collection, social services and elections.

The smallest general-purpose governmental unit in the USA is the municipality, of which more than 19,000 currently exist. Based on location, a municipality can take on the name/form of a city, town, village, hamlet, etc. In some instances, these nominal differences represent true variation in terms of size and function (e.g., New Jersey, Ohio), while in other states the nominal identifier of a municipality does not have any influence on its powers. For example, the largest city in the State of North Carolina (the City of Charlotte with close to 800,000 residents) could petition to have its name changed to the Village of Charlotte without any impact on the day-to-day functions of its municipal operations.

Municipal incorporation is the legal process established by state statutes through which a new city can be created. "Legally, incorporated cities in the USA are known as 'municipal corporations'" (Shelley et al. 1996, 137). Frequently, the process includes the conversion of unincorporated territory into a municipality, and this process varies greatly across the USA due to the federalist system of government in the USA. Dye (1984) noted that local governments are at the mercy of individual states in reference to the variety of rules, regulations, and permitted

actions allowed. As a result, municipalities can vary greatly in size, form, and function across the USA.

In the USA, the power that is afforded to a new municipality or to an existing municipal corporation is determined by individual state law. However, the interpretation of these powers can differ based on how individual state law is written and viewed. In the US governmental system, the legal interpretation of these regulations under which municipalities are controlled is known as Dillon's Rule and Home Rule.

Dillon's Rule is named after John Forest Dillon, Chief Justice of the Iowa Supreme Court, who was generally suspicious of municipal elected officials. As a result, he crafted a legislative opinion in a case between the *City of Clinton v. Cedar Rapids and Missouri Railroad Company*, to be later called Dillon's Rule, in which he stated that in a contention between a municipality and a state "any fair, reasonable, substantial doubt concerning the existence of power is resolved by the courts against a [municipal] corporation, and the power is denied" (Dillon 1911, 448). In effect, this ruling which was subsequently widely adopted by many other courts around the USA and implemented in many states, determined that if a municipality did not have a clearly expressed right to do something as evoked in their charter or by state law, the power did not exist. Dillon's Rule greatly limited the power of municipalities.

The Home Rule movement began prior to the Civil War and has taken on many different forms over the proceeding decades. Home Rule is an attempt to largely counter Dillon's Rule by granting municipalities all powers that are not expressly forbidden by state law. However, Home Rule municipalities must still comply with state and federal regulations (Shelley et al. 1996). In 1916, Howard McBain stated that,

> Broadly construed the term 'municipal Home Rule' has reference to any power of self-government that may be conferred upon a city, whether the grant of such power be referable to statute or constitution. In American usage, however, the term has become associated with those powers that are vested in cities by constitutional provisions, and more especially provisions that extend to cities the authority to frame and adopt their own charters (v.).

The differentiation of states by Dillon's Rule or Home Rule can have dramatic consequences for the municipalities that occupy geographic territory within its borders. Being able to only do what the State legislature permits versus being able to do everything except what is prohibited has major impacts on local governments.

According to the National League of Cities, thirty-nine states employ Dillon's Rule for all municipalities under their jurisdiction including: Arizona, Michigan, New York, and Texas (see Fig. 2.2). Eight states utilize Dillon's Rule for only certain municipalities including California, Colorado, and Tennessee. Ten US states implement Home Rule for its municipalities including: Alaska, Iowa, Massachusetts, Montana, New Jersey, New Mexico, Ohio, Oregon, South Carolina, and Utah. The State of Florida is the only state that does not exclusively use either Dillon's Rule or Home Rule for the regulation of its municipalities (National

League of Cities 2016). As a result of the federal system of government employed in the USA, the different legislative standards set by individual states and the dichotomous interpretation of municipal regulations by the courts, understanding municipal incorporation can be quite difficult. The next section brings to attention the similarities between municipal incorporation standards across the USA.

2.3 General Incorporation Legislation Standards

The legislation that governs the incorporation of a previous unincorporated territory is not uniform across the USA. As discussed, the US Federalist system of government allows individual states to develop different standards and in some cases have no standards at all. These standards can take into account the nuisances of local geography, historical political struggles, population patterns, and desired methods of servicing citizenry. In the end, each state can and has taken different approaches to dealing with the establishment of a new municipality.

Krane et al. (2001) provides the most recent examination into the standards that govern municipal incorporation in all fifty states. Their book, Home Rule in America: A Fifty-State Handbook, provides an excellent state-by-state comparison of local government structure, history, and authority. As it relates to municipal incorporation, their work revealed that thirty-five states have incorporation laws and regulations that govern the establishment of a new municipality. Eight states did not have any laws for incorporating a municipality including: Connecticut, Hawaii, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, and Vermont. The majority of these states are located in the Northeast, where a long history of urbanization and local government boundary change has limited the space for new municipalities (i.e., no unincorporated land remaining). Krane et al. (2001) did not include any municipal incorporation information on an additional eight states (CA, CO, DE, KA, ME, OK, TN, and TX), but during the research for this book legislative standards for several of these states was found. Figure 2.3 provides an overview of municipal incorporation rules by state.

Since Hill's (1978) early examination into laws that govern local government boundary change, to more recent efforts by the US Advisory Commission on Intergovernmental Relations (USACIR) in 1992 and Krane et al.'s (2001) handbook, several common requirements related to the process/procedure and population/geography of municipal incorporation legislation have been identified across the nation. The common population and geographic characteristics shared by legislation across the USA include:

1. Minimum population (e.g., 500 residents as is the case in Alabama and Georgia),
2. Minimum population density (e.g., 1.5 persons per acre in Florida or 70 persons per square mile in Wyoming),

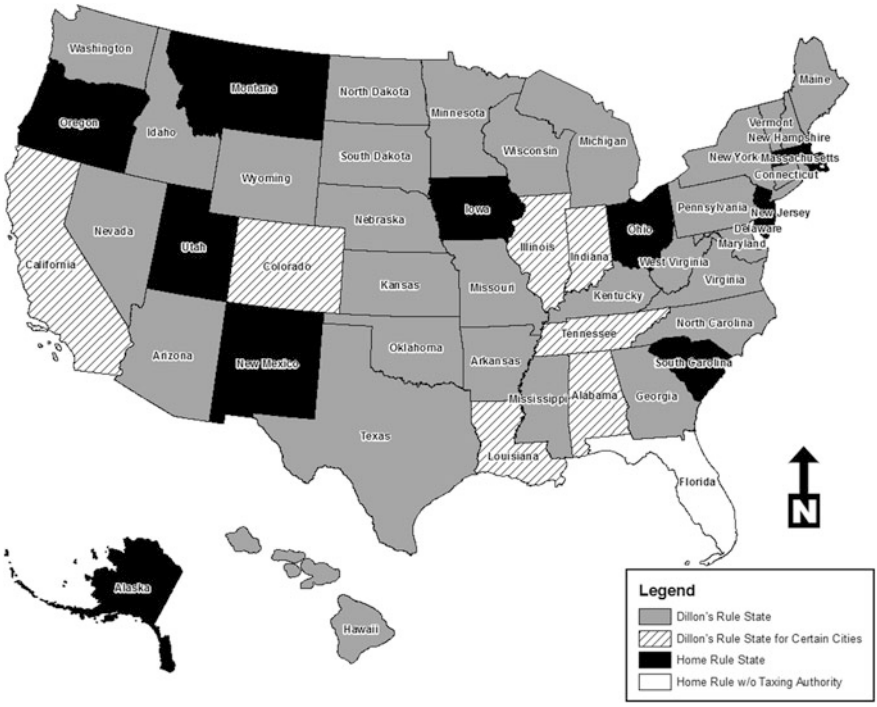

Fig. 2.2 Geographic distribution of Dillon's Rule versus Home Rule states

3. Minimum distance between existing and proposed municipalities (e.g., 5 miles in Arkansas and South Carolina), and
4. Minimum ad valorem tax rate (e.g., $0.05 per $100 valuation in North Carolina).

These requirements, with the possible exception of the ad valorem tax rate, all influence the geography of the resulting municipality. Requiring a minimum population will insure that the area under consideration has a large enough citizenry to support the new city. Although, it should be noted that in some states the minimum population requirement is extremely small. For example, the State of Missouri mandates a minimum population threshold of 10 residents for new municipal incorporations. Minimum population density standards are often required by state legislation to ensure that the new municipality is truly "urban." While many states employ this threshold, the standard of what is considered "urban" can differ greatly depending on the size of the state, population patterns, and urban history. Finally, the minimum distance required between proposed and existing municipalities is often necessary to allow for municipalities to grow as a result of municipal annexation. This locational standard provides a potential mechanism against existing municipalities being landlocked by surrounding suburban communities as is the case in many larger Northeastern and Midwestern cities (e.g., Boston, MA; Cleveland, OH; Detroit, MI).

Fig. 2.3 Incorporation rules by state

In addition to the population and geographic standards shared among many states, several process, and procedural requirements are common. A 1992 report by the US Advisory Commission on Intergovernmental Relations focused on exploring Local Government Boundary Commissions, determined that in addition to the population and geographic requirements discussed above,

> it is usually necessary to have (1) a petition from the community describing the boundaries and population of the proposed municipality, (2) an election to ascertain popular support, and (3) certification by the secretary of state that the election is favorable and that all the conditions have been met (USACIR 1992, 2).

The requirements outlined above are more focused on the process of incorporating a municipality along democratic principles than the previously discussed standards that will influence the spatial characteristics of the resulting municipality.

A final discussion of municipal incorporation is focused upon the degree of difficulty afforded to the establishment of a new city. Krane et al. (2001) developed a ranking system for states based on the ease or difficulty in creating a new municipality (see Table 2.1). According to their analysis, it is most difficult to incorporate a new city in the State of Alaska, which requires the approval of a constitutionally mandated commission. It is also difficult to develop a new municipality in states that require county approval for incorporation (e.g., IN, MD,

MT, NE, NV, ND, VA, WA, WV and WY). Contrary to this reality, there are a large group of states that only require the submission of a petition by residents of the affected area in order to incorporate.

In the end, while similarities exist, no two states have exactly the same standards governing the incorporation of a municipality. With this in mind, we turn our attention to those differences and the potential ramifications of differing standards on the municipal incorporation process.

2.4 State Differences in Municipal Incorporation Policies and Procedures

In review, several common procedural and population requirements are found across the nation as it relates to municipal incorporation legislation. However, municipal incorporation standards are not uniform. The US Federalist system of government allows individual states to develop different standards. For example, some states require a high minimum population threshold be met before incorporation is an option (e.g., Florida and Washington) and other states have a low or no population requirement (e.g., Missouri and Oklahoma).

In addition to the unique standards placed on population, location, and density by states, other differences between municipal incorporation legislation include the use of local government boundary commissions, requiring county approval, and the development fiscal impact plans. These differentiating standards are often the result of the unique state experiences related to local government boundary change events.

Local government boundary change commissions are more often found in states located in the Western USA. These commissions often comprised of locally elected officials and dedicated staff provide an opportunity for a local examination into the merits of a new municipality. The boundary change commission can act as a "gatekeeper," but cannot ban the consideration or approval of a new city. According to a 1992 USACIR report on boundary review commissions (BRCs), review commissions operate in twelve states including: Alaska, California, Iowa, Michigan, Minnesota, Nevada, New Mexico, Oregon, Utah, Virginia, Washington and St. Louis County, MO (USACIR 1992). A more recent study has indicated that thirteen states operate boundary review commissions, and five of these have the authority to approve or reject the incorporation request (LCIR 2001)

The purposes for establishing boundary review commissions include: "(1) encourage orderly metropolitan development and discourage sprawl, (2) promote comprehensive land use planning, (3) enhance the quality and quantity of public services, (4) limit destructive competition between local governments, and (5) help ensure the fiscal viability of local governments" (USACIR 1992, iii). In the end, if a proposed municipality meets all the legislative requirements, then the application is approved.

Table 2.1 Methods of Incorporation by degree of difficulty (reproduced from Krane et al. 2001)

5 (hardest)	Constitutionally mandated commission must approve incorporation	Alaska
4	County must agree to having the disputed area turned into a city	Indiana, Maryland, Montana, Nebraska, Nevada, North Dakota, Virginia, Washington, West Virginia, Wyoming
3	State legislators must vote to approve incorporation	Florida, Georgia, Nevada, New York, North Carolina, Washington
	State agency (usually one dealing with state-local relations) must approve incorporation	California, Michigan, North Dakota, Utah, Wisconsin
	Administrative judge must approve incorporation	Arkansas, Kentucky, Louisiana, Wisconsin
	Special commissions (members mandated by state law) must approve incorporation	New Mexico, Vermont
2	Incorporation must be approved by simple majority vote (50% + 1)	Florida, Illinois, Louisiana, Maryland, Missouri, Nevada, North Dakota, Oregon, South Carolina, Virginia, Washington, West Virginia, Wyoming
1 (easiest)	Residents (registered voters and land owners) must petition state	Alabama, Illinois, Indiana, Kentucky, Louisiana, Maryland, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Carolina, South Dakota, Virginia, West Virginia, Wisconsin, Wyoming

Please note that states can appear on the list multiple times if they have multiple methods for incorporating a new municipality

Since the 1960s California has employed fifty-eight local government boundary review commissions termed Local Agency Formation Commissions (LAFCOs) (Eells 1977; LeGates 1970; Martin and Wagner 1978). It should be noted that only 57 LAFCOs existed until the San Francisco LAFCO was established in 2000. These state mandated agencies are responsible for reviewing "proposals for the formation of new local government agencies and for changes in the organization of existing agencies" (e.g., annexation) (LAFCO 2016). In sum, the 58 LAFCOs interact with more than 400 cities and 3000 special districts across California. A prime focus of these agencies is to provide for the orderly development of local government entities. A handbook produce with input for several LAFCO agencies provides useful information on first steps toward creating a new city, how to initiate the incorporation process, preparing an application for incorporation and details on the role of LAFCO in reviewing the application (LAFCO Guide October 2003). This unique requirement of municipal incorporation legislation showcases another method that municipalities in some states must navigate.

County approval is another difference that can be identified across the USA related to municipal incorporation legislation. Ten (10) states require this provision including: Indiana, Maryland, Montana, Nebraska, Nevada, North Dakota, Virginia, Washington, West Virginia, and Wyoming (Krane et al. 2001). This standard can be a large hurdle for communities seeking to incorporate, especially in states where revenue streams will be affected by the incorporation of another municipality. Additionally, the creation of a new local government entity can impact existing service area providers including voluntary fire departments and public utilities. New municipalities can take redistributed federal and state funds and potential/existing customers away from counties and as a result seek to prevent them from incorporating.

Finally, the requirement to complete a fiscal impact analysis/feasibility study for the new municipality is another standard that differs across state borders. According to a 2001 Florida report on municipal incorporation, twenty states require a feasibility study as part of the procedure for incorporating a new community (LCIR 2001). Fiscal impact analyses can include the proposed budget of a new municipality, the expected revenues, and public services that will be offered to residents of the new city, town, or village. Some states also include a requirement that the fiscal impact analysis take into consideration the effect of the municipal incorporation on surrounding municipalities, counties, and public service providers. Since 1992, California's new municipalities must show that their incorporation will not be financially harmful to existing local government under a policy known "revenue neutrality" (LAFCO 2003). If proposed municipalities do not meet this requirement, LAFCO cannot approve the incorporation request.

2.4.1 *Municipal Incorporation Legislation: The State of North Carolina*

The procedure and population standards for incorporating a new municipality in North Carolina includes some of the common elements previously discussed as well as some additional requirements unique to the state. In North Carolina, a municipal incorporation or a "city" is defined as follows:

> "City" means a municipal corporation organized under the laws of this state for the better government of the people within its jurisdiction and having the powers, duties, privileges, and immunities conferred by law on cities, towns, and villages. The term "city" does not include counties or municipal corporations organized for a special purpose. "City" is interchangeable with the terms "town" and "village," is used throughout this chapter in preference to those terms, and shall mean any city as defined in this subdivision without regard to the terminology employed in charters, local acts, other portions of the General Statutes, or local customary usage. The terms "city" or "incorporated municipality" do not include a municipal corporation that, without regard to its date of incorporation, would be disqualified from receiving gasoline tax allocations by G.S. 136–41.2(a), except that the end of status as a city under this sentence shall not affect the levy or collection of any tax or assessment, or any criminal or civil liability, and shall not serve to escheat any property until five years after the end of such status as a city, or until September 1, 1991, whichever comes later (NCGS 2016).

As has been previously mentioned, other states make a differentiation between the terms city, town, and village often based on population size variation and differing levels of service provisions. This is not applicable for North Carolina municipalities. This results in a largely equal playing field for all municipalities in which the powers and duties of cities in the state are uniform and do not change as a result of a growth or decline in population.

In North Carolina, no area may incorporate without the approval of the North Carolina General Assembly. In recent years and partially due to the high number of requests for the establishment of new municipalities in North Carolina, the North Carolina General Assembly has relied upon the Joint Legislative Commission on Municipal Incorporations to make rulings for or against municipal incorporation for proposed areas. Prior to this change in the legislation, new municipalities in North Carolina were not required to go before the Joint Commission on Municipal Incorporations, provide any public services, or change a minimum tax rate. This relatively simple legislative process resulted in a flood of requests during the 1990s.

The Joint Commission on Municipal Incorporations must receive the following information in order to make a ruling:

> A petition to incorporate must be submitted to the Commission at least 60 days prior to convening of the next regular session of the General Assembly, and shall contain the following:
>
> 1. A petition signed by fifteen percent (15%) of the registered voters of the area proposed to be incorporated, but by not less than 25 registered voters of that area. The signature petition must be verified by the county board of elections.
> 2. A proposed name for the city; a map of the city; a list of proposed services to be provided (at least 4 of 8 authorized by law); the names of three persons to serve as the interim governing board; a proposed charter; a statement of the estimated population; assessed valuation; degree of development; population density; and recommendations as to the form of government and manner of election.
> 3. A statement that the proposed city will have a budget ordinance with an ad valorem tax levy of at least five cents (5¢) on the one hundred-dollar ($100.00) valuation upon all taxable property within city limits.
> 4. The petition must contain a statement that the proposed municipality will offer four of the following services no later than the first day of the third fiscal year following the effective date of the incorporation: (i) police protection; (ii) fire protection; (iii) solid waste collection or disposal; (iv) water distribution; (v) street maintenance; (vi) street construction or right-of-way acquisition; (vii) street lighting; and (viii) zoning. In order to qualify for providing police protection, the proposed city must propose either to provide police service or to have services provided by contract with a county or another city that proposes that the other government be compensated for providing supplemental protection (NCSOG 2010).

Additional requirements that must be included in a petition to establish a new municipality and receive a favorable recommendation from the Joint Municipal Commission include:

1. Notification to surrounding municipalities and the county in which the proposed municipality will reside of the impending/proposed incorporation effort,

2. A resolution of support from nearby existing municipalities,
3. A minimum population of 100 residents and a population density of at least 250 people per square mile,
4. A fiscal analysis of the impact of the new municipality on other local governments and any contracts for the provision of service, and
5. A plan for providing at least four urban services within the new municipality at a "reasonable" tax rate (NCSOG 2010).

Lawrence and Millonzi (2007) offer an excellent overview of the incorporation process in North Carolina in their book Incorporation of a North Carolina Town. The authors provide a how to guide to incorporating a community in North Carolina that includes: why an area would incorporate, alternatives to incorporation, how an area would incorporate, the opportunities and responsibilities of municipalities, budget and financing advice and suggestions for getting started. Their work is a comprehensive effort on the essentials of municipal incorporation in North Carolina.

2.4.2 *Municipal Incorporation Legislation: The State of Florida*

Municipal incorporation procedures in Florida have been guided by the 1974 Formation of Municipalities Act with limited amendments over the years. This act sought to standardize the incorporation process and to provide for "(1) orderly growth and land use (2) adequate public services (3) financial integrity in government (4) equity in fiscal capacity, and (5) fair cost distribution for municipal purposes" (LCIR Report 2001, ii). Additionally, the act clarified that only through a special act of the legislature, can a new municipality be established.

As is true in many states, new municipalities in Florida must comply with a list of requirements that includes compactness, a minimum population standard, a minimum population density, and a minimum distance from existing cities. Additionally, since 1996, new municipalities must also complete a feasibility study, although standards for what constitutes a feasibility study were not agreed upon until 1999 and have not been rigorously enforced (LCIR Report 2001, iii).

The specific standards on the formation of a new municipality within the State of Florida include:

> (1) The incorporation of a new municipality, other than through merger of existing municipalities, must meet the following conditions in the area proposed for incorporation:
>
> (a) It must be compact and contiguous and amenable to separate municipal government.

(b) It must have a total population, as determined in the latest official state census, special census, or estimate of population, in the area proposed to be incorporated of at least 1500 persons in counties with a population of 75,000 or less, and of at least 5000 population in counties with a population of more than 75,000.
(c) It must have an average population density of at least 1.5 persons per acre or have extraordinary conditions requiring the establishment of a municipal corporation with less existing density.
(d) It must have a minimum distance of any part of the area proposed for incorporation from the boundaries of an existing municipality within the county of at least 2 miles or have an extraordinary natural boundary, which requires separate municipal government.
(e) It must have a proposed municipal charter which:

1. Prescribes the form of government and clearly defines the responsibility for legislative and executive functions.
2. Does not prohibit the legislative body of the municipality from exercising its powers to levy any tax authorized by the Constitution or general law (State of Florida 2016).

One of the interesting aspects of this legislation that plays to the local geography found in Florida (i.e., water bodies) is the requirement that a minimum distance of 2 miles must exist between an existing municipality and a proposed municipality unless "an extraordinary natural boundary" is present. This takes into account the problem of providing public services to communities that can be divided by a variety of water bodies (e.g., rivers, lakes, swamps) in Florida.

While specific standards exist for the majority of Florida, two counties have developed slightly modified systems for handling municipal incorporations through special legislation approved by the State Legislature. First, the Board of Commissioners in Miami-Dade County has been granted the power to review and approve/reject municipal incorporation requests. This power has resulted in the county adopting a process that seeks revenue neutrality, like in California, related municipal incorporations. The local system seeks to encourage coordination, cooperation, and the cost sharing for public services (LCIR 2001). Meanwhile, Broward County has taken a different approach and has sought the incorporation and/or annexation of all unincorporated property within the county as a mechanism for the county to limit its provision of "municipal services" (Broward County 2016). This process has resulted in winners and losers related to the annexation and incorporation of certain areas, while other usually poorer unincorporated communities are left behind.

Florida's system for processing municipal incorporation requests is similar to much of the country. However, it does provide for some nuanced differences related to specific counties, natural geography, and feasibility studies. One of the confounding issues facing municipal incorporation in Florida has been the State Legislature's willingness to waive certain requirements of state law and consequently leaves the process clouded in political uncertainty for future communities that wish to incorporate (LCIR 2001).

2.4.3 Consequences of Differing Standards

In the end, several consequences can be identified as it relates to differences in municipal incorporation laws across the USA. First, State Legislatures have the ability to set municipal incorporation standards "high" or "low" depending upon the desired geopolitical/urban outcome. As discussed in this section, the State of North Carolina had a relatively "low" standard for the establishment of a new municipality for several decades prior to 2001. This culminated in a rash of municipal incorporation activity during the 1990s and resulted in North Carolina experiencing the highest level of municipal incorporation activity in the USA during that decade. Numerous "paper towns" were created often in an effort to block impending municipal annexation advances by existing municipalities. "Paper towns" can be defined as municipalities that provided little in the way of public services, with no or low tax rates. In essence, these are cities in name only and do not carry out the traditional functions associated with a municipal corporation.

By changing the existing legislation (i.e., raising the standards for incorporation), it is possible to reduce the amount of municipal incorporation activity. This has generally been the case experienced in North Carolina, as new standards implemented in 2001 resulted in a decrease in municipal incorporation activity. These new standards, discussed above, included a minimum tax rate and the mandatory provision of at least four public services. Individual state legislators can decide how they would like to see their state developed by encouraging municipal incorporation by utilizing a low threshold or deter municipal incorporation efforts through tougher standards.

Additionally, other related local government boundary change legislation also influences municipal incorporation. A state's regulations on municipal annexation can either spur municipal incorporation efforts or protect unincorporated territory from the threat of annexation by an existing municipality. As Rigos and Spindler (1991) state "the fear of impending annexation is one of the most powerful stimuli for the creation of new cities" (80). As a result, their study determined that a state's annexation laws have an indirect effect on the frequency of incorporation and that those areas with strong state and county governments that provide services were also shown to aid incorporation activity (Rigos and Spindler 1991).

Another consequence of differences in state legislation is the development of a fragmented and confusing geopolitical landscape within the USA. Different names, powers and privileges, and ways of incorporating across the country leave citizens bewildered and confused about local government. Is snow removal the purview of the township or town? Do my children attend a county or city school? Am I voting for an alderman or councilor? Who collects my taxes? Who do I complain to about my neighbor's junk cars? These are just a few of the questions confronting residents' around the USA as they attempt to navigate the perplexing world of local governance. As a city planner, I had the pleasure to answer many of these questions on a regular basis as the average citizen was unaware as to their local government representation.

Municipal incorporation is a contributing factor to metropolitan fragmentation. The proliferation of new government units increasingly divides the metropolitan landscape by adding new layers, players, and services to an already complicated system of urban governance. As a result, the theory behind why urban regions are increasingly being divided into smaller pieces is of importance in any discussion of municipal incorporation. Rigos and Spindler (1991) argue that "the issue of metropolitan governance has fascinated urban scholars since the great suburban explosion of the post war years" (76). This fascination resulted in the creation of two competing theories on metropolitan fragmentation, pitting public choice advocates against metropolitan reformers. Each of these theories offers an explanation of both metropolitan fragmentation and potentially the proliferation of municipalities.

For decades' urban scholars depended on the theory of collective consumption to explain metropolitan fragmentation. The theory of collective consumption is a "bottom-up" or "grassroots" explanation for metropolitan fragmentation that views residents as consumers of public services in a complex metropolitan arena (Tiebout 1956; Ostrom et al. 1961). The division within collective consumption theory places public choice proponents at odds with the metropolitan reformers. Public choice proponents argue that residents should be afforded a multitude of residential options within a metropolitan region in order to rationally decide which level of services and taxes are the most desirable. Meanwhile, metropolitan reformers believe that the proliferation of service providers within a metropolitan area can lead to an inefficient bureaucracy, the duplication of services, and the segregation of the population. Finally, the proliferation of service providers does not allow for some redistribution of resources.

2.4.3.1 Public Choice Proponents

The public choice proponents favor the establishment of numerous smaller units of government (i.e., incorporation and secession) that offer a "choice" of services from which citizens can choose (Lyons et al. 1992). The role of "choice" or "voting with your feet" in deciding the outcome of the metropolitan structure can be traced back to Tiebout's (1956) seminal work. Public choice proponents "argue that a more politically fragmented metropolis promotes efficiency because residents, functioning as municipal consumers, choose from among different bundles of services and tax rates that the various municipalities offer" (Purcell 2001, 616). Public choice proponents focused their attention on studying the efficiency of service and the provision of services (Buchanan 1971; Peterson 1981; Schneider 1986; Stein 1987; Lowery and Lyons 1989). The fragmentation caused by incorporation also allows for local control by residents and facilitates the formation of governments based on the most efficient size. The research on public choice highlights the role that providing needed public service, as well as efficiency may have on understanding why places incorporate.

2.4.3.2 Metropolitan Reform Advocates

Metropolitan reformers support the consolidation of government (i.e., annexation and consolidation/unification) entities to help cities grow and become more efficient providers of services (Rusk 2003). However, "the institutional reform logic stresses the concept of administrative efficiency rather than competitive efficiency" (Foster 1993, 527). Metropolitan reform "suggests that reorganization [metropolitan fragmentation added for clarity] is a strategy used by the 'haves' to avoid their obligations to the 'have-nots'" (Purcell 2001, 616). Metropolitan reform advocates have spent considerable time researching segregation and inequality, both of which have been associated with metropolitan fragmentation and are very pertinent to this discussion (Hill 1974; Weiher 1991; Morgan and Mareschal 1999; Rusk 2003). Additionally, regionalism allows for improved delivery of service and better coordination of planning in a metropolitan government.

These studies all examined the impact of fragmentation on segregation and inequality within the metropolitan area. Hill (1974) determined that "the political incorporation and municipal segregation of classes and status groups in the metropolis tend to divorce fiscal resources from public needs and serve to create and perpetuate inequality among urban residents in the USA" (1567). Rusk (2003) further exposed the financial problems of "inelastic" and "elastic" cities and how metropolitan fragmentation hems in existing cities from future expansions and growth. This in turn traps central existing cities from capturing fleeing tax revenue and increases the financial inequality between center cities and suburbs. Finally, Morgan and Mareschal (1999) determined that metropolitan fragmentation posed racial consequences, which include spatial mismatch and issues of political representation. Each of these studies highlights the importance of inequality and segregation on the metropolitan landscape and municipal incorporation efforts.

Finally, the federal structure of local government in the USA limits the ability of scholars to conduct national research on municipal incorporation. Since each state has its own legislation, process, and procedures for establishing a new municipality, comparative studies across state borders become increasingly difficult. Likewise, the development of overarching theories and conclusions that can be applied universally are also difficult. The search for "truths" related to municipal incorporation activity in the USA still must proceed. Any analysis of the USA, whether it is for economic, political, or social, must also contend with the federal problem.

2.5 Powers Granted to Municipalities

Municipalities across the nation have a variety of powers that they may employ within their jurisdictional boundaries. As discussed, these powers can be granted to cities, implied from state authority (i.e., Dillon's Rule states) or as is the case in Home Rule states, be prohibited by state legislation. Beyond these differences, the

functions of municipalities across the fifty states can vary considerably. This section discusses some of the more common powers exercised by cities throughout the USA, as well as explores some differences that exists between states.

In general, municipalities in the USA have experienced an increase in the types of powers, function, and the services that they provide their citizens since the founding of the country. Towns that once were only responsible for "keeping the peace" (i.e., law enforcement) have seen a multiplication in public service offerings. Much of the growth in municipal services has been the result of technological advancements (e.g., electricity, transportation) and the need to protect the public from health-related diseases (e.g., public water, public sewer, sanitation) (Teaford 1984). "The threat of contagion prompted cities to invest in waterworks, drain swamps and regulate the keeping of animals and the dumping of refuse" (Judd and Swanstrom 2002, 37).

More recently, municipalities have been asked to lead economic development programs, provide shelter for the poor, and participate in the construction/financing of sports venues. Krane et al. (2001) divide the powers granted to municipalities across the country into nine different city functions. These include:

- General Government
  - Elections, administrative, legislative and judicial tasks, maintain city buildings, records and statistics
- Public Safety
  - Law enforcement, fire protection, animal control
- Public Health
  - Board of health, hospitals, mental health facilities
- Public Works

  Road maintenance and construction, airports, harbors, public transport
- Social Services
  - Public housing, welfare, aging services, cemeteries
- Economic Development
  - Community development corporations, industrial parks, economic incentives
- Physical Environment
  - Land use control, planning, zoning, environmental conservation
- Culture and Recreation
  - Libraries, parks, sporting events
- Public Schools
  - Kindergarten through 12th grade.

An additional power that Krane et al. (2001) fail to include in their categorization of municipal powers is public utilities. Public utilities can include municipal participation in water and sewer system and even the generation/distribution of electricity for municipal customers. In North Carolina, electric cities as they are known can provide a municipality with substantial revenues.

Based on the findings published in their book (Krane et al. 2001), forty-nine states[1] permitted municipalities to actively engage in the following municipal powers: general government, economic development, physical environment, and culture & recreation. These four areas provide the basis for the generally agreed upon municipal services across the country. Municipalities can run the day-to-day functions of general government, carry out planning related functions, participate in economic development and build parks and libraries throughout the nation. Additional municipal powers that are present in the majority of states include: public safety (48 states), public works (45 states), and public health (27 states). Public safety, law enforcement, and fire protection are the purview of municipalities in all states except South Dakota, and forty-five states allow municipalities to build and maintain roads, ports, harbors, etc. The municipal powers that are least uniformly utilized across the country are social services (19 states) and public schools (11 states). The least likely municipal powers, social services, and public schools, often fall under the direction of counties, townships, or special purposed governments (i.e., school districts). These two powers are often mandated by federal and state governments to provide services to all populations and as such are more efficiently delivered by a government agency with jurisdiction over a larger population and geography.

2.6 Conclusions

Understanding the organization of government, procedures for incorporation, influence of state law, and the powers granted to municipalities in the USA can be very perplexing. While some overarching tendencies have been identified in this chapter, it is important to remember that geography matters. What is permissible or expected of a city in one state might be forbidden or uncommon in another. The study of municipal incorporation and the generation of a theory for understanding the establishment of cities, towns, and villages in the USA is still a worthy endeavor. The next chapter begins to explore the geographic patterns of municipal incorporation activity and attempt to understand the rationale for these locational attributes.

[1]City government does not exist in Hawaii.

References

Broward County, FL (2016) Unincorporated Broward. Retrieved 17 May 2016 from https://www.broward.org/PlanningAndRedevelopment/DemographicsAndEconomics/Documents/bbtn41.pdf

Buchanan JM (1971) Principles of Urban fiscal strategy. Public Choice 11(1):1–16

Dillon J (1911) Commentaries on the law of municipal corporations. Little and Brown, Boston

Dye TR (1984) Party and policy in the states. J Politics 46:1097–1116

Eells JM (1977) LAFCO spheres of influence: effective planning for the urban fringe? 77:3. Institute of Governmental Studies, University of California, Berkeley

Foster KA (1993) Exploring the links between political structure and metropolitan growth. Polit Geogr 12(6):523–547

Glassner M, Fahrer C (2004) Political geography. Wiley, Hoboken, New Jersey

Hill R (1974) Separate and unequal: government equality in the metropolis. Am Polit Sci Rev 68 (4):1557–1568

Hill MB (1978) State laws governing local government structure and administration. University of Georgia, Institute of Government, Athens, GA

Judd DR, Swanstrom T (2002) City politics: private power and public policy, 3rd edn. Longman Publishers, New York

Krane D, Rigos PN, Hill MB Jr (2001) Home rule in America: a fifty-state handbook. CQ Press, Washington, DC

Lawerence DM, Millonzi KA (2007) Incorporation of a North Carolina Town. School of Government: University of North Carolina at Chapel Hill

LeGates RT (1970) California local agency formation commissions. University of California, Institute of Governmental Studies

Legislative Committee on Intergovernmental Relations (LCIR) (2001) Overview of Municipal Incorporations in Florida. State of Florida

Local Agency Formation Commissions (LAFCO) (2003) A guide to the LAFCO process for incorporations. Governor's Office of Planning and Research

Local Agency Formation Commissions (LAFCO) (2016) What is LAFCO?. Retrieved 17 May 2016 from http://calafco.org/about.htm

Lowery D, Lyon WE (1989) The impact of jurisdictional boundaries: an individual-level test of the Tiebout model. J Polit 51(1):73–97

Lyons D, Lowery WE, DeHoog R (1992) The politics of dissatisfaction: citizens, services, and urban institutions. M.E. Sharpe, Armonk, NY

Martin D, Wagner R (1978) The institutional framework for municipal incorporation: an economic analysis of local agency formation commissions in California. J Law Econ 21(October):409–425

McBain HL (1916) The law and the practice of municipal home rule. Columbia University Press, New York, NY

Morgan DR, Mareschal P (1999) Central-city/suburban inequality and metropolitan political fragmentation. Urban Aff Rev 34(4):578–595

National League of Cities (2016) Local government authority. Retrieved 11 May 2016 from http://www.nlc.org/build-skills-and-networks/resources/cities-101/city-powers/local-government-authority

North Carolina School of Government (NCSOG) (2010) Summary of municipal incorporation procedure in North Carolina. Retrieved 12 May 2016 from https://www.sog.unc.edu/sites/www.sog.unc.edu/files/reports/Incorporation-joint%20commission%20materials.pdf

Ostrom V, Tiebout C, Warren R (1961) The organization of government in metropolitan areas. Am Polit Sci Rev 55(December):831–842

Peterson P (1981) City limits. The University of Chicago Press, Chicago

Purcell M (2001) Metropolitan political reorganization as a politics of urban growth: the case of San Fernando Valley secession. Polit Geogr 20:613–633

Rigos P, Spindler C (1991) Municipal incorporation and state statutes: a state-level analysis. State Local Gov Rev Spring, 76–81
Rusk D (2003) Cities without suburbs. The John Hopkins University Press, Baltimore
Schneider M (1986) Fragmentation and the growth of local government. Public Choice 48:255–263
Shelley FM, Archer JC, Davidson FM, Brunn ST (1996) Political geography of the United States. The Guilford Press, New York
State of Florida Statutes (2016) Formation of local governments—165.061. Retrieved 12 May 2016 from http://www.leg.state.fl.us/statutes/
Stein RM (1987) Tiebout's sorting hypothesis. Urban Aff Quart 23:140–160
Teaford JC (1984) The unheralded triumph: city government in America, 1870–1900. The John Hopkins University Press, Baltimore
Tiebout C (1956) A pure theory of local public expenditure. J Polit Econ 64:416–424
U.S. Advisory Commission on Intergovernmental Relations (USACIR) (1992) Local boundary commissions: status and roles in forming, adjusting and dissolving local government boundaries. M-183. Washington, DC
U.S. Census Bureau, Census of Governments (2012) Census Bureau reports there are 89,004 Local Governments in the United States. Retrieved 25 May 2016 from https://www.census.gov/newsroom/releases/archives/governments/cb12-161.html
Weiher GR (1991) The fractured metropolis: political fragmentation and metropolitan segregation. State University of NY Press, Albany

Chapter 3
Why Do New Cities Form?

Abstract The rationale behind incorporating a new municipality has evolved since the very first cities and continues to change. The provision of public services that were the mainstay of incorporation proceedings at the turn of the twentieth century has given way to concerns over growth, land use, and exclusionary practices. Today, annexation threats from nearby existing communities, the desire to control growth and development, racial and socio-economic prejudices and the provision of public services are but a few reasons explored through case studies in this chapter. Additionally, new municipalities are also changing how they provide the public services that they do offer by contracting with existing governments or private corporations as identified by Miller in his work which examined California incorporations. In the end, incorporation activity is often the result of a myriad of local concerns that when combined, results in an effort to incorporate a new municipality.

Keywords Clustering · Growth · Land use · Local control · Politics
Race · Services

This chapter will explore why new municipalities were established over the past several decades. The chapter will highlight the changing nature and rationale behind municipal incorporation practices in the USA. Chapter 1 provided a brief historical examination into why the earliest cities were established (i.e., agricultural surplus, defensive needs, religion, and commerce) and also discussed the use of municipal incorporation as a mechanism for providing public infrastructure and the latest technologies to the masses during the early twentieth century in the USA. By the 1970s and 1980s, the reasons for incorporating a community were evolving into exclusionary practices, which sought to allow new cities to wall themselves off from the rest of society (e.g., gated communities) (Blakely and Snyder 1997).

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_3

3.1 Evolving Rationale for New Cities Since the 1950s

Many scholarly studies have strived to determine why new municipalities have been created. Burns's (1994) study is one of the few national examinations that discusses the growing number of municipalities and special districts in the USA between 1942 and 1987. Her research examines the relationship between many trigger variables including services, taxes, race, supply, and entrepreneurs on municipal incorporation activity. Another well-known study that explores the rationale for municipal incorporation was completed by Miller (1981). His analysis of the proliferation of new cities in California (i.e., Lakewood Plan municipalities) highlights the growing trend toward the privatization and contracting of public service by new municipalities. More recently, Rice et al. (2014) provided an excellent review and thorough discussion of why new cities form in the USA. This historical review of municipal incorporation rationale since 1950 identified six major themes as reasons new cities are created. These themes include:

1. Land use, growth controls, and spatial considerations;
2. Services and the consumer voter;
3. Politics, policy, and agency;
4. Race, income, and equity considerations;
5. Financial considerations; and
6. Patterns of proliferation.

Below is a detailed discussion of these factors and their influence on municipal incorporation events.

Spatial considerations, which are related to how land is utilized, occupied and serviced, led to population growth and urbanization being a rationale for municipal incorporation (Rice et al. 2014). As a result of suburbanization in the postwar period (1950s–1960s), several scholars postulated that new local government entities would need to be created to fill the vacuum and provide public services to newly relocated populations (Schmandt 1961; Wood 1961; Stauber 1965; Burns 1994). In many cases, these new suburban residents came from existing cities and were accustomed to public services including water, sewer, parks, public safety. As they migrated out of the city and into nearby unincorporated communities, they brought with them their desire for these publicly shared services and utilities. "The connection between population growth and new cities or towns is logical—suburbanization drives people to unincorporated communities driving up the demand for services and creating an atmosphere ripe for municipal incorporations" (Rice et al. 2014, 142). Scholars examining municipal incorporation have found conflicting results in the validity of this rationale as an explanation for why new cities are created (Against—Schmandt 1961; Rigos and Spindler 1991; For—Ingalls and Rassel 2005; Smith 2008, 2011).

A second theme that has been promulgated as a cause of municipal incorporation activity is based on the work of Tiebout (1956) and his public choice model of local government expenditure. The reasoning behind this theme is that voters are

consumers of public services and as a result have different expectations and demands from local government providers. Over time, this will result in the proliferation of service providers to meet those expectations. For example, if the older, existing, and more populated city is considered overcrowded by some residents, they may opt to "vote with their feet" and find another nearby locale in which to reside. This rationale can exist between municipalities in which two newly formed municipalities can offer competing levels of service related to taxes, land use regulations, parks, recreational opportunities, etc., to lure new residents to their jurisdiction. Scholars have spent a considerable amount of time investigating this theory to determine its validity (Stauber 1965; Teaford 1979; Miller 1981; Musso 2001).

The role of politics, policy, and agency in the formation of new municipalities is a third theme that emerges from the literature. This bevy of factors includes state policy on consolidations/mergers, special districts, municipal annexation, municipal incorporation legislation, and local government boundary change commissions. The relationship between many of these forms of local government boundary change in Brunswick County, NC, was explored with a former student of mine and found that one type of local government boundary change often instigates a reciprocal change in the form of another type of local government boundary change (Smith and Fennell 2012). Other studies have sought to find relationships between municipal incorporation and state standards for boundary change (Beche 1963; Hill 1974; Martin and Wagner 1978; Galloway and Landis 1986; Facer 2006; Smirnova and Ingalls 2007). Of particular interest has been the examination of the relationship between municipal annexation and municipal incorporation (Rigos and Spindler 1991; Smith 2011). Through the decades, many scholars have discussed the impact that municipal annexation activity has had on the establishment of new municipalities (Schmandt 1961; Stauber 1965; Miller 1981; Fleischmann 1986; Burns 1994; Liner and McGregor 1996; Smith 2007; Smith and Debbage 2011). The resulting "defensive incorporation" often arises out of a concern for taxes, lost local identity and control, racism, and fear.

Another prevalent theme in the literature explaining the rationale for forming a new municipality deals with differences among municipal populations. These differences are often centered on race and wealth (or lack thereof), which are highly correlated. Numerous scholars have delved into the socioeconomic differences between existing and newly formed municipalities in an effort to better understand the similarities and differences among these groups (Danielson 1976; Miller 1981; Teaford 1986; Weiher 1991; Rider 1992; Blakely and Snyder 1997; Musso 2001; Carruthers 2003; Alesina et al. 2004; Smith and Debbage 2011; Leon-Moreta 2015). Part of the discussion within this theme is the impact of suburbanization and specifically "white flight" on the creation of homogenous wealthy and White communities on the edge of larger more heterogeneous and poorer municipalities. Both Musso (2001) and Smith (2011) found that new cities have higher percentages of White residents with higher median household incomes than comparison communities. These differences will be explored further in Chap. 5, which examines the

socioeconomic characteristics of newly formed municipalities over the last several decades.

Money is another factor influencing an unincorporated community's desire to become an incorporated municipality. Financial considerations can be realized in new cities through efforts to reduce tax burdens (Miller 1981), capture shared revenue sources (Tkacheva 2008), and/or become eligible for state and federal grants as a result of incorporation (Rice et al. 2014). Miller (1981) and others have highlighted the growing trend of municipal incorporations that seek to reduce property taxes by either contracting for public services (e.g., the Lakewood Plan) or not providing any services at all (e.g., "paper towns"). North Carolina witnessed the incorporation of numerous paper towns during the 1990s, in which new municipalities were created with the express purpose of not levying any property tax and providing limited services. Other new cities are created in an attempt to seize a share of redistributed revenues collected by state and county entities. Finally, some communities find the ability to obtain grants and low-interest loans from federal and state agencies an enticing proposition. Often, these communities are in need of public infrastructure. For example, public water, because existing community wells have been contaminated or are drying up.

The final theme that offers an explanation for why new cities are created is related to geography. Nationally, the southern portion of the USA has witnessed the most municipal incorporations and some states have been leaders in municipal incorporation activity for decades (e.g., Alabama, Arkansas, California, Missouri, North Carolina, and Texas). Municipal incorporation activity in the Northeast has been relatively quiet for almost a century because little unincorporated territory remains and state laws make incorporation difficult.

Several decades ago, Stauber (1965) noted "Municipalities, or the forces that beget municipalities, appear to beget more municipalities over time within the same general area" (14). More recently, Smith and Debbage (2006, 2011) identified a herd mentality theory that seemed to be established by NIMs that were located in close proximity to one another …. clusters of NIMs. "The geography of these clustering NIMs can be partially explained by a 'herd mentality' where a local political culture is established that facilitates the diffusion of a NIM ideology in response to the aggressive annexation tactics of neighboring cities" (Smith 2007, 111). Waldner and Smith (2015) further developed this notion of clustering and a herd mentality with the development of a theory on pioneer NIMs. Pioneer NIMs are the first unincorporated community to successfully navigate the municipal incorporation maze. The pioneer NIM provides a blueprint, support, and precedent for the future incorporation of other unincorporated territories (Waldner and Smith 2015).

Rice et al. (2014) also completed a content analysis of media related to municipal incorporation activity between 1997 and 2007 in an effort to determine if the reasons given by new cities for forming were applicable to the six factors discussed above. Table 3.1 shows the results of this work.

As Table 3.1 reveals, annexation was the most commonly cited reason for seeking to incorporate. This result is consistent with the existing literature on municipal incorporation and highlights the significance of fear in influencing local

Table 3.1 Definition and frequencies of factors extracted from a newspaper review of municipal incorporation, 1997–2007 (Reproduced from Rice et al. 2014)

Incorporation factor	# of NIMs influenced	Explanation
Annexation	40	NIM created to defend community against annexation threat
Growth control/ land use	36	NIM formed to fight undesirable growth/land use proposals and to gain zoning control
Rural character/ identity	23	NIM incorporates to preserve rural character or protect existing community identity
Services	24	NIM forms to provide or enhance public services (policy, fire, water/sewer, etc)
Revenue control	17	NIM forms to allow community to control local revenue (sales or property tax)
Dissatisfaction with county	12	NIM forms due to dissatisfaction with county governance (spending patterns, political party affiliation, etc.)
Government funding eligibility	12	NIM formed to gain eligibility for federal and/or state grant funding for water/sewer or other projects
Economic development	10	NIM formed to attract economic development/growth
Race/ethnicity/ cultural	8	NIM formed for exclusion purposes
Political clout	6	NIM formed to increase community's political standing in region or state
Asset capture	5	NIM formed to capture revenue from major regional assets
Influence of other NIMS	5	Nearby successful NIMs inspire other communities to incorporate
Ordinance/design code	5	NIMs formed to avoid county ordinances/design codes
Environmental laws	3	NIMs formed to avoid county or other environmental laws
Lower property taxes	3	NIM forms to lower property taxes
State law	3	Incorporation fueled by the easing of incorporation standards
Increase property values	2	Incorporation portrayed as a method to increase a community's property values
Single owner/ profit	2	NIM forms for financial gain of a community largely owned by a single individual or entity
Water supply	2	NIM motivated by access to and control over water supplies and rights
Exit state control	1	NIM formed to exit direct state governance of the community
Historical preservation	1	NIM formed to promote historic preservation within community
Tourism	1	Incorporation formed to increase map visibility of community and tourism

government boundary change actions. Additional reasons for establishing a new city identified by Rice et al. (2014) included: growth control/land use, protecting the rural character/identity of a community, providing public services, and controlling revenue sources.

A community's desire to influence growth-related/land use issues, provide services and control financial aspects of the community have all been historical reasons for creating a new city. However, preserving the rural character of a community by creating a new municipality is a new and novel explanation. Most state legislation discusses or provides for different tests of urbanity (e.g., population, population density) in order to incorporate. However, the third most cited reason for creating a new city between 1997 and 2007 was maintaining/preserving the rural character of an area according to Rice et al. (2014) work. These new municipalities become cities so they can provide few or no services, keep densities low, and maintain a rural existence … the complete opposite of a traditional cities functions and reason for existing!

In the end, the media analysis found eleven new factors influencing a community's desire to incorporate ranging from dissatisfaction with county government to historic preservation. Additional factors included: rural character/community identity, control over community revenues, eligibility for government funding/grants, economic development purposes, design-related issues, environmental protection, profit, and water rights/availability. By combining the historical reasons given for creating a new municipality with the content analysis, this created an interesting typology, which revealed that 30.1% of the factors could be classified as spatially driven incorporations. Almost 28% was politically motivated incorporations, and 24.3% was economic incorporations. Interestingly, only 10% of the incorporations could be attributed to the provision of public services, a major reason for municipal incorporation proceedings a century ago (Burns 1994; Teaford 1986). The final two categories of municipal incorporation rationale were sociological (4%) and clustering (2%). Rice et al. (2014) found that the content analysis did an excellent job of finding "micromotives" for incorporation, since the newspapers utilized in the study tended to focus on the individual circumstances of a particular municipal incorporation event. These "micromotives" must then be combined into "macro-motives" to provide a broader context and provide a framework for studying municipal incorporation.

3.2 Exploring Why the Newest Cities Incorporated

Armed with a basic understanding of why new cities are created and how the reasons for seeking to create a new municipality have evolved over the years, it is important to delve into specific case studies of recently incorporated municipalities. These case studies provide insight into the individual motivations of specific communities as they sought to incorporate. The following case studies highlight the importance of services, local control, annexation, race/ethnicity, and the preservation of community identity as catalysts for municipal incorporation.

3.2.1 Services: Bermuda Run, NC

Bermuda Run, NC, was originally a cattle and horse farm that was developed into a country club and housing development beginning in the 1960s. According to the history of Bermuda Run, "Arnold Palmer took the first lot and Bermuda Run Country Club was born" (Bermuda Run 2016). By the 1980s, the development began to expand to include a second golf course, another club house, a retirement center, condominiums, and additional housing. This growth brought with it pressures for new services as well as costly maintenance on the growing infrastructure for the burgeoning residential development.

The push to incorporate Bermuda Run began in the late 1990s as the gated community (which is surrounded by an eight-foot wall) began to come to grips with aging infrastructure and the demand for more services from its residents (see Figs. 3.1 and 3.2). Interestingly, an early 1990s drive for incorporation was unsuccessful. However, by 1999, "80% of Bermuda Run's 900 residents signed a petition" in favor of pursuing incorporation (Staff and Wire Report 1999). Supporters of the incorporation effort list the need for services as a major motivator in the push for incorporation including: street maintenance, water and sewer service, storm drainage, street lights, and snow removal. Aging septic tanks were an

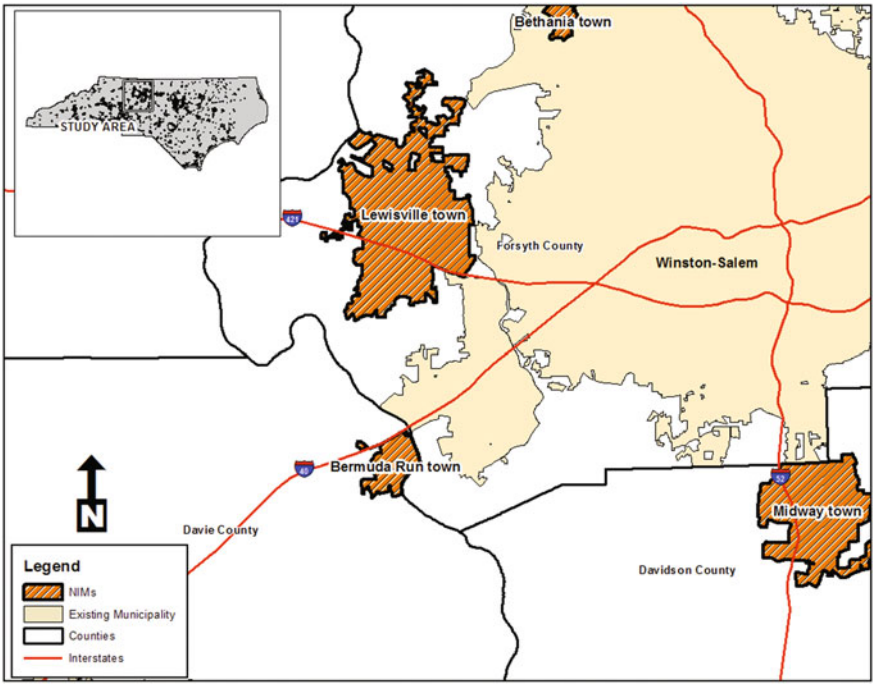

Fig. 3.1 Bermuda Run, NC

Fig. 3.2 Gated entrance into Bermuda Run, NC

additional factor that was highlighted by homeowners faced with costly repairs for their sewage problems.

The case of Bermuda Run highlights the growing trend of new municipalities being created out of planned neighborhoods that realize the potential benefits of becoming a municipality. In the case of Bermuda Run, the focus was on providing public services to an aging private infrastructure system. A major concern raised by the incorporation of these previously private places has been the issue of using public funding for private purposes. As a result of incorporating, Bermuda Run became eligible to receive a share of redistributed sales tax revenue based on population. This accounted for almost 1/3 of Bermuda Run's budget (Hinton 1999). By incorporating, Bermuda Run was granted access to additional public revenues to fund their private domains. However, Bermuda Run was blocked from using state funding for their roads because they refused to take down their gates and open their streets to the public (Staff 1999).

3.2.2 Local Control: Rancho Santa Margarita, CA

On January 1, 2000, Rancho Santa Margarita became the 33rd incorporated municipality in Orange County, CA, with a population of more than 45,000 residents (see Fig. 3.3). The present-day suburban community was originally inhabited by Native Americans and then by Spanish colonists until it became part of California in the first half of the nineteenth century (Rancho Santa Margarita 2016). By the second half of the twentieth century, a few small housing developments dotted the landscape and it was not until 1986, with the construction of the master-planned community of Rancho Santa Margarita that any real urban presence

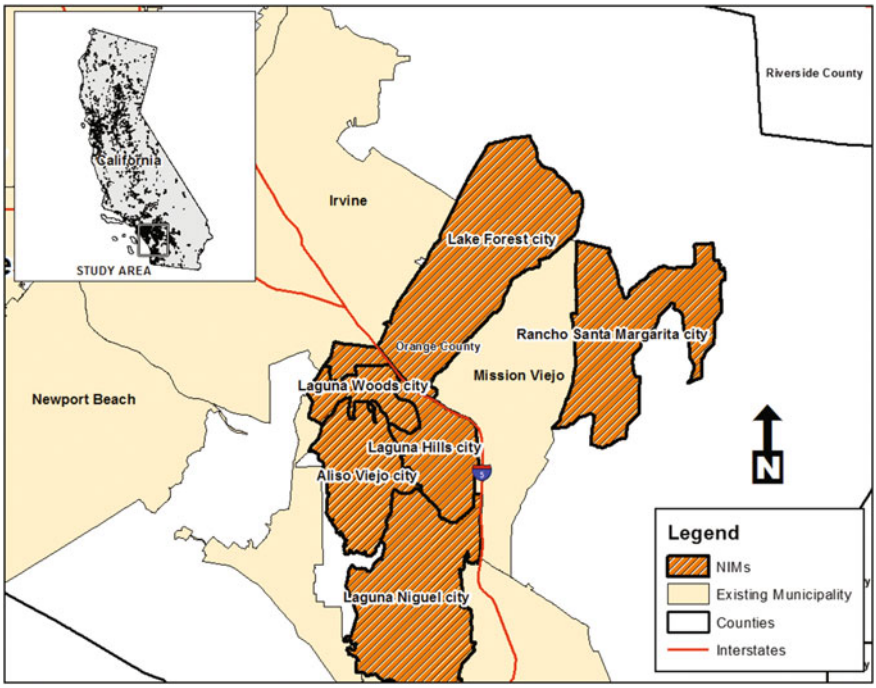

Fig. 3.3 Rancho Santa Margarita, CA

was felt in the area. The development of Rancho Santa Margarita and some additional neighboring housing developments spurred recent efforts to seek incorporation.

The incorporation process for Rancho Santa Margarita evolved over time as a community civic organization charged with providing a political voice to the area morphed into an organization pushing for municipal incorporation (Rancho Santa Margarita 2016). As plans to incorporate progressed, additional nearby communities were included within the incorporation proposal including: Foothill Ranch, Portola Hills, Rancho Cielo, Coto de Caza, Trabuco Canyon and Highlands, Robinson Ranch, Dove Canyon, and Las Flores. According to an early Los Angeles Times article following incorporation efforts, "backers believe incorporation would give them more local control and tax revenue" (Lynch 1996). Specifically, the community was concerned about the need for youth athletic fields, the loss of community tax dollars to the county, and a controversial land use decision regarding a local marine corps air base.

Opponents of incorporation often cited the lack of commercial property, which can bring in more tax revenue, as a major reason for being against the municipal incorporation drive (Messina 1997). As one member of an early effort to incorporate the area stated, "There's not enough tax base in Rancho" (Messina 1997). However, the push for incorporation continued and by 1999 LAFCO gave its

approval. "The cityhood effort was one of the most complicated incorporations in the state's history, said Dana Smith Executive Officer at the Local Agency Formation Commission, which approves cityhood applications. It was fraught with complex financial calculations and negotiations over six boundary proposals" (No Author 1999). In the end, Rancho Santa Margarita became a city, evolving from a planned neighborhood with a homeowners' association and dues to a full-fledged municipality with elections, taxes, and control over local issues.

3.2.3 *Annexation Threats: Centennial, CO*

Centennial, Colorado, was incorporated in 2001 after several years of litigation between the city and a neighboring municipality. Centennial was started by a group of local residents who met at a pancake house and decided to start an organization to investigate the possibility of creating a new city (Centennial 2016). Little did they know that the breakfast meeting would result in the incorporation of the largest municipality in the history of the USA with a population of over 100,000 residents. Located in the Denver-Aurora-Lakewood, CO Metropolitan Statistical Area, Centennial is home to numerous residential subdivisions and a vibrant business and

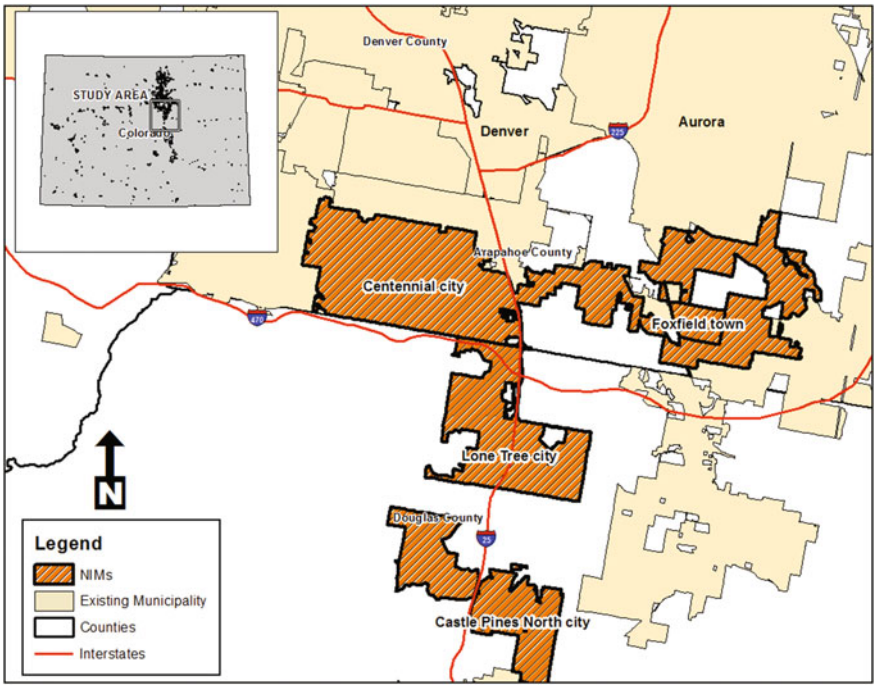

Fig. 3.4 Centennial, CO

entertainment district. The city is divided in half by I-25 and has a unique border that includes and excludes various residential pockets in southern Denver (see Fig. 3.4).

Centennial sought to incorporate as a result of annexation threats made by the nearby municipality of Greenwood Village, who was seeking to improve its tax base through the annexation of various properties in what became Centennial, Colorado. As a local reporter noted at the time of incorporation, "the proposed incorporation is largely a defensive move, aimed at preventing Greenwood Village from annexing a tax-rich commercial area stretching down to County Line Road" (Ewegen 1998). Meanwhile, Greenwood Village officials would assert that the annexation plans were more focused on future transportation improvements than a land grab for additional tax revenue (Kelly and Harp 2000).

Complicating the establishment of Centennial was the fact that Greenwood Village began its annexation proceedings prior to the incorporation efforts in Centennial. As a result, a multi-year legal battle ensued that pitted one form of local government boundary change against another (i.e., annexation vs. incorporation). Colorado legal experts agreed that state law supported annexation efforts of existing cities over the proliferation of numerous small municipal jurisdictions (McKibbon 1998). However, Centennial's incorporation effort would result in the creation of a city of more than 100,000 residents, covering an area of 40 square miles and the existing legislation did not contemplate an incorporation of that size. In the end, the Colorado Supreme Court ruled in favor of Centennial's incorporation efforts and cleared the way for a vote of the residents (Wallace 2000). In September 2000, 77% of the voters overwhelmingly supported the establishment of a new municipality and Centennial, CO, was born (Centennial 2016).

3.2.4 The Role of Race in Incorporating: Miami Gardens and West Park, FL

South Florida has seen the establishment of numerous new municipalities over the last several decades. Miami-Dade and Broward counties have been at the epicenter of this incorporation frenzy with nine and three new municipalities incorporating since 1990, respectively. This has largely been the result of local and state policies that have forced unincorporated territory to either be annexed by existing municipalities or incorporated as some of the newest cities, towns, and villages in the USA (Sandoval 2004; Sykes 2004). While these policies and local political conditions have had an impact on the creation of these new municipalities, other factors have also influenced the decision of these unincorporated territories to become municipalities. Specifically, race has played an influential role in the creation of some of these cities. The role of race will be examined in the establishment of Miami Garden and West Lake, Florida (see Fig. 3.5).

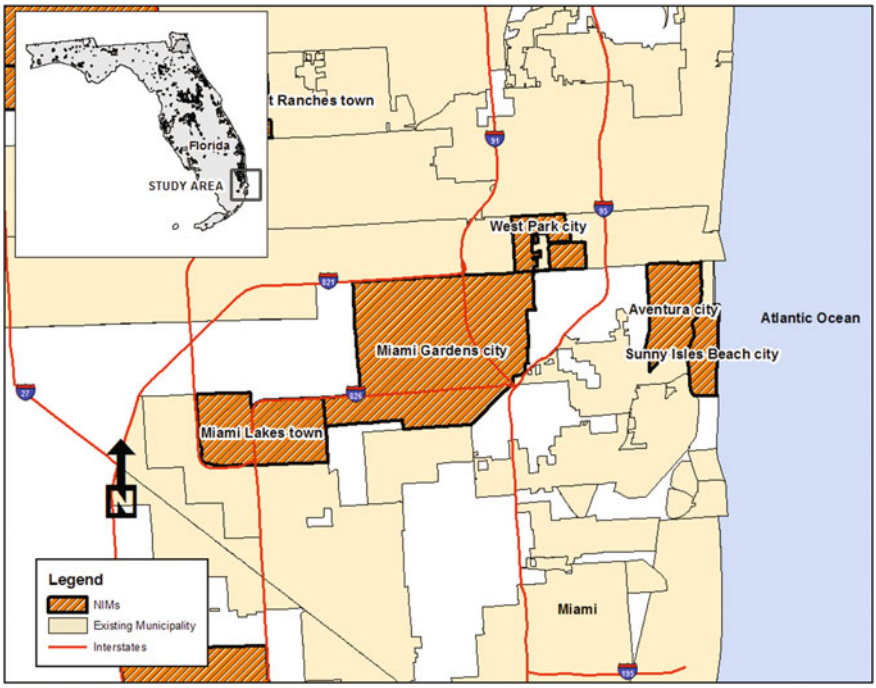

Fig. 3.5 Miami Gardens and West Park, FL

The City of Miami Gardens is located in Miami-Dade County and is one of the thirty-four municipalities within the county. Incorporated in 2003, Miami Gardens is the largest majority-minority municipality in the State of Florida, with a population of over 110,000 residents according to recent US Census estimates and the third largest municipality in Miami-Dade County. More than 75% of the residents of the new city identify themselves as African Americans and have had decades of uncertainty about whom will provide them with public services. Much of that uncertainty has been attributed to the lack of interest from existing municipalities in annexing and servicing the predominately African-American community. This process known as municipal underbounding is experienced when predominately White cities refuse to annex minority enclaves, and this has been the center of several studies (Aiken 1987, 1990). In the case of Miami Gardens, several existing predominately White cities had the opportunity to annex the community prior to incorporation proceedings commenced, but declined (Schwartz 2001) thus forcing the community into incorporating themselves.

Interestingly, the racial component identified above which brought about the eventual incorporation of Miami Gardens was downplayed by supporters. Instead, Miami Gardens incorporation supporters stated "separating from Miami-Dade government is about local control, accountability of the taxes and revenue generated from the area, and change in the delivery of services to the

residents and taxpayers who reside within the boundaries. The priorities for residents and business owners in the proposed city are tax control, beautification of streets and common areas, better code enforcement, better police patrol and parks and recreation improvements" (Herald Staff 2003). In the end, race (while a spark for incorporation) got replaced in the headlines by the more mundane and potentially palatable ideas of services, taxes, and local control.

West Park, FL, Broward County, is located just Northeast of Miami Gardens and is also a predominately African-American municipality with an estimated population of 15,000. Incorporated in 2005, West Park covers a much smaller geographic area than Miami Gardens and had experienced a similar path on its way to eventually incorporating. "During the past decade, neighboring Hollywood, Miramar, and Pembroke Park all shunned annexation of the southeast Broward neighborhoods" (Sandoval 2004), which included the area that would become West Park. Pembroke Park officials, in particular, were accused of rejecting the annexation of some nearby neighborhoods because of the presence of minority residents (Sykes 2004). As one resident stated "Nobody wants to annex us and nobody can be forced to. The only choice we really have is to become our own city" (Sykes 2004).

West Park eventually settled upon a path of municipal incorporation and may have ended up in the best situation possible. By 2009, the little city that no one wanted to annex had no debt, several completed capital improvement projects that enhanced the community, and a budget surplus. Additional plans call for the construction of a city hall so that they will no longer have to rent space from the neighboring municipality of Pembroke Pines. Today, the City of West Park is known as "the City of Positive Progression" and is a true multicultural municipality (West Park 2016).

3.2.5 Preserving Community Identity in the Face of Growth: Volente, Webberville, and Wimberley, TX

The Austin-Round Rock, Texas Metropolitan Area, witnessed the incorporation of eight new municipalities since 1990, many of which were founded based on the community's desires to preserve their community identity in the face of growth pressures. Three new cities that fit this profile include: Volente, TX incorporated on 2003 in Travis County with a 2010 US Census population of 520, Webberville, TX incorporated in 2003 in Travis County with a population of 392 residents, and Wimberley, TX established in 2000 in Hays County with an estimated population of 2626 people according to the 2010 US Census (see Fig. 3.6). Each of these city's rationales for incorporating is discussed below.

Wimberley, TX, finally became an incorporated municipality after the fourth vote on cityhood since 1984 finally passed. Changing demographics (i.e., population and socioeconomic status of new residents) and increased concern for unbalanced growth provided the most recent impetus for municipal incorporation

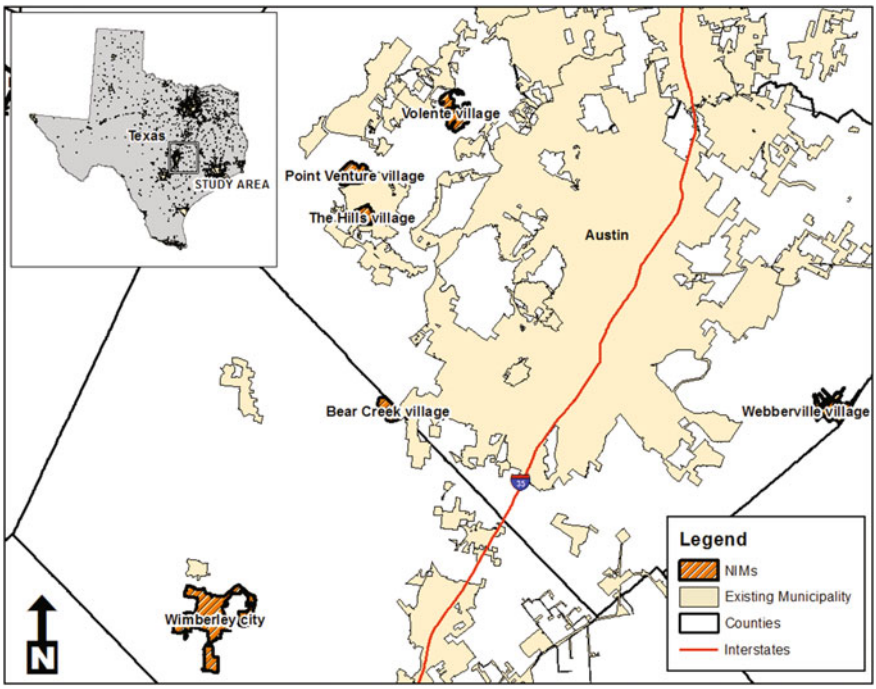

Fig. 3.6 Volente, Webberville, and Wimberley, TX

proceedings in the Village of Wimberley. According to a descendant of an original settler of the area, "There's no longer a dream of this place staying a little peaceful valley. The dream is over. We need some help" (Gee 2000, B1). Another resident stated that "The look and feel of our community is changing quickly and what is difficult is we find out about issues after the fact" (Gee 2000, B1). This quote alludes to what many communities feel is a major issue that can be addressed through incorporation, having knowledge of and a say in future growth decisions that affect their communities.

In Volente and Webberville, TX, the concern over growth and its impact on their communities were major factors in seeking to incorporate (American-Statesman Staff 2003). While on two different sides of the same county, these two communities held their final incorporation vote on the same day in February 2003. Mattie Adams, an incorporation leader in Volente, said "it really comes down to the people that reside here being able to determine what is best for their community, controlling their own destiny" (Kreytak 2003). Meanwhile, Webberville supporters of incorporation were spurned into action by growth pressures felt from an expanding sand and gravel operation. Webberville's incorporation leader, Hector Gonzales, stated "I hope this enables us, the people of Webberville, to better be able to conserve our community and to protect it from things that threaten to destroy it" (Kreytak 2003). In the end, the lack of control over growth decisions and the

perceived threats these decisions had on their communities was a major factor in these communities decision to incorporate.

3.3 Conclusions

A myriad of reasons have been identified for why an unincorporated territory decides to seek municipal incorporation. The reasons can range from the mundane of providing basic public services (i.e., police protection, fire protection, garbage collection, etc.) to exclusionary tendencies that can be related to race/ethnicity or financial considerations. Additionally, outside forces such as annexation pressure from nearby municipalities might force the hand of an unincorporated territory that never thought about becoming a new city. Likewise, as was the case in south Florida, state and/or county legislation might play a factor in spurring the establishment of new cities in a region.

Explaining why unincorporated territories seek to become municipalities is complex and has many limitations. First, many of the new municipalities are very small and as a result the media coverage on them might not be extensive or comprehensive. Additionally, relying on government-administered Web sites might not provide the real truth behind what leads a community to incorporate, especially if it is controversial (e.g., race-based, financial-based). A second limiting factor that was showcased in the case studies is that a municipality might incorporate for numerous reasons. The threat of annexation might be a major catalyst but local control, and the ability to provide additional public services can also be important factors which can "muddy the water" and influence our ability to better understand the motivations of municipal incorporation participants. Finally, to date much of the information that is available on why cities incorporate is collected from media accounts of the incorporation events. Local news reporters may have a bias 'for' or 'against' new cities as a result of their coverage of existing municipalities on their beat.

References

Aiken CS (1987) Race as a factor in municipal underbounding. Ann Assoc Am Geogr 77(4):564–579

Aiken CS (1990) A new type of black ghetto in the plantation South. Ann Assoc Am Geogr 80 (2):223–246

Alesina A, Baqir R, Hoxby C (2004) Political jurisdictions in heterogeneous communities. J Polit Econ 112(2):348–396

American-Statesman Staff (2003) Growth issues fill today's balloting—from school bonds to incorporation, voters will guide area's future. Austin American-Statesman (TX), 1 Feb 2003, Metro/State

Beche KG (1963) Incorporation laws: one aspect of the urban problem. Bureau of Governmental Research and Service, University of Colorado, Boulder

Bermuda Run (2016) History. Retrieved from http://townofbr.com/history/ on 16 Aug 2016

Blakely EJ, Snyder MG (1997). Fortress America: Gated Communities in the United States. Brookings Institution Press, Washington, D.C.
Burns N (1994) The formation of American local governments: private values in public institutions. Oxford University Press, New York
Carruthers J (2003) Growth at the fringe: the influence of political fragmentation in United States metropolitan areas. Pap Reg Sci 82(4):475–499
Centennial (2016) History. Retrieved from http://www.centennialco.gov/contract-city-history.aspx on 8 Aug 2016
Danielson MN (1976) The politics of exclusion. Columbia University Press, New York
Ewegen B (1998) How to stop the annexation wars. The Denver Post (CO). 15 Nov 1998, I-04
Facer R II (2006) Annexation activity and state law in the United States. Urban Aff Rev 41 (5):697–709
Fleischmann A (1986) The goals and strategies of local boundary changes: government organization or private gain? J Urban Aff 8(4):63–75
Galloway TD, Landis JD (1986) How cities expand: does state law make a difference? Growth Change 17(4):25–45
Gee RW (2000) Wimberley will revisit city status initiative—vote to incorporate failed 3 rimes, but growth worries might turn the tide. Austin American-Statesman (TX), 15 Mar 2000, B1
Herald Staff (2003) Incorporation in N. Miami-Dade: two views. The Miami Herald (FL), 26 Jan 2003, 22NW
Hill R (1974) Separate and unequal: government equality in the metropolis. Am Polit Sci Rev 68 (4):1557–1568
Hinton J (1999) Bermuda run officially becomes town, adopts $1.1 million budget mayor, council members are sworn in. Winston-Salem Journal (NC), 2 July 1999, B6
Ingalls G, Rassel G (2005) Political fragmentation, municipal incorporation and annexation in a high growth urban area: the case of Charlotte, North Carolina. N Carol Geogr 13:17–30
Kelly S, Harp K (2000) Battle reaches hilltop State high court eyes Centennial. The Denver Post (CO). 1 May 2000, B-01
Kreytak S (2003) Voters approve towns, schools—volente, Webberville choose to form own governments. Austin American-Statesman (TX), 2 Feb 2003, Metro/State
Leon-Moreta A (2015) Municipal incorporation: socioeconomic and policy factors of influence. State Local Gov Rev 47(4):255–270
Liner GH, McGregor RR (1996) Institutions and the market for annexable land. Growth Change 27(1):55–74
Lynch R (1996) Cityhood group persisted despite lukewarm backing. Los Angeles Times, 3 July 1996
Martin D, Wagner R (1978) The institutional framework for municipal incorporation: an economic analysis of local agency formation commissions in California. J Law Econ 21(October):409–425
McKibbon G (1998) Judge holds Centennial key greenwood wrangle likely. The Denver Post (CO), 20 Oct 1998, B-01
Messina F (1997) Many in Rancho Santa Margarita see cityhood as next logical step. Los Angeles Times, 16 Feb 1997
Miller G (1981) Cities by contract: the politics of municipal incorporation. MIT Press, Cambridge
Musso JA (2001) The political economy of city formation in California: limits to tiebout sorting. Soc Sci Q 82(1):139–153
No Author (1999) Cityhood plan okd for Rancho Santa Margarita. Los Angeles Times, 24 June 1999
Rancho Santa Margarita (2016) History. Retrieved from http://www.cityofrsm.org/399/History on 10 Aug 2016
Rice K, Waldner L, Smith RM (2014) Why new cities form: an examination into municipal incorporation in the United States, 1950–2010. J Plan Lit 29(2):140–154
Rider MW (1992) The political economy of metropolitan fragmentation in an economy with tastes for association. Georgia State University, Atlanta, GA

Rigos PN, Spindler CJ (1991) Municipal incorporation and state statutes: a state-level analysis. State Local Gov Rev 23(2):76–81
Sandoval E (2004) Bill clears path for West Park unincorporated areas would form new Broward city. South Florida Sun-Sentinel, 19 June 2004, 3B
Schmandt HJ (1961) The municipal incorporation trend, 1950–1960. Bureau of Government Research and Advisory Service, University Extension Division, University of Wisconsin, Madison, Wisconsin
Schwartz N (2001) Communities reject hollywood; residents seek to have a voice in small cities. South Florida Sun-Sentinel (FL), 23 November 2001, 1B
Smirnova O, Ingalls J (2007) The influence of state annexation laws on the growth of selected southern cities. Southeast Geogr 47(1):71–85
Smith RM (2007) Newly incorporated municipalities (NIMs) in the United States 1990–2000: socioeconomic differences between NIMs and cohort cities. Dissertation, Department of Geography, University of North Carolina at Greensboro, Greensboro, NC
Smith RM (2008) Municipal incorporation activity and the clustering of new municipalities in North Carolina: 1990–2008. N Carol Geogr 16:24-35
Smith RM (2011). City limits? The impact of annexation on the frequency of municipal incorporation in North Carolina. Southeast Geogr 51:422–442
Smith RM, Debbage KG (2006) Where are the geographers? Newly incorporated municipalities (NIMs) in the southeast. Geogr Bull 48:109–121
Smith RM, Debbage KG (2011) Spatial distribution of newly incorporated municipalities (NIMs) and related socio-economic characteristics: a national comparison to cohort cities. Urban Geogr 32(4):568–588
Smith RM, Fennell A (2012) Local government boundary change in Brunswick County, North Carolina: 1990–2010. N Carol Geogr 19:4–19
Staff (1999) Sam the Straight answer man. Winston-Salem Journal (NC), p 2. Retrieved from http://infoweb.newsbank.com/resources/doc/nb/news/0EB09E0C03671DAC?p=AWNB on 7 Aug 2016
Staff and Wire Report J (1999) Bermuda Run in Davie Considers Incorporation. Winston-Salem Journal (NC), p 1. Retrieved from http://infoweb.newsbank.com/resources/doc/nb/news/0EB09DBA8BED05B7?p=AWNB on 1 Aug 2016
Stauber R (1965) New cities in America; a census of municipal incorporations in the United States, 1950–1960. Governmental Research Center, University of Kansas, Lawrence, Kansas
Sykes L (2004) Legislators consider creating a city annexation failure may lead to birth of West Park. South Florida Sun-Sentinel (FL), 22 Mar 2004, 1B
Teaford JC (1979) City and suburb: the political fragmentation of Metropolitan America, 1850–1970. The John Hopkins University Press, Baltimore
Teaford JC (1986) The twentieth-century American city: problem, promise and reality. John Hopkins University Press, Baltimore
Tiebout C (1956) A pure theory of local public expenditure. J Polit Econ 64:416–424
Tkacheva O (2008) New cities, local officials, and municipal incorporation laws: a supply-side model of city formation. J Urban Aff 30(2):155–174
Waldner L, Smith RM (2015) The great defection: how new city clusters form to escape county governance. Pub Adm Q 39(2):171–219
Wallace SB (2000) State closer to getting new city Court ruling favors Centennial backers. The Denver Post (CO), 27 June 2000, A-01
Weiher GR (1991) The fractured metropolis: political fragmentation and metropolitan segregation. State University of New York Press, Albany
West Park (2016) History of West Park. Retrieved from http://www.cityofwestpark.net/cwp2014/index.php?option=com_content&view=article&id=49&Itemid=111 on 15 July 2016
Wood RC (1961) 1400 governments; the political economy of the New York metropolitan region. Harvard University Press, Cambridge

Chapter 4
The Geography of Municipal Incorporation: Where Are the Newly Incorporated Municipalities (NIMs)?

Abstract Since the 1950s, municipal incorporation activity has been declining precipitously. The rate of new cities formation has decreased by almost 100% since the 1950s. Reasons for this great decline include: the lack of available territory from which to create a new municipality, changes in state laws related to annexation and incorporations, declining rates of suburbanization, and an increasing role of alternative forms of local government boundary change including special district formation. Between January 1, 1990, and December 31, 2009, 434 new municipalities were incorporated within the USA. These 434 new cities contained a combined population of more than 4 million according to 2010 US Census figures. Many of the new municipalities created over the last few decades cluster together around major metropolitan areas. Meanwhile, several states have not had any new incorporations, largely the result of ossified boundaries that limit the amount of unincorporated territory available from which to "carve" a new city and legislative hurdles that prefer alternative forms of local government boundary change. The mean population for new municipalities was almost 10,000, and the median was approximately 1200. However, the populations of new municipalities ranged from 5 to more than 150,000 residents.

Keywords Municipal incorporation activity · Spatial distribution
State patterns · US Census Regions

According to the latest United States Census of Governments survey (2012), 19,522 municipalities exist within the whole of the nation. The number of municipalities by state ranges from a high of more than 1000 in Illinois, Texas, and Pennsylvania to less than ten in Hawaii and Rhode Island (U.S. Census Bureau 2012). While the vast majority of these municipalities have been in existence for many years, a small and important subset of newly incorporated municipalities (NIMs) also reside within this dataset.

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_4

4.1 Historical Municipal Incorporation Activity: 1950–2015

Table 4.1 provides a historical look at municipal incorporation activity over the last seventy-five years. As the data highlights, the USA has experienced a dramatic and continuous decline in the number of new municipalities being incorporated since the 1950s. From a high of more than 1000 new municipalities to only 29 since 2010 municipal incorporation activity has gone from a gushing waterfall of new cities to a trickle of activity.

Several factors seem to account for the rapid and precipitous decrease in the number of communities incorporating in the USA ranging from the influence of alternative forms of local government boundary change to geographical limitations and shifting population patterns. Waldner et al. (2013) examination of municipal incorporation activity listed five factors that may provide an explanation for the decline in the number of new municipalities established over the last 75 years. First, stricter municipal incorporation legislation can influence the number of incorporations. Beche (1963) noted that municipal incorporation in Colorado only required the signature of 75 citizens to establish a new municipality. Consequently, states have been increasing the requirements that must be met in order to establish a new city. A review of whether or not a minimum population standard is included within a state's legislation governing municipal incorporation revealed that by 1990 80% of states required a minimum population. This is up from only 60% in the late 1970s (USCB 2012).

Secondly, the standards regulating municipal annexation can influence the number of new municipal incorporations. As discussed, some municipal incorporations are the result of aggressive annexation policies of nearby existing munici-

Table 4.1 Municipal incorporation activity in the USA by decade: 1950–2015

Decade	Number of new municipalities	% change from previous decade	Overall % change since the 1950s
1950s	1074		
1960s	810	−24.6	−24.6
1970s	677	−16.4	−37.0
1980s	338	−50.5	−68.5
1990s	263	−22.2	−75.5
2000s	172	−34.6	−83.9
2010–2015	29	−83.1	−97.3

Sources 1950s: Stauber (1965); 1960s–1990s: BAS 2015 with amendments from *The Municipal Yearbook 1979;* 2000s–2015s: BAS 2015 excluding upward-bound changes (e.g., from village to town or town to city)

palities. Rigos and Spindler (1991) coined these cities "defensive incorporations" because they were created in response to a threat of annexation. These new cities strive to defend themselves from the advances of an existing city. As a result, the rules under which existing cities can annex property may influence the actions of unincorporated communities. Feiock and Carr (2001) found that states with stricter requirements on annexations witnessed smaller annexations (i.e., acreage) than states with lax annexation standards. A 2011 study on the relationship between municipal annexation and municipal incorporation in North Carolina determined that even in the face of increasing numbers of annexation, smaller annexations resulted in fewer municipal incorporations (Smith 2011).

A third factor that contributes to the drop in the number of new municipalities incorporating is declining rates of suburbanization. Waldner et al. (2013) established a relationship between lowering rates of suburbanization and municipal incorporation activity since the 1950s. Fewer people moving to suburban bedroom communities, fewer homes being constructed in unincorporated areas, and less freeway construction, all results in a decreasing demand for municipal services in previously underserved areas. With fewer places in need of municipal services, the demand for the establishment of municipal service providers (i.e., new municipalities) has waned.

Another influence on the recession of municipal incorporation activity has been the dwindling amount of unincorporated territory available for conversion to a municipality. Waldner et al. (2013) called this problem/process "'boundary ossification' or hardening of municipal boundaries within metropolitan counties over time" (65). Through the incorporation of new municipalities and the annexation of unincorporated territory by existing cities, towns, and villages, the amount of potential land left over from which new cities can be established has been rapidly declining. In fast-growing metropolitan areas, both annexation and municipal incorporation have resulted in fewer and fewer spaces for new municipalities to be established since the 1950s.

Finally, special districts, an alternative form of local government boundary change may also play a role in the decrease in the number of new municipalities. The rise of special districts, single-purpose local government entities focused on providing a particular public service (e.g., water or sewer or sanitation service), can be created as a surrogate in place of a new municipality in some instances. Since 1942 the USA has experienced a 361% increase (8299 in 1942 to 38,266 in 2012) in the number of special districts created according to the 2012 US Census of Governments. A combination of lax laws related to the formation of special districts coupled with rising standards for municipal incorporation has been identified by several scholars as a reason for this trend (MacManus 1981; Bollens 1986; Nelson 1990; Burns 1994).

4.2 Spatial Distribution of Municipal Incorporation Activity in the USA: 1990–2010

Between January 1, 1990, and December 31, 2009, 434 new municipalities were incorporated within the USA. Historically speaking, this is a decrease compared to past decades as shown on Table 4.1. These 434 new cities contained a combined population of more than 4 million according to 2010 US Census figures. As Fig. 4.1 indicates, many of the new municipalities created over the last few decades cluster together around major metropolitan areas. Nationally, ten NIM clusters can be identified starting with several clusters of new municipalities along the Pacific coast, including the Seattle–Tacoma Cluster, the Northern California Cluster, and the Los Angeles–San Diego Cluster. Further east, the Salt Lake City Cluster, Texas Border Cluster, and St. Louis Cluster are easily identifiable. Finally, the east coast contains the remaining NIM clusters starting with a Northern New Jersey Cluster, then continuing south to a Piedmont North Carolina Cluster and finishing with the Northeast Florida Cluster and South Florida Cluster.

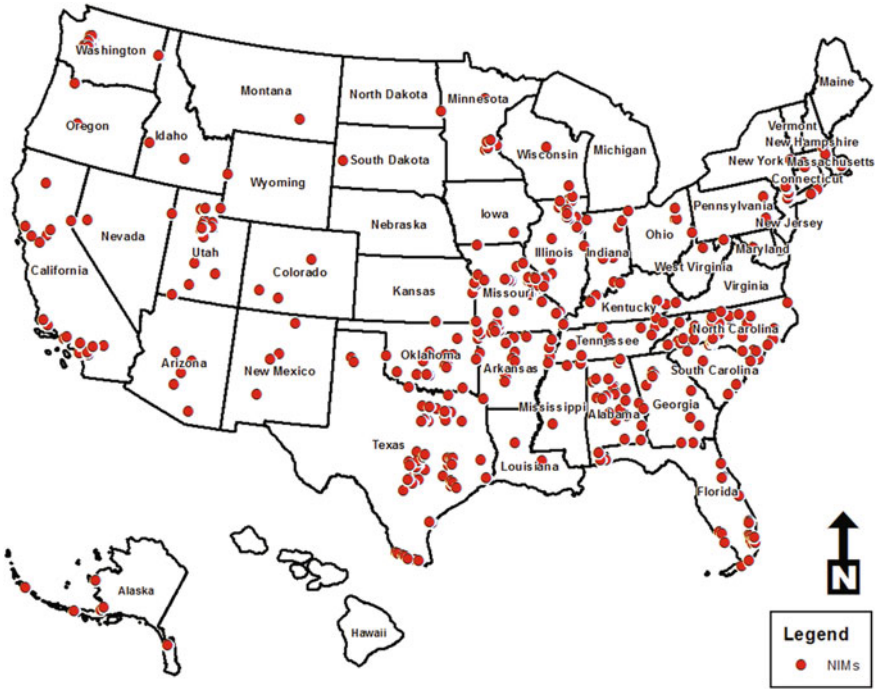

Fig. 4.1 Spatial distribution of NIMs in the USA, 1990–2010

4.3 Municipal Incorporation Activity by US Census Region

The new municipalities incorporated between 1990 and 2010 were not evenly distributed across the USA (see Table 4.2; Fig. 4.2). The South Census Region had by far the most new cities established during the study period, with 236 new municipalities, while the Northeast Census Region had the fewest with only 19 incorporations. Although simple population growth could offer a potential explanation for this geography, a comparison of 1990 and 2010 US Census data (see Table 4.3) reveals that while the South Region did have the greatest absolute increase in total population (29,109,814), the West Region experienced the greatest percent increase in population (36.3%).

Secondly, it might be assumed that the Northeast and Midwest should have more incorporation activity due to the large urban agglomerations that are present in the regions and the multitude of suburban fringe area that would seek municipal services. However, the unique geographic reality of the Northeast and Midwest can partially be explained by the presence of township governments, which in some cases offer municipal-like services and act as a surrogate city. As Rigos and Spindler discussed in their 1991 paper, townships have always been more active (i.e., more numerous and provide more services) in the Northeast and Midwest. As a result, they argue that this may reduce the need for new incorporations within these regions. However, Bromely and Smith (1973) found a contrary finding. Their work revealed that townships in the Northeast and Midwest often evolved into municipalities. It should be noted that the Northeast and Midwest have experienced a longer history of urbanization and as a result boundary ossification limits the amount of available territory left for municipal incorporation activity in these two regions.

Meanwhile, in the West US Census Region, the presence of boundary change commissions and the unique geography (i.e., deserts, mountains, etc.) may both play a role in limiting municipal incorporation. Many states employ local government boundary change commissions (which can limit incorporarion activity) and as a result communities interested in incorporating may find alternative boundary change options to deal with swelling populations including special districts, municipal annexation, and consolidations/mergers. Similarly, the geography of the region may also influence existing municipalities by limiting the opportunity for new municipal service providers to enter the arena due to cost-prohibitive operational expenditures needed to provide a municipal population with water (in the

Table 4.2 New municipalities by Census Region, 2010

Census regions	Number of new municipalities
Northeast	19
Midwest	90
South	236
West	89

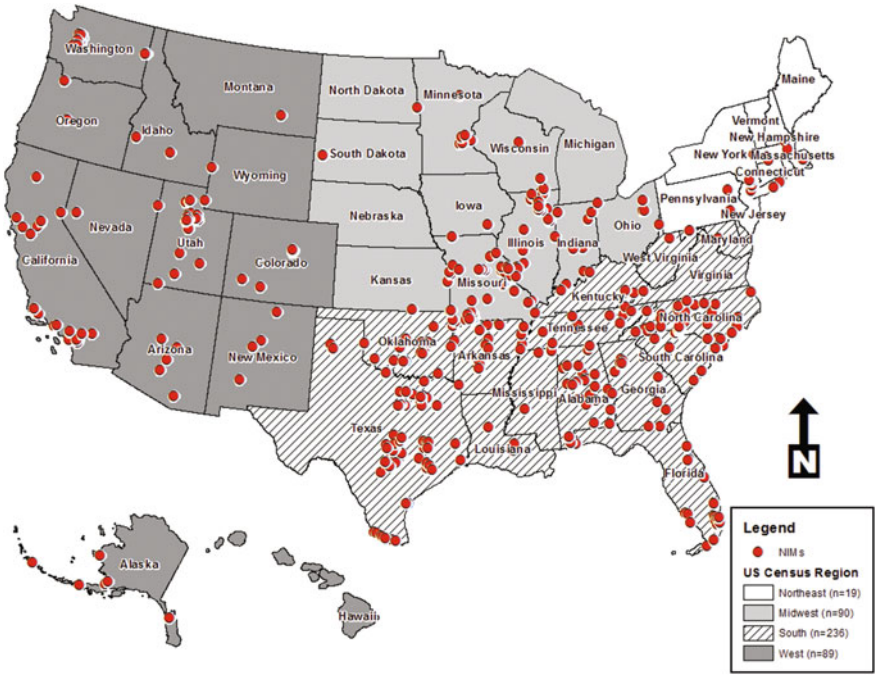

Fig. 4.2 NIM activity by Census Region of the USA

Table 4.3 Population patterns of US Census Regions, 1990–2010

Area	1990 population	2000 population	2010 population	Number change	Percent change
United States	248,709,873	281,421,906	308,745,538	60,035,665	24.1
Region					
Northeast	50,809,229	53,594,378	55,317,240	4,508,011	8.9
Midwest	59,668,632	64,392,776	66,927,001	7,258,369	12.2
South	85,445,930	100,236,820	114,555,744	29,109,814	34.1
West	52,786,082	63,197,932	71,945,553	19,159,471	36.3

Source U.S. Census Bureau (2010)

desert) and sewer service (in the mountains). These barriers make it preferable to expand existing municipalities and/or locate in existing cities rather than create brand new communities.

Finally, it is important to revisit the definition of a NIM. They are defined as cities, towns, boroughs, or villages in most states. As a result, the creation of new townships in the Northeast and Midwest is not included within the scope of this study. More research is needed in this field to gain a better understanding of the interaction between townships and new cities.

4.4 Municipal Incorporation Activity by State

Most of the NIM activity occurred in just a few states (i.e., Texas, North Carolina, Missouri, Alabama, and California) (see Table 4.4). These five states accounted for almost half of all municipal incorporation activity (46%) between 1990 and 2010. Texas had the most new cities established during the period, with 57 new municipalities, followed by North Carolina with 50 new municipalities. The mean number of new incorporations for states that witnessed municipal incorporation activity was 10.3 with a median of 4. These results highlight the clustering of numerous new municipalities in a selected few states.

Six of the top ten states in the nation are located in the South region, while a dozen states did not see any incorporation activity at all including: Delaware, Hawaii, Maine, Nebraska, New Hampshire, Rhode Island, Oregon, and Vermont. Many of the states that did not see any incorporation activity either do not have municipal government (e.g., Hawaii) or have little to no land available for incorporating a municipality (e.g., Delaware). Figure 4.3 provides a clear picture of the municipal incorporation activity pattern experienced in the USA between 1990 and 2010. The clustering of high municipal incorporation active states in the southeast and along the Pacific coast is in sharp contrast to the void in activity experienced in the interior, Rust Belt and Northeast of the country. Less clear is what explains the spatial concentration of NIM activity in particular states.

A potential explanation for this geographic phenomenon may be the annexation standards of each state. A national review of annexation standards by Palmer and Lindsey (2001) identified 22 states that allow municipal annexation without the consent of the affected property owners. This type of unilateral annexation is viewed as the most aggressive form of annexation and is available in Illinois, North Carolina (until 2011 when the General Assembly altered the unilateral annexation

Table 4.4 Newly incorporated municipalities (NIMs) by state, 2010

State	# of NIMs
1. Texas	57
2. North Carolina	50
3. Missouri	39
4. Alabama	30
5. California	26
6. Illinois	24
7. Florida	23
8. Utah	18
9. Arkansas	17
t10. Washington	15
t10. Oklahoma	15

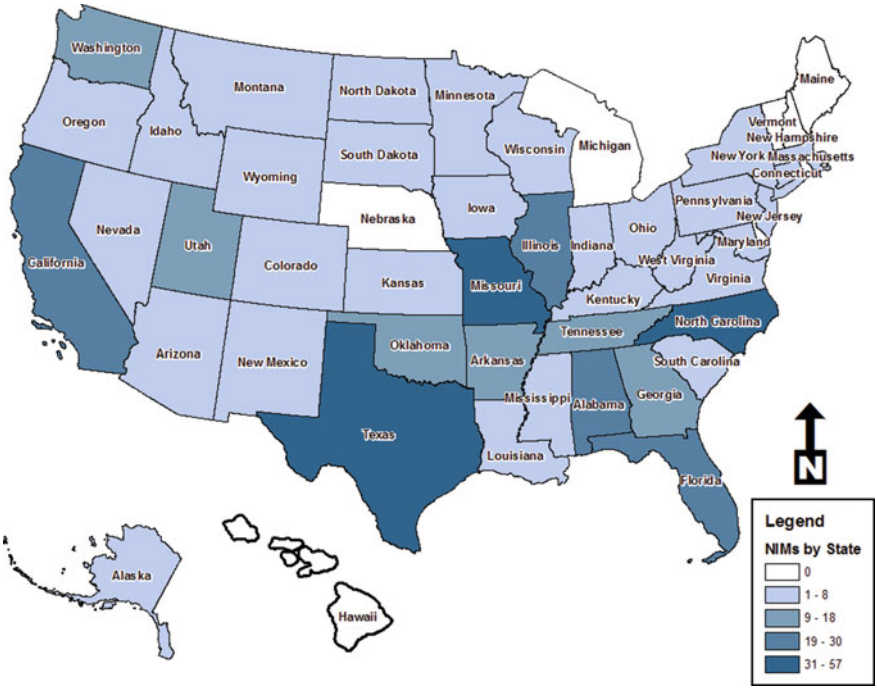

Fig. 4.3 Newly Incorporated Municipalities (NIMs) by state, 2010

authority of municipalities), Oklahoma, Texas, Utah, and Washington, which may explain the plethora of incorporations within these states. Curiously, neither Alabama, Arkansas, California, Florida, nor Missouri allows unilateral annexation even though each experienced a significant amount of NIM activity suggesting more research is needed to fully understand the complex geographic patterns of municipal incorporation.

Better understanding the role of annexation regarding new cities is important because Rigos and Spindler (1991) identified the threat of an annexation by a larger nearby city as a leading factor in determining the frequency of new incorporations. They termed these new municipalities "defensive incorporations" where the community is more focused on avoiding becoming part of a larger heterogeneous city than in establishing their own unique identity. Other factors that can offer explanations for the pattern of municipal incorporation activity witnessed among states include government funding formulas, grant opportunities, population pressures, and state devolution of local authority.

4.5 Population Patterns of Municipal Incorporation Activity in the USA

Overall, new city population size varied greatly across the country (see Fig. 4.4). The mean population of the 434 NIMs was 9396 in 2010, although the median population was only 1231 suggesting that the data is skewed and that many NIMS tend to be small, intimate communities. In fact, 336 of the 434 new cities have a total population that is less than the overall mean. Table 4.5 highlights the mean and median new city population by state and ranks these states according to the mean new city population. California's 26 new cities had the highest mean (44,024.7) and median (31,260) populations in the country followed by Washington, Massachusetts, and Florida. Not surprisingly, these three states also witnessed the incorporation of some of the largest new municipalities during the past several decades based upon 2010 US Census data (please note that populations of the new municipalities at the point of creation is not available). Of the 22 new municipalities that were created with populations greater than 50,000 (see Table 4.6), 81.8% of them were located in California (9), Washington (4), and Florida (5). The remaining new municipalities that had a population in excess of

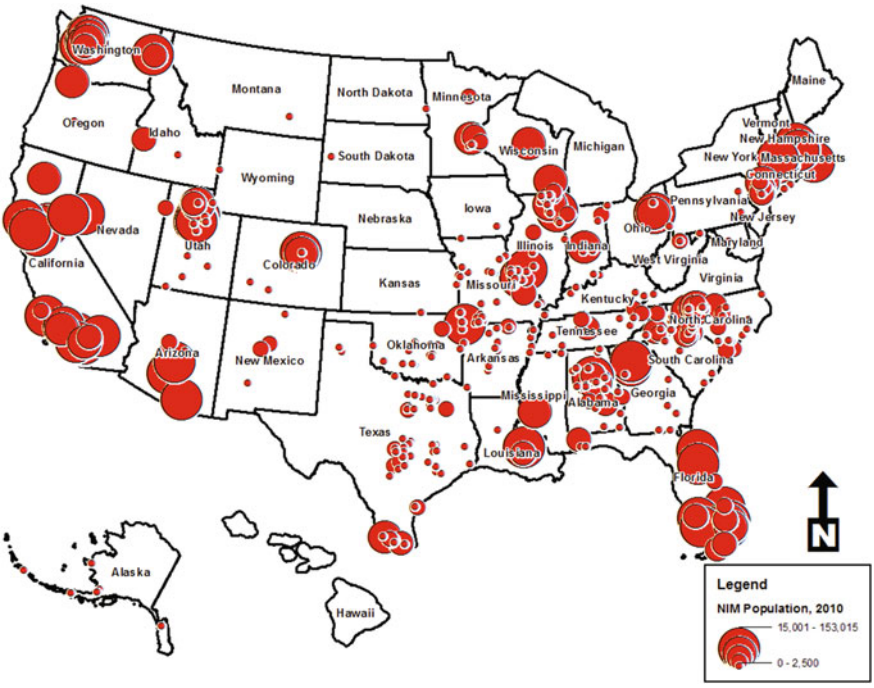

Fig. 4.4 Population patterns of Newly Incorporated Municipalities (NIMs)

50,000 according to the 2010 US Census were located in Georgia (2), Colorado (1), and Utah (1).

A potential explanation for the concentration of well-populated new cities in a few states is the key role of legislation in determining municipal population thresholds in these states. Both Florida and Washington require large minimum populations. Florida requires 5000 residents in counties with more than 75,000 residents and Washington mandates a minimum population of 3000 residents if within five miles of an existing city of at least 15,000 residents. These population threshold requirements are the largest in the country. California does not have a large minimum population threshold to qualify for incorporation (only 300 residents), but it does have a commission that must review potential incorporations. Local Agency Formation Commissions (LAFCO) were created in California to "approve or disapprove any petition for incorporation, special district formation, dissolution or annexation. For municipal incorporation petitions, they may exclude territory from the proposed incorporation, but not include territory not mentioned on the petition" (Miller 1981, 103). Additionally, the majority of the LAFCO board members are composed of county commissioners. As Miller points out, the membership of the LAFCO board (i.e., county commissioners and representatives from existing municipalities) greatly impacts the incorporation timeline. The board's membership will attempt to protect their individual interests before approving the incorporation of a new municipality. Board members are concerned with protecting their turf through future annexations, the potential impacts new cities have on the tax base, and the provision of urban services. In effect, areas wishing to incorporate often are delayed for a considerable time period and the population of some of these NIMs can grow substantially during the intervening years.

Three of the largest NIMs created in the nation over the past several decades were Citrus Heights, CA; Federal Way, WA; and Deltona, FL. These three new municipalities each have different origins. Citrus Heights, CA (see Fig. 4.5), had been an unincorporated suburb of Sacramento for most of the twentieth century and had experienced steady residential growth. Beginning in the 1970s, with the construction of a regional mall, the community began considering incorporation. After several failed efforts to incorporate, Citrus Heights and the County Supervisor reached an agreement on incorporation and in 1996 residents of the area voted on the proposal. Citrus Heights was subsequently incorporated with more than 62% of residents voting for incorporation (Citrus Heights 2007).

The City of Federal Way, Washington (see Fig. 4.6), experienced a similar pattern of development to that of Citrus Heights, CA. Federal Way was originally a logging settlement that slowly grew into a residential suburban enclave for commuters to both Seattle and Tacoma due to its strategic geographic location. Starting in the 1960s, the area that would become Federal Way witnessed a residential housing explosion as a result of two companies' growth—Boeing and Weyerhauser. Additionally, the SeaTac Mall was constructed in the 1970s, and due to this residential and commercial growth, the community began calling for incorporation as a means to control growth and the quality of life in the area. In

Table 4.5 Newly incorporated municipalities (NIMs) population characteristics, 2010

State (# of NIMs)	Mean NIM population	Median NIM population
Alaska (6)	210	194.5
Alabama (30)	2,801.8	1,268.5
Arkansas (17)	2,313.9	371
Arizona (5)	19,486.8	22,489
California (26)	44,024.7	31,260
Colorado (6)	20,557.7	5,769
Connecticut (1)	518	518
Florida (23)	32,354.9	20,832
Georgia (10)	25,396.4	1645
Iowa (1)	259	259
Idaho (2)	3,198.5	3,198.5
Illinois (24)	2,963.3	510.5
Indiana (8)	2,955.4	935.5
Kansas (2)	615	615
Kentucky (4)	426.5	338.5
Louisiana (3)	11,251.3	6677
Massachusetts (5)	33,770.8	31,915
Maryland (2)	719.5	719.5
Minnesota (6)	5,407.8	3397
Missouri (39)	1,388.7	114
Mississippi (4)	3,601.5	1299
Montana (1)	2214	2214
North Carolina (50)	2,860.9	2,188.5
North Dakota (1)	305	305
New Jersey (4)	5,911.3	6855
New Mexico (4)	2,223.8	2,545.5
Nevada (2)	11,889	11,889
New York (7)	4,032.4	3,234
Ohio (4)	10,277	7,678.5
Oklahoma (15)	536.6	247
Oregon (2)	6096	6096
Pennsylvania (2)	226.5	226.5
South Carolina (4)	518.8	376.5
South Dakota (2)	1018	1018
Tennessee (12)	2,965.2	2,632.5
Texas (57)	1,411.2	615
Utah (18)	11,276.9	1,319.5
Virginia (1)	337	337
Washington (15)	35,092.8	26,909
Wisconsin (3)	10,215.7	13,195

(continued)

Table 4.5 (continued)

State (# of NIMs)	Mean NIM population	Median NIM population
West Virginia (4)	1,299.3	812.5
Wyoming (2)	1,010.5	1,010.5
US (434)	9396	1231

Table 4.6 Newly incorporated municipalities (NIMs) with populations greater than 50,000

NIM	State	2010 population
Elk Grove city	CA	153,015
Miami Gardens city	FL	107,167
Murrieta city	CA	103,466
Centennial city	CO	100,377
Sandy Springs city	GA	93,853
Spokane Valley city	WA	89,755
Federal Way city	WA	89,306
Deltona city	FL	85,182
Citrus Heights city	CA	83,301
Menifee city	CA	77,519
Lake Forest city	CA	77,264
Johns Creek city	GA	76,728
Palm Coast city	FL	75,180
Chino Hills city	CA	74,799
Weston city	FL	65,333
Rancho Cordova city	CA	64,776
Laguna Niguel city	CA	62,979
Taylorsville city	UT	58,652
Lakewood city	WA	58,163
Wellington Village	FL	56,508
Diamond Bar city	CA	55,544
Shoreline city	WA	53,007

1990, Federal Way was officially incorporated (Federal Way 2007). Seven additional NIMs were also incorporated near Federal Way during the 1990s. They include: Burien, Covington, Edgewood, Lakewood, Maple Valley, SeaTac, and University Place.

Deltona, FL (see Fig. 4.7), had a different evolution than Citrus Heights and Federal Way. The community began to evolve in 1962 with the purchase of 17,203 acres by the Mackle Brothers and the submittal of a planned unit development request for the subdivision of the property into 35,173 lots. Unlike the previous two new municipalities, Deltona began as a greenfield site that did not have any development prior to 1962 and quickly became a large unincorporated community. As the population grew, Deltona began to feel the pressure to incorporate. Finally, after two unsuccessful incorporation attempts the City of Deltona, FL, was created

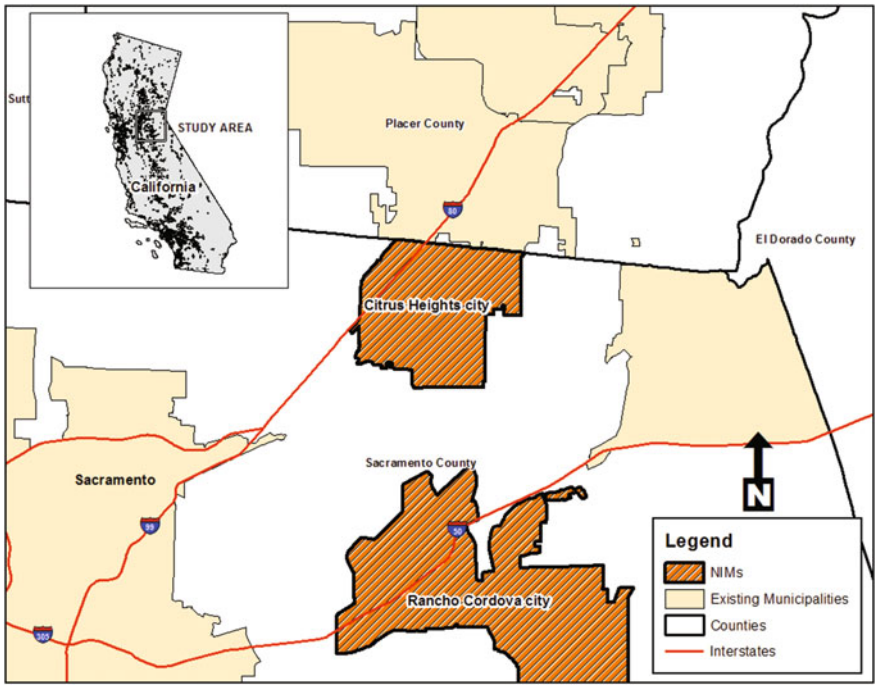

Fig. 4.5 Citrus Heights, CA

in 1995 (Deltona 2007). The municipality of DeBary, to the west of Deltona, also incorporated during the 1990s.

Several key factors seem to play a role in shaping new municipalities with substantial population bases. First, two of the three largest new cities shared a long history of urbanization (Citrus Heights, CA, and Federal Way, WA). Additionally, two of the three largest new cities experienced multiple failed incorporation attempts (Citrus Heights, CA, and Deltona, FL). These histories show that the largest new municipalities created during the 1990s were nurtured over many decades. While each new city is unique, some have experienced similar growth trajectories.

While some new municipalities are unusually large, there are others that seem remarkably small. Of the 434 new cities created between 1990 and 2010, 57 had a 2010 population of less than 200 residents (see Table 4.7). While the large, well-populated new municipalities are spatially concentrated in CA, FL, and WA, the smallest new municipalities do not seem to follow a similar geographic clustering. However, there is still some level of geographic organization with 80.7% of the smallest new municipalities locating in the South Census Region and the State of Missouri. Missouri, which borders the South Region, contained 23 NIMs, or approximately 40% of all the smallest new cities Missouri was also home to eight of

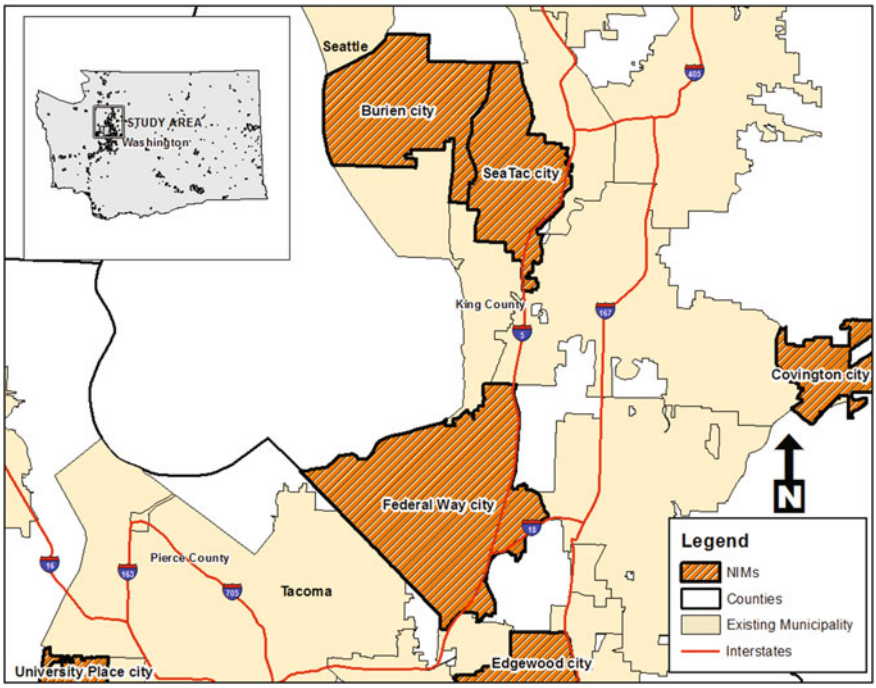

Fig. 4.6 Federal Way, WA

the ten smallest new municipalities in the study, all with populations less than 31 according to the 2010 US Census.

Unlike the large minimum population thresholds that are required to incorporate in Florida and Washington, many of the South Census Region states have very low population requirements. For example, Kentucky has established a minimum population threshold for new municipalities at 300 persons, while Louisiana only requires 200 inhabitants.

These low legislative thresholds may partially explain the incorporation of many smaller communities in these states.

Secondly, some South Census Region states may have a historical bias that tends to lead to the creation of smaller towns. In general, these states are less urbanized and do not have the same history of larger urbanized areas as seen in other parts of the country. Efforts to maintain a small town way of life or a preconceived notion of what city life should be like may lead citizens to try to incorporate small cities in an effort to retain their rural heritage.

Three of the smallest new municipalities were Magnet Cove, AR (5); River Bend, MO (10); and West Hampton Dunes Village, NY (55). The smallest, Magnet Cove, had a 2010 US Census designated population of five people (see Fig. 4.8). Incorporated in 2000 with a population of 467 residents, Magnet Cove historically was a destination for geologists, rock hounds, and mineralogists. The presence of

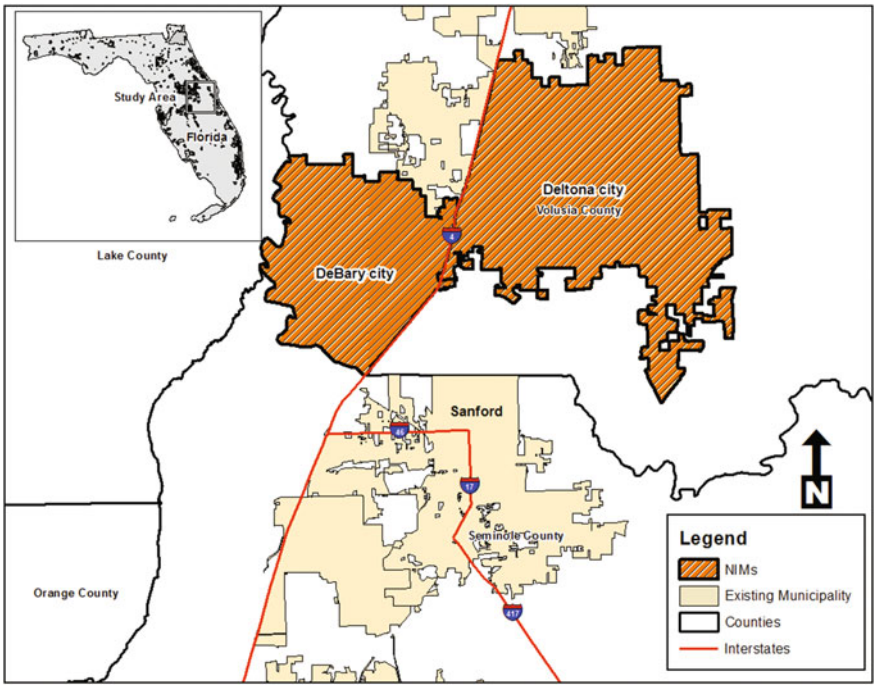

Fig. 4.7 Deltona, FL

minerals is what gave the area its name and brought people to the region from around the world. Many of the minerals found near the town are used in the space and aircraft industry. The citizens of Magnet Cove voted in 2006 to suspend operations of the municipality and the town has since disincorporated (Pennington 2014).

River Bend, MO (see Fig. 4.9), was one of the smallest new cities created during the 1990s. It was incorporated to protect the residents of the small community from annexation by nearby neighboring cities. A settlement between River Bend residents and Jackson County allowed the incorporation to move forward. The settlement specifically allows for the incorporation of almost 1100 acres minus "85 acres containing water wells that serve much of Eastern Jackson County" (Cramer 1998). The incorporation comes on the heels of years of litigation between the county and the community of River Bend. The community had taken the county to court believing that they were already a municipality since Jackson County had not acted on their initial petition to incorporate within the required six months in 1996. As a result of the incorporation, the community will be protected from being annexed by the nearby towns of Liberty, Independence, and Sugar Creek according to the local newspaper (Cramer 1998).

The Village of West Hampton Dunes, NY (see Fig. 4.10), has had a somewhat different path to incorporation. West Hampton Dunes, NY, is a community that

Table 4.7 Newly incorporated municipalities (NIMs) with populations less than 200

NIM	State	2010 population
Magnet Cove Town	AR	5
Three Creeks Village	MO	6
Peaceful Village	MO	9
McBaine Town	MO	10
River Bend Village	MO	10
Goodnight Village	MO	18
Irena Village	MO	18
Friendship Town	OK	24
Pinhook Village	MO	30
Huntsdale Town	MO	31
False Pass city	AK	35
Natural Bridge Town	AL	37
Pendleton Village	MO	43
Jenkinsville Town	SC	46
IXL Town	OK	51
Holiday City Village	OH	52
West Hampton Dunes Village	NY	55
Ginger Blue Village	MO	61
Rives Town	MO	63
Pilot Point city	AK	68
Taos Ski Valley Village	NM	69
New Morgan borough	PA	71
Atwood Town	OK	74
Coney Island Village	MO	75
Pierpont Village	MO	76
Riverview Estates Village	MO	82
Arrow Point Village	MO	86
Springtown Town	AR	87
Sweetwater Town	OK	87
Truxton Village	MO	91
Chain of Rocks Village	MO	93
Dutchtown Village	MO	94
Horntown Town	OK	97
Egegik city	AK	109
Plato Village	MO	109
Vidette city	GA	112
Chimney Rock Village	NC	113
Grand Falls Plaza Town	MO	114
Fairfield Town	UT	119
West Sullivan Town	MO	119
Blackey city	KY	120

(continued)

Table 4.7 (continued)

NIM	State	2010 population
Miramiguoa Park Village	MO	120
Cusseta Town	AL	123
St. Joe Town	AR	132
Rockville Town	SC	134
Boardman Town	NC	157
Anthonyville Town	AR	161
Foster Town	OK	161
Buckhorn city	KY	162
Independence Town	UT	164
Fountain N' Lakes Village	MO	165
Spaulding Town	OK	178
Round Mountain Town	TX	181
Mobile city	TX	188
Bishop Hills Town	TX	193
Caledonia Village	IL	197
Bryce Canyon City Town	UT	198

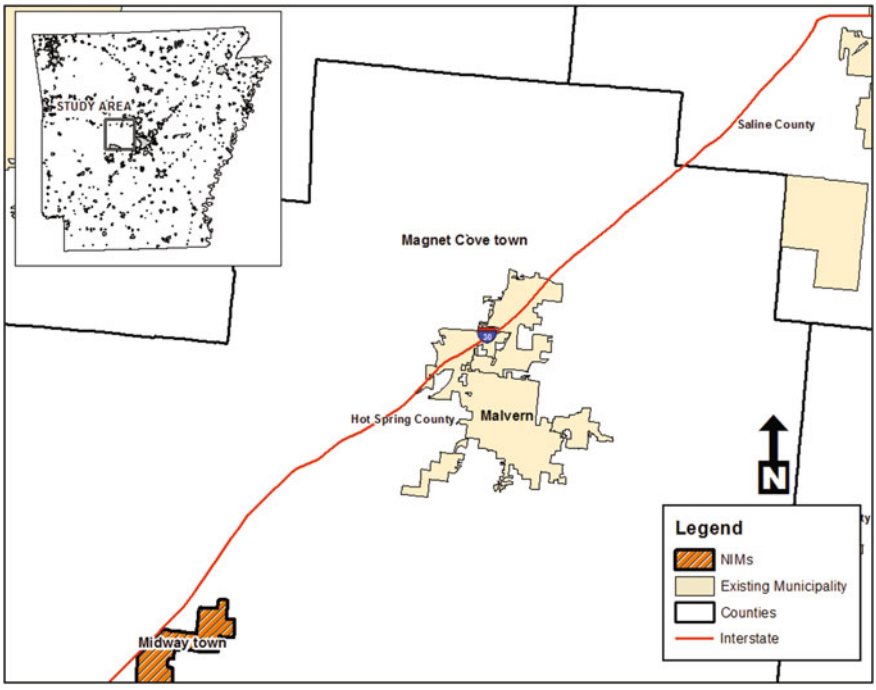

Fig. 4.8 Magnet Cove, AR

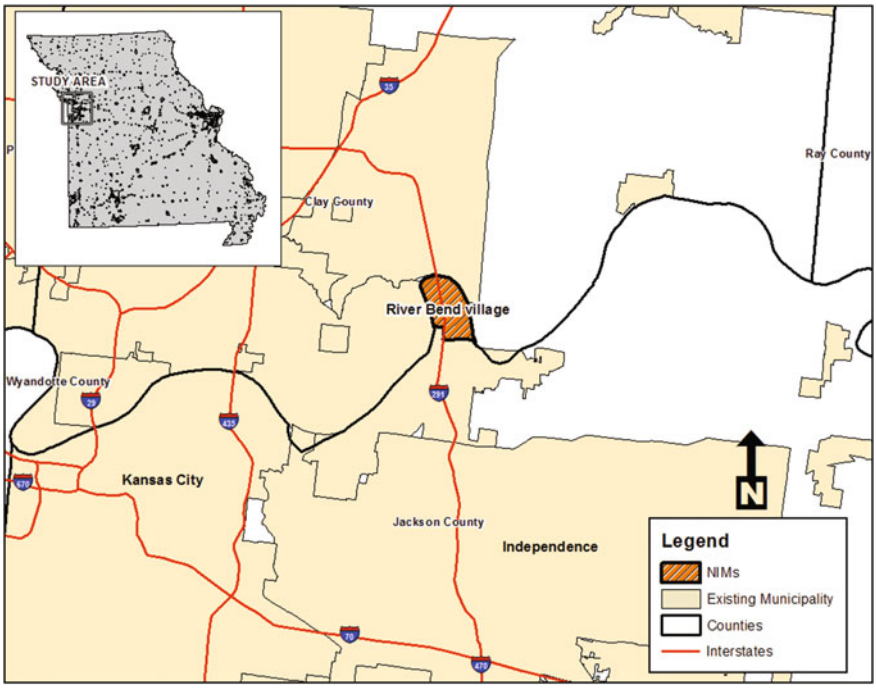

Fig. 4.9 River Bend, MO

consists of 342 properties but only 55 full-time residents according to the 2010 US Census. The village is an upscale beach community on the southern tip of Long Island. The primary motivation behind efforts to incorporate focused on solving decades of concern over beach erosion. Prior to incorporation, the property owners of the Village of West Hampton Dunes were party to numerous legal initiatives against Suffolk County, the State of New York, and the federal government. These legal challenges were focused on rebuilding two miles of beach and constructing a dune that was lost following "the construction of a groin field to the east of the village boundary" (Daley and Jones 2000, 1). The incorporation of West Hampton Dunes Village, a legally and politically recognized entity, paved the way for the "redevelopment of the village, improved public access, endangered habitat enrichment and vital coastal flood and erosion protection" (Daley and Jones 2000, 1).

These three new cities highlight the difficulty in developing a coherent explanation for why some new municipalities are established with very small populations. River Bend, MO, viewed incorporation as an alternative to annexation, while information on Magnet Cove, AR, is scarce partly because the community incorporated and disincorporated with a few years. Finally, West Hampton Dunes Village became a municipality in an effort to "fix" ongoing environmental problems. Unlike the largest new cities created in the last 25 years, many of the smallest new municipalities had complicated and unique explanations regarding the logic for their origins.

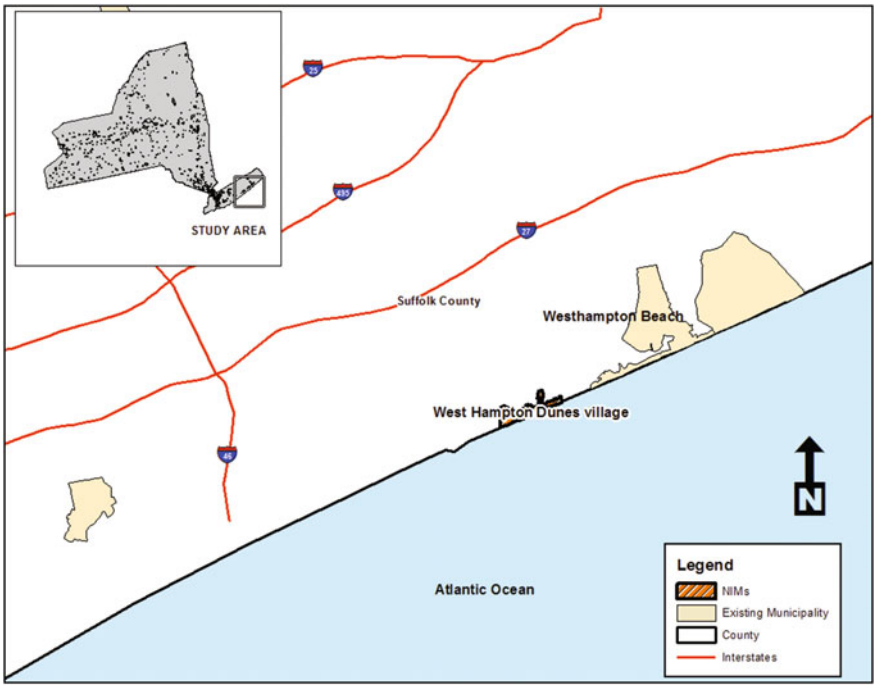

Fig. 4.10 West Hampton Dunes, NY

4.6 Conclusions

As this chapter has shown, the spatial distribution of newly incorporated municipalities is uneven and complex. Overall, municipal incorporation activity has been on a serious decline since the 1950s. This may be attributed to many factors including declining levels of suburbanization, state laws on local government boundary change and boundary ossification. Regionally, the South Census Region accounted for more than 54% of all municipal incorporations potentially due to high levels of absolute population growth, and a more recent history of urbanization ushered in during a rise in the Sunbelt explosion experienced in places like Florida, Texas, Georgia, and North Carolina.

At the state level of analysis, Texas and North Carolina contributed almost 25% of all new municipalities to the US local government cache. Other high volume contributors included Missouri, California, and Florida. On the other end of the spectrum, eight states, primarily in the Northeast, did not experience any municipal incorporations due in large part to a lack of unincorporated territory from which to draw a new city.

Similar to the spatial distribution of new cities, the populations of these new local governments also vary considerably. While the US mean population for new

municipalities was almost 10,000 and the median was approximately 1200, populations of new municipalities ranged from 5 to more than 150,000. Although it should be noted that these population estimates are based on 2010 US Census figures and as a result can vary considerably from the population at the time of incorporation as is the case with Magnet Cove, Arkansas. This research design is necessary because population figures are not readily available for municipalities at the time of incorporation.

The geography of new municipalities in the USA can vary considerably based on region and state, and the population of these new places can also be quite diverse. The next chapter explores the socioeconomic characteristics of new municipalities in an attempt to understand the attributes of the residents that comprise new cities, towns, and villages. Who are these citizens? How old are they? What is the racial composition of these communities? What are the educational, income, and economic features of these new municipalities?

References

Beche KG (1963) Incorporation laws: one aspect of the urban problem. Bureau of Governmental Research and Service, University of Colorado, Boulder

Bollens SA (1986) Examining the link between state policy and the creation of local special districts. State Local Govt Rev 18(3)

Bromely DG, Smith J (1973) The Historical significance of annexation as a social process. Land Econ 49(3):294–309

Burns N (1994) The formation of American local governments: private values in public institutions. Oxford University Press, New York

Citrus Heights (2007) History of citrus heights. Retrieved on 13 Sept 2007 from http://citrusheights.net/home/index.asp?page=895

Cramer E (1998) River bend given life of its own. The Examiner. Retrieved on 13 Sept 2007 from http://examiner.net/stories/123198/gov_riverbnd.shtml

Daley W, Jones C (2000) The West Hampton Dunes story: a blueprint for coastal management. Shore Beach 68(1):1–15

Deltona (2007) History. Retrieved on 13 Sept 2007 from http://www.ci.deltona.fl.us/go/about-deltona/city-history

Federal Way (2007) City history. Retrieved on 22 Mar 2007 from http://www.cityoffederalway.com/Page.aspx?view=85

Feiock R, Carr JB (2001) Incentives, entrepreneurs, and boundary change. Urban Aff Rev 36 (3):382–405

MacManus SA (1981) Special district governments: a note on their use as property tax relief mechanisms in the 1970s. J Polit 43(4):1207–1214

Miller G (1981) Cities by contract: the politics of municipal incorporation. MIT Press, Cambridge, MA

Nelson M (1990) Decentralization of the subnational public sector: an empirical analysis of the determinants of local government structure in metropolitan areas in the U.S. South Econ J 57:443–457

Palmer JL, Lindsey G (2001) Classifying state approaches to annexation. State Local Govt Rev 33 (1):60–73

Pennington H (2014) Magnet Cove (Hot Spring County). Encyclopedia of Arkansas History and Culture. Retrieved on 24 May 2016 from http://www.encyclopediaofarkansas.net/encyclopedia/entry-detail.aspx?search=1&entryID=4129

Rigos PN, Spindler CJ (1991) Municipal incorporation and state statutes: a state-level analysis. State Local Govt Rev 23(2):76–81

Smith RM (2011) City limits? the impact of annexation on the frequency of municipal incorporation in North Carolina. Southeast Geogr 51:422–442

Stauber R (1965) New cities in America; a census of municipal incorporations in the United States, 1950–1960. Governmental Research Center, University of Kansas, Lawrence, Kansas

The Encyclopedia of Arkansas History and Culture (2016) Magnet cove. Retrieved on 24 May 2016 from http://www.encyclopediaofarkansas.net/encyclopedia/entry-detail.aspx?search=1&entryID=4129

U.S. Census Bureau. (2010). American fact finder. U.S, Census Bureau

U.S. Census Bureau. (2015). Boundary and annexation survey. Retrieved 25 Oct 2015 from http://www.census.gov/geo/www/bashome.html

U.S. Census Bureau. (2012). Census of Governments. Retrieved 25 Oct 2015 from http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk

Waldner L, Rice K, Smith RM (2013) Temporal and spatial dimensions of newly incorporated municipalities. Geogr Rev 103(1):59–79

Chapter 5
Demographic and Socioeconomic Characteristics of New Cities

Abstract Who lives in the more than 400 new municipalities incorporated across the USA? The existing literature on municipal incorporations largely depicts these new cities as homogenous enclaves that consisted of wealthier, Whiter, and better educated residents than the unincorporated community from which they were created. Additional research had revealed that new cities and nearby existing communities were statistically significantly different along a range of socioeconomic variables, and another study found a relationship between income heterogeneity and the likelihood of municipal incorporation. The new communities incorporated over the last two decades are Whiter, older, have longer commutes, and have higher family incomes than the national average. Interestingly, they also had higher levels of poverty and lower levels of college attainment, which may be the result of a localized geography and the prevalence of new municipalities with the South Census Region. For the first time, research in this chapter compared new municipalities to their counties of origin (county from which they were created) and revealed that new cities are statistically significantly Whiter, better educated, and older when compared to the counties of origin from which they were established. In addition to the differences identified between new municipalities and the counties of origin, regional differences were also identified through the use of a t-test exploring the statistical significance between the two groups (i.e., NIMs and Counties of Origin by Region).

Keywords County of Origin · Demographic · Heterogeneity · Income Race · Socioeconomic characteristics

Who resides in these new cities, towns, and villages that have been established throughout the country over the last several decades? Are the populations Whiter, wealthier, better educated than residents of older existing municipalities as much of the existing literature has discussed? Are there key defining variables that can be identified to help develop a better, more robust theory of municipal incorporation?

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_5

How do new cities "stack up" compared to the national numbers and metropolitan averages?

First, it is important to revisit the existing scholarship on the populations that reside in new municipalities to determine how scholars have engaged with the topic of the socioeconomic characteristics of incorporating communities. Musso (2001) provides one of the first examinations of the characteristics that define new municipalities. Her study on the incorporation efforts of communities in California revealed that the wealth of a community and the homogeneity of the population had a direct impact on voting behavior (i.e., the wealthier communities and more homogeneous places have a greater chance of proposing a new city). Musso (2001) stated that "the process of incorporation promoted small cities, with residential populations that were wealthier, more educated, and older and had a larger proportion of White residents than the remaining unincorporated communities" (151). Musso's work was more focused on the influence of Tiebout's residential sorting hypothesis, than on the characteristics of the population of new municipalities. It still provides one of the first quantitative analyses of who resides in new municipalities.

Smith's previous research with Keith G. Debbage (2011) compared new cities to a group of existing cohort cities and provides much of the information that we have on these relatively understudied urban and political entities. A published article in the journal *Urban Geography* revealed that "NIMs and Cohort municipalities are statistically significantly different along several key socio-economic dimensions" (Smith and Debbage 2011, 585). The research quantitatively proved that newly incorporated municipalities (NIMs) are fundamentally different from nearby existing municipalities along a range of socioeconomic variables. "Nationally, NIMs have larger percentages of white residents, higher median incomes, smaller populations and lower population densities" (585).

More recently, Leon-Moreta (2015a, b) focused on empirically studying the formation of new municipalities in the USA. His work has determined that "income heterogeneity raises the probability of municipal incorporation" (Leon-Moreta 2015a, 3160), meaning that the larger the difference in incomes in a given geography, the greater the chance of a new municipality being created. This reveals a residential sorting around wealth. Leon-Moreta (2015b) also explored the influence of socioeconomic factors on municipal incorporation in another study and found similar results related to income heterogeneity and also determined that population growth, nonrestrictive land use regulations, and municipal revenue also influenced municipal incorporation proceedings. Below is an exploration of the demographic and socioeconomic differences between new municipalities and their County of Origin in a continuing effort to identify the key variables that are common to new municipalities.

5.1 Overview of Socioeconomic Characteristics of New Cities

A preliminary examination of select socioeconomic characteristics for those new municipalities established from 1990 to 2010 can be useful for understanding the overall composition of new cities. A comparison between the "average" new municipality and the national US and metropolitan averages helps to identify how new municipalities deviate or mimic national trends before examining new cities in more detail later. This will be a useful comparison since many new municipalities form within or near metropolitan areas (see Table 5.1).

A comparison of racial composition reveals that new cities are Whiter and have a smaller percentage of African American and Hispanics than do Metropolitan Statistical Areas (MSAs) across the country and the USA as a whole. This finding is consistent with the traditional literature on municipal incorporation that has found that many new municipalities have incorporated in an effort to separate themselves from the rest of society. Newly incorporated municipalities (NIMs) on average have a higher median age (41.6 years) than Metropolitan Statistical Areas (37.0) or the USA as a whole (37.2 years). Several factors may play a role in explaining this phenomenon. First, the literature on municipal incorporation suggests that many inhabitants of new municipalities are wealthy professionals fleeing more urban environs. As a result, the median age within new cities may be higher since it takes more time to accumulate the wealth necessary to move to weathlier areas on the outskirts of the urban periphery. Additionally, some new cities are pseudo-retirement communities with a significant share of elderly residents that will act to inflate the median age of new municipalities. Finally, the community in which the new city incorporates may have some older inhabitants that have been there for many decades prior to incorporation.

Table 5.1 Socioeconomic characteristics of newly incorporated municipalities (NIMs), compared to Metropolitan Statistical Area (MSA) and USA, 2010

Variable	NIM mean	MSA mean	US mean
Percent White	84.6	71.6	72.4
Percent Black	6.9	12.9	12.6
Percent Hispanic or Latino	9.8	17.1	16.3
Median age (years)	41.6	37.0	37.2
Percent 65 and older	15.7	12.8	13.0
Mean travel time (minutes)	26.6	25.4	25.7
Median family income	$60,653	$54,227	$53,482
Median value of owner-occupied units	$157,883	$231,128	$175,700
Percent poverty	16.3	13.6	14.8
Percent college degree	26.1	28.8	27.9

Source US Census Bureau

The average resident of a new municipality spends 26.7 minutes commuting to work, compared to a Metropolitan Statistical Area mean travel time of 25.4 minutes, and a national mean travel time of 25.7 minutes. Typically, newly incorporated municipalities do not have large employment centers and are located on the periphery of urban areas. As a result, the residents of new municipalities tend to experience lengthier commutes. The "average" new municipality also had a higher median household income ($59,391) than the Metropolitan Statistical Area average ($54,227) and the USA ($53,482) as a whole, which was expected.

However, there are several unique findings from this comparative that deviate significantly from the existing literature. Based on the findings in Table 5.1, the average new city appears to be less educated than the "typical" Metropolitan Statistical Area population or the nation as a whole. Just over 25.5% of all new municipalities residents have earned a college degree compared to 28.8% of Metropolitan Statistical Area residents and 27.9% of the US population. Based on the municipal incorporation literature and higher household income within new cities, it was expected that a higher percentage of residents would have college degrees. The discrepancy in education may be the result of the "holdovers" or longtime older residents that were residents long before the new city was even established. An additional explanation for this result may be the presence of older residents in gated and/or resort communities that have incorporated. As a result, the generational gap in education may account for this unusual finding.

Surprisingly, the median value of owner-occupied dwellings was lower in the average new municipality ($159,900) than that of the average Metropolitan Statistical Area ($231,128) or the USA ($175,700). This might be the result of the recession that disproportionately affected Sunbelt states and specifically suburban communities. The large percentage of new municipalities located in the Sunbelt and the suburban nature of these new cities might have felt the impact of the recession on housing greater than metros and the country as a whole. Finally, the average new city had a 16.6% poverty rate compared to a 13.6% poverty rate among Metropolitan Statistical Areas and 14.8% nationally. This finding is also unexpected since previous studies revealed the new municipalities formed in the 1990s had a lower percentage of residents living in poverty. Once again, the 2007/2008 recession seems to have had a major impact on the population that resides within new municipalities. We now turn to a more explicit analysis that compares new municipalities to the counties from which they were created.

5.2 A Statistical Comparison of Newly Incorporated Municipalities (NIMs) and Counties of Origin

Previous studies have compared new municipalities to a select group of nearby cohort cities in an effort to understand the differences between new municipalities and existing cities (Smith and Debbage 2011). Similarly, Leon-Moreta (2015a, b, 2016)

examined new municipalities and the counties from which they were created in order to add to the comprehension of newly incorporated municipalities. The analysis contained below explores differentiating variables between the recently incorporated municipalities and their counties of origin and expands upon understanding differences and similarities between newly incorporated municipalities and the counties from which they are birthed. Variables included within this analysis: population size, race/ethnicity, median household income, and percent poverty to name a few. To explore this question, an independent t-test was performed to examine the relationship between the 434 new municipalities established between 1990 and 2010 and each new municipalities' County of Origin (n = 277).

5.2.1 *Independent Sample T-Test: Newly Incorporated Municipalities (NIMs) Versus Counties of Origin*

Table 5.2 highlights the results of the statistical differences for all 434 new cities established between 1990 and 2010 and 277 Counties of Origin from which these new municipalities were created. Many new cities shared the same County of Origin, which will be discussed in greater detail in the next chapter on clustering. The results of an independent sample t-test revealed that eleven (11) of the eighteen (18) demographic and socioeconomic variables included in this analysis were statistically different at the 5% level of significance.

Not surprisingly, total population, the percentage of White residents, and the percentage of Black residents were all determined to be statistically significantly different. Nationally, new municipalities had much smaller populations than the Counties of Origin group (9396 vs. 302,315, respectively). This finding is of no surprise given the geographic discrepancy in size between new cities and counties. New cities also had a significantly larger percentage of White residents (84.6%) compared with the Counties of Origin from which they were spawned (78.9%). Finally, the percentage of Black residents residing in new municipalities (6.8%) compared to the Counties of Origin (10.4%) was also statistically significantly different. These findings are consistent with the literature on municipal incorporation that suggests some new cities are created to "escape" from their larger, more heterogeneous surroundings. Miller (1981) in an examination of new cities created in California noted that of the 32 (new cities) created between 1950 and 1970, 28 contained less than 1% Black populations.

Several other variables followed the expected findings based on the existing literature on municipal incorporation and were statistically significantly different including: median age, percent 65 and older, percentage of residents 25 and older with a college degree, and mean travel time to work. Both variables that explored the age of residents of the new municipalities followed the expected relationship with new places having a higher median age and a larger percentage of residents 65 and older. The median age in new municipalities was 41.6 years compared to 38.6

Table 5.2 T-test results for newly incorporated municipalities (NIMs) and Counties of Origin, 2010

Variable	NIMs mean (n = 434)	Counties of Origin mean (n = 277)	Difference (NIMs–Counties of Origin)
Population (persons)	**9396**	**302,315**	**−292,919**
Median age (years)	**41.6**	**38.6**	**3.0**
White residents (%)	**84.6**	**78.9**	**5.7**
Black residents (%)	**6.9**	**10.4**	**−3.5**
Native American residents (%)	1.5	2.1	−0.6
Asian residents (%)	2.2	2.1	0.1
Hispanic or Latino residents (%)	9.8	11.6	−1.8
Owner-occupied housing units (%)	85.6	85.7	−0.1
Average household size (persons)	2.6	2.6	0
Residents with college degree or higher (%)	**26.1**[a]	**22.7**	**3.4**
Mean travel time to work (minutes)	**26.6**[b]	**24.2**	**2.4**
Median family income ($)	60,653	59,935	**718**
Median value of owner-occupied housing units ($)	157,883[c]	161,860	**−3977**
Residents 65 and older (%)	**16.3**[d]	**14.2**	**2.1**
Residents living in poverty (%)	**15.7**[d]	**11.8**	**3.9**
Residents residing at same address—1 year ago (%)	**88.1**[e]	**85.2**	**2.9**
Median year structure built (year)	**1967**[f]	**1979**[g]	**−12**
Median year household moved into structure (year)	**2000**[h]	**2002**	**−2**

Bold indicates significant differences at the .05 level
[a]n = 430, [b]n = 417, [c]n = 429, [d]n = 433, [e]n = 432, [f]n = 431, [g]n = 276, [h]n = 428
Source US Census Bureau

in the Counties of Origin group. Meanwhile, the percentage of residents 65 and older was also higher in new cities (16.3%) than that in Counties group (14.2%). These results might highlight the role of stability in establishing a new municipality, as younger residents tend to move more often and not feel as connected to a place and consequently will not be as invested in the long and arduous task of incorporating a new municipality.

The existing literature on municipal incorporation has implied that new cities tend to capture more highly educated residents, as confirmed by this analysis. New municipalities reported 26.6% of their 25 and older population as having a college degree, while only 22.7% of the residents of the Counties of Origin reported their

25 and older populations as having college degrees. This result is different than the previous discussion that revealed that both metros and the nation as a whole had a higher percentage of population with a college degree. As a result, education may be a differentiating factor at the local level (i.e., county), but may not be as important at higher geographies.

Mean travel times are longer in new communities (26.5 min) when compared to the Counties of Origin from which new cities are created (24.2 min). These results show that new municipalities' residents spend more time driving to work, and it appears that, since most new cities are relatively new places, they may also have not had the opportunity to fully develop mature, diversified employment centers within the community.

As mentioned, new cities had a statistically significantly higher percentage of residents in poverty (16.3%) compared to the Counties of Origin (14.2%). The historical literature on municipal incorporation consistently believed that new municipalities were wealthy enclaves of residents striving to wall themselves off from poorer more diverse populations. However, this result shows that poverty is a very real problem that also needs to be confronted by new municipalities.

The final group of variables that were determined to be of statistical significance included: the median year a structure was built, the median year the household moved into the unit, and the percentage of residents at the same address as of 1 year ago. These variables are important because they provide needed insight into the housing occupancy patterns and housing stock located in new municipalities and the Counties of Origin. The results show that residents of new cities live in older homes (1967 vs. 1979 for Counties of Origin), have lived in their residence longer (median year household moved into their home—2000 compared to 2002), and have a larger percentage of residents at the same address (88.1 vs. 85.2% for Counties of Origin). Two of these three results are not surprising. However, the finding that new cities have an older housing stock is contrary to the thought that these places tend to be new suburban communities with new residential housing communities. The fact that new municipalities have a higher percentage of its population residing in the same house compared to 1 year ago and that they have lived in their residence longer were both expected. A potential explanation for these findings are that the larger, Counties of Origin group experiences more population turnover and as a result has newer residents. A finding that supports this conclusion is the statistically significantly different median age between new cities and County of Origin populations. Counties of Origin contain a statistically significantly younger population than the new municipalities, and during the early part of a person's life cycle, people tend to move more often.

The following variables were not statistically significantly different for new municipalities and Counties of Origin: the percentage of Native American, Asian, and Hispanic or Latino residents, percentage of owner-occupied housing units, average household size, median family income, and median home value of owner-occupied units. First, the lack of statistical significance for the remaining race/ethnic variables was not surprising given the relatively small size of these groups. However, as the Hispanic or Latino populations continue to grow, we can expect to

see the establishment of more new cities with larger percentages of these residents. Recent studies highlight the trend of the incorporation of new Cities of Color within the USA (Smith, Waldner and Richardson 2016; Smith and Waldner 2017).

Secondly, the percentage of owner-occupied housing units and average household size are constant across both geographies and reveal that neither of these factors are differentiating variables between new cities and Counties of Origin. Potentially, the most interesting finding was the lack of statistical significance of the median family income and median value of owner-occupied units for new municipalities and Counties of Origin. While the median family income for new city residents was higher ($60,653) compared to $59,935 for Counties of Origin, this difference was not statistically important. Meanwhile, the median value of owner-occupied housing units in new municipalities was lower ($157,883) compared to $161,860 for the Counties of Origin. The existing literature and my previous analyses have argued that new municipalities tend to be wealthier enclaves and as a result are expected to have higher income levels and higher house values. However, according to this analysis, that does not hold true for the municipalities established between 1990 and 2010 and may be a by-product of the housing recession experienced in 2007/2008.

In conclusion, the national t-test determined that new cities are statistically significantly different from the counties from which they are created along a wide range of demographic and socioeconomic variables. New municipalities are less populated, Whiter, better educated, commute longer to work and are older than their Counties of Origin. Interestingly, the wealth variables that explored the relationship between new municipalities and the counties of origins were not determined to be of any statistical significance for this study. Below is an exploration of regional differences between new cities and the Counties of Origin to determine if a more localized geography influences the demographic and socioeconomic variation among our new municipalities and the counties from which they are established.

5.2.2 *Two-Way ANOVA: Newly Incorporated Municipalities (NIMs) and Counties of Origin Comparison by US Census Region*

It is hypothesized that the key differentiating variables between new municipalities and Counties of Origin will deviate based on geography. The results presented in Chap. 4 revealed an uneven distribution of new cities across the country. As a result, a two-way analysis of variance (ANOVA) procedure was conducted by US Census Region to determine if geographic location by region influenced the demographic and socioeconomic differences that existed between new cities and the Counties of Origin. The two-way ANOVA tests for regional differences (i.e. US Census Regions) and NIM–County of Origin differences simultaneously. The ANOVA tests

examined the relationship between new municipalities and Counties of Origin for the Northeast, Midwest, South, and West Census Regions.

The two-way ANOVA test placed the new municipalities and Counties of Origin into eight combinations of Group (i.e., NIM or County of Origin) and Region (i.e., Northeast, Midwest, South, and West). In general, the two-way ANOVA procedure found very little interaction effect between the Region and Group for both the new municipalities and Counties of Origin groups. As a result, when there is no significant interaction, the main effects were examined, and otherwise, the simple effects are reported. The next two sections explore the variations among new cities themselves by region and the differences between Counties of Origin by US Census Region.

5.2.2.1 Newly Incorporated Municipalities (NIMs) Variation by Census Region

Some regional differences do exist among new cities. Table 5.3 highlights the statistically significant differences that exist between new cities across the four Census Regions. Half of the variables included within the analysis were determined to be statistically significantly different among the four US Census Regions. In general, the Western new cities had the greatest variation when compared to the other three regions, followed by the Northeast Region's new municipalities.

An examination of new municipalities by US Census Region reveals that the population size of new cities is a statistically significant variable. Western NIMs had statistically significantly higher populations (24,175) than the NIMs of the Northeast (11,668), Midwest (2855), and South (6134). The larger population base found in Western NIMs may be the result of higher minimum population thresholds dictated by state law as discussed in an earlier chapter. For example, the State of Washington requires a minimum of 3000 residents in order to petition for incorporation. Additionally, several Western states including California utilize local government commissions at the county level to review and approve any municipal incorporation. This process may serve to delay incorporation and allow for the population of a particular place to grow prior to being formally incorporated.

Additional statistically significant variables by US Census Region included: median age, the racial/ethnic variables (e.g., White, Black, Hispanic residents), average household size of owner-occupied housing units, and the percentage of residents with college degrees or better. Many of these variables highlight the regional differences between the Western USA's new municipalities and the rest of the country. For example, the Western NIMs had a statistically significant lower median age (38.2 years) compared with the Midwest and South (i.e., 42.3 years and 42.6 years, respectively) highlighting the relative youthful population located in the West. Likewise, the Western NIMs also had a statistically significant higher percentage of Asian residents (6.5%) compared to the other three Census Regions, which may reveal the influence of immigration from the Pacific on the region. Finally, Western NIMs had a statistically significant higher percentage of Native

Table 5.3 Mean regional differences between newly incorporated municipalities (NIMs), 2010

Variable	Northeast NIMs (n = 19)	Midwest NIMs (n = 90)	South NIMs (n = 236)	West NIMs (n = 89)
Population (persons)[1]	**11,668**	**2855**	**6134**	**24,175**
Median age (years)[2]	**41.5**	**42.3**	**42.6**	**38.2**
White residents (%)[3]	**87.9**	**93.6**	**83.5**	**77.4**
Black residents (%)[4]	**4.6**	**2.9**	**10.3**	**2.2**
Native American residents (%)[1]	**0.2**	**0.4**	**1.1**	**4.1**
Asian residents (%)[1]	**2.8**	**0.9**	**1.0**	**6.5**
Hispanic or Latino residents (%)[5]	**6.8**	**2.5**	**11.2**	**14.1**
Owner-occupied housing units (%)[6]	82.5	88.8	85.2	84.1
Average household size (persons)[7]	**2.39**	**2.45**	**2.63**	**2.78**
Residents with college degree or higher (%)[8]	**45.0**	**22.3**	**24.1**	**31.1**
Mean travel time to work (minutes)	27.8	27.2	26.7	25.2
Median family income ($)	71,086	57,637	60,718	61,205
Median value of owner-occupied housing units ($)	182,900	139,029	157,955	171,573
Residents 65 and older (%)	16.5	16.6	16.2	16.4
Residents living in poverty (%)	14.9	17.2	15.6	14.5
Residents residing at same address —1 year ago (%)	89.6	89.2	87.4	88.3
Median year structure built (year)	1968	1966	1968	1966
Median year household moved into structure (year)	2000	2000	2001	2000

Bold indicates significant differences at the .05 level

Numbers represent statistically significant differences between US Census Regions as detailed below

[1]West is statistically significantly different from the Northeast, Midwest, and South Census Regions

[2]West is statistically significantly different from the Midwest and South

[3]West is statistically significantly different from the Northeast, Midwest, and South Census Regions. Midwest is statistically significantly different from the South

[4]West is statistically significantly different from the Northeast, Midwest and South Census Regions. Midwest is statistically significantly different from the South. South is statistically significantly different from the West

[5]Midwest is statistically significantly different from the South and West

[6]Midwest is statistically significantly different from the West

[7]West is statistically significantly different from the Northeast and Midwest. Midwest is different from the South

[8]Northeast is statistically significantly different from the Midwest, South, and West. Additionally, the West is statistically significantly different from the Midwest and South

Source US Census Bureau

American residents (4.1%) than the other three regions and may show the influence of historic federal programs on the location of indigenous North Americans.

Interestingly and potentially a more important finding from this analysis was the fact that absent the demographic differences between the regions—income, home

values, poverty measures, and housing characteristics variation was not evident among the new municipalities created in the USA during the study period. Potentially, this highlights the similarity of experiences and socioeconomic factors that contribute to the creation of a new municipality in the country.

In summary, Western NIMs are more populated and have a younger and more diverse population compared to the other regions. Northeastern NIMs distinguish themselves from the other regions by having a statistically significant higher percentage of residents with a college degree or better (45.0%). Neither the Midwestern nor Southern NIMs differentiate themselves from the other Census Regions along any major socioeconomic variables according to the results of this study.

5.2.2.2 Counties of Origin Variation by Census Region

The Counties of Origin can provide some statistical comparison for better understanding the demographic and socioeconomic characteristics of new municipalities from which they were created. All but two of the variables were determined to be statistically significantly different across the four US Census Regions (see Table 5.4). These two variables are the median age and the percentage of population 65 years of age and older. The remaining sixteen demographic and socioeconomic variables were all found to be statistically significantly different when compared across the four US Census Regions.

In general, the results of the analysis, exploring demographic and socioeconomic variation among Counties of Origin by US Census Region, revealed a dichotomy between the Northeast/Western Regions and the Midwest/Southern Regions. This differentiation was based largely upon higher populations, higher percentage of educated residents, higher home values, and incomes of the residents of the Counties of Origin in the Northeast and Western Regions. Additionally, the Northeast had the highest percentage of residents that owned their home. Meanwhile, the Western Region had the most diverse population and shortest commute times to further separate itself from the Midwest and South US Census Regions.

In conclusion, Counties of Origin are more diverse compared to one another across the four Census Regions than NIMs. The Northeastern and Western Counties of Origin are much larger, are better off economically, and are better educated than their Midwestern and Southern counterparts. Neither Midwestern nor Southern Counties of Origin differentiated themselves except for the statistically significantly higher percentage of White residents located within Midwestern Counties of Origin and the higher statistically significant levels of poverty found within the Counties of Origin of the South Census Region compared to the other regions. It is extremely interesting that the Counties of Origin were so diverse (all but two of the variables were found to be statistically significantly different) compared to the NIMs which only saw half of the variables gain statistical relevance. It must be noted that the majority of these variables were demographic in nature.

Table 5.4 Mean regional differences between counties of origin, 2010

Variable	Northeast counties of origin (n = 14)	Midwest counties of origin (n = 65)	South counties of origin (n = 148)	West counties of origin (n = 50)
Population (persons)[1]	**516,202**	**194,832**	**196,867**	**694,281**
Median age (years)	39.5	38.9	38.9	37.4
White residents (%)[2]	**77.6**	**87.4**	**76.8**	**74.4**
Black residents (%)[3]	**11.6**	**6.4**	**14.7**	**2.4**
Native American residents (%)[4]	**0.4**	**0.6**	**1.3**	**7.0**
Asian residents (%)[1]	**3.3**	**1.6**	**1.4**	**4.5**
Hispanic or Latino residents (%)[5]	**11.3**	**5.2**	**11.7**	**19.4**
Owner-occupied housing units (%)[6]	**89.2**	**88.6**	**85.5**	**81.6**
Average household size (persons)[1]	**2.57**	**2.53**	**2.54**	**2.68**
Residents with college degree or higher (%)[7]	**31.5**	**22.5**	**20.7**	**26.8**
Mean travel time to work (minutes)[4]	**26.4**	**24.9**	**24.7**	**21.5**
Median family income ($)[8]	**78,466**	**62,867**	**55,117**	**65,199**
Median value of owner-occupied housing units ($)[9]	**280,564**	**140,744**	**130,627**	**248,518**
Residents 65 and older (%)[10]	14.5	14.2	14.7	12.9
Residents living in poverty (%)[11]	**8.7**	**9.9**	**13.4**	**10.3**
Residents residing at same address—1 year ago (%)[12]	**87.9**	**85.8**	**85.3**	**83.8**
Median year structure built (year)[13]	**1963**	**1976**	**1982**	**1982**
Median year household moved into structure (year)[14]	**2001**	**2002**	**2002**	**2003**

Bold indicates significant differences at the .05 level

Numbers represent statistically significant differences between US Census Regions as detailed below

[1]West is statistically significantly different from the Midwest and South

[2]Midwest is statistically significantly different from the Northeast, South, and West

[3]West is statistically significantly different from the Northeast and South. Midwest and South are also statistically significantly different

[4]West is statistically significantly different from the Northeast, Midwest, and South

[5]West is statistically significantly different from the Midwest and South. Midwest and South are also statistically significantly different

[6]West is statistically significantly different from the Northeast, Midwest, and South. Midwest and South are also statistically significantly different

[7]Northeast is statistically significantly different from the Midwest and South. The Midwest and West are statistically significantly different, as well as the South and West

[8]Northeast is statistically significantly different from the Midwest, South, and West. The South, Midwest, and West are also statistically significantly different

[9]Northeast is statistically significantly different from the Midwest and South. The West is also statistically significantly different from the Midwest and South
[10]South and West are statistically significantly different
[11]South is statistically significantly different from the Northeast, Midwest, and West
[12]West is statistically significantly different from the Northeast, Midwest, and South. Northeast and South are also statistically significantly different
[13]Northeast is statistically significantly different from the Midwest, South, and West, and the Midwest is also different from the South and West
[14]Northeast is statistically significantly different from the Midwest, South, and West. The South and West are also statistically significantly different
Source US Census Bureau

5.2.2.3 Significant Interaction Effects Between Group and Region

Determining if any significant interaction effects can be found between all of the variables is of importance and is explored below. Only five of the eighteen variables showed significant interaction effects between the GROUP (Newly Incorporated Municipalities and Counties of Origin) and the REGION (Northeast, Midwest, South, and West). The five variables are:

1. Population;
2. Percentage of Asian residents;
3. Median family income;
4. Median home value of owner-occupied housing units; and
5. Median year structure built.

Being classified as a new municipality or a County of Origin had a significant effect on the population across all the US Census Regions (see Table 5.5). This finding is the result of scale and was expected and can be discounted. New cities are formed from part of a county and as a result will always have a smaller population than the Counties of Origin across all US Census Regions.

The second variable that witnessed a significant interaction effect between the Group and Region was the percentage of Asian residents. All of the regions, with the exception of the West, reported NIMs having smaller percentages of Asian residents compared to the Counties of Origin. This was especially true for the Midwestern Region which had less than 1% of its NIM population recognized as Asian. This analysis determined that new municipalities have a statistically significant higher percentage of Asian residents than the Counties of Origin in the Western US Census Region (see Table 5.6).

The differentiation between new municipalities and Counties of Origin by US Census Region had a significant effect on the median family income (see Table 5.7). In particular, the Northeast Region witnessed a −$7380 difference between the median family income of new cities and Counties of Origin. The new municipalities located in the South US Census Region experienced an increase in median family income (+$5601) compared to their counties of origin. In essence,

Table 5.5 Regional differences in the mean population, 2010

	Northeast	Midwest	South	West
NIMs	**11,668**	**2855**	**6134**	**24,175**
Counties of Origin	**516,202**	**194,832**	**196,868**	**694,281**
Difference (NIMs–Counties of Origin)	**504,534**	**191,977**	**190,734**	**670,106**

Bold indicates significant at differences at the .05 level
Source US Census Bureau

Table 5.6 Regional differences in the mean percentage of Asian resident, 2010

	Northeast	Midwest	South	West
NIMs	2.8	0.9	1.0	**6.5**
Counties of Origin	3.3	1.6	1.4	**4.5**
Difference (NIMs–Counties of Origin)	0.5	0.7	0.4	**2.0**

Bold indicates significant at differences at the .05 level
Source US Census Bureau

new municipalities had lower median family incomes in all US Census Regions with the exception of the South. This finding is interesting because the literature on new municipalities has consistently stated that new municipalities are created from wealthier enclaves (Musso 2001; Smith and Debbage 2011). However, this research has largely been focused on comparing new cities with existing municipalities and not the counties from which they were carved.

The fourth variable that experienced a significant interaction effect between Group and Region was the median value of owner-occupied housing units (see Table 5.8). In the Northeast, South, and West regions, residing in a NIM or County of Origin had a statistically significant effect on the median value of owner-occupied housing units. For example, Northeast NIMs reported a median owner-occupied housing value of $182,900 compared with $280,564 for the Counties of Origin. The West Region witnessed a similar trend when comparing new municipalities to Counties of Origin (i.e., $171,573 vs. $248,518). The South Region was the only region to experience higher new city home values (i.e., $157,955 vs. $130,628), and the Midwest difference was not statistically significant. The significantly lower median value of owner-occupied units in the new

Table 5.7 Regional differences in the mean median family income, 2010

	Northeast	Midwest	South	West
NIMs	**$71,086**	57,637	**60,718**	61,205
Counties of Origin	**$78,466**	62,867	**55,117**	65,199
Difference (NIMs–Counties of Origin)	**−$7380**	−$5230	**$5601**	−$3994

Bold indicates significant at differences at the .05 level
Source US Census Bureau

Table 5.8 Regional differences in the mean median value of owner-occupied housing units, 2010

	Northeast	Midwest	South	West
NIMs	**182,900**	139,029	**157,955**	**171,573**
Counties of Origin	**280,564**	140,745	**130,628**	**248,518**
Difference (NIMs–Counties of Origin)	**−$97,664**	−$1716	**$27,327**	**−$76,945**

Bold indicates significant at differences at the .05 level
Source US Census Bureau

cities of the Northeast and West compared to the higher values found in the South might reveal an interesting geographic pattern to municipal incorporation. This finding may highlight the fact that in the Northeast and the West, residents of newly incorporated places are seeking to escape from higher property values found in the county and the existing municipalities. Conversely, the higher values experienced in the new municipalities of the South may be the result of residents fleeing lower property values in the county and show residents' desire to protect their property values.

The differentiation between new municipalities and Counties of Origin in the Midwest, South, and West Census Regions had a significant effect on the median year structure built (see Table 5.9). In all Regions except the Northeast, the new municipalities had an older mean median year in which structures in the community were built. The largest difference in average home age occurred in the West Region (16 years) when compared to the Counties of Origin. This result is surprising, since previous research had revealed that new cities tended to have a younger building stock as many new municipalities are newer suburban communities (Smith and Debbage 2011). This result may highlight the growth in newer communities within the Counties of Origin and needs further evaluation.

In conclusion, new municipalities and Counties of Origin had more similarities than differences when examined at the US Census Region level. It was expected that regional variation would play a larger role in differentiating new cities and Counties of Origin given the significant cultural and economic differences that exist across the country. Furthermore, the existing literature on new municipalities has alluded to significant variation, although much of the existing literature has been focused on a local or regional scale of analysis, thus making it difficult to draw broader national conclusions.

Table 5.9 Regional differences in the mean median year structure built, 2010

	Northeast	Midwest	South	West
NIMs	1968	**1966**	**1968**	**1966**
Counties of Origin	1963	**1976**	**1982**	**1982**
Difference (NIMs–Counties of Origin)	5	**10**	**14**	**16**

Bold indicates significant at differences at the .05 level
Source US Census Bureau

5.3 Conclusions

Several key findings have been revealed by examining the differences that exist between new municipalities and the Counties of Origin from which the new municipalities were birthed. First, new municipalities and their Counties of Origin are statistically significantly different along several key demographic and socioeconomic dimensions nationally. This finding compliments the existing literature on municipal incorporation that suggests new cities are fundamentally different from nearby geographies along a range of variables. This analysis found that race, population size, education level, and a variety of housing characteristics are key differentiating variables for new municipalities and Counties of Origin. Nationally, new cities have larger percentage of White residents, smaller and older populations, and are better educated. Additionally, this study reveals that several additional variables are also important. These include the findings that new municipalities have higher mean travel times, higher levels of poverty, and a larger percentage of the population over the age of 65 when compared to the Counties of Origin.

Secondly, the key differentiating variables between new municipalities and Counties of Origin tend to remain fairly stable across US Census Regions. Geographic location can play a role in determining whether or not a community incorporates but the primary socioeconomic distinctions between new cities and Counties of Origin do not change dramatically by macro-geography (i.e., Census Region). Location appears to be more important at the microgeography (i.e., county) scale. At the microscale, a herd mentality seems to dominate the political landscape resulting in conditions ripe for numerous incorporations following the incorporation of the first new community in a county. This may highlight the greater influence that the local microgeography context has over incorporation relative to a broader Census Region.

Some regional differentiation was evident. The primary geographic difference was between the new municipalities and Counties of Origin in the West compared to the other regions. An examination of the NIM–County of Origin dichotomy in the West revealed that the median value of owner-occupied housing units, the percentage of Asian residents, the median family income, and median year structure built variables were all statistically significantly different. The Northeast also saw some significant interaction effects related to median family income and median home values.

In conclusion, new municipalities and Counties of Origin do differentiate nationally along a specific range of demographic and socioeconomic variables. However, these differences do not systematically vary by Census Region. In this sense, location plays only a limited role in determining the differentiating demographic and socioeconomic variables at a national scale. In fact, an interesting finding of this analysis is the lack of significance of macro-geography. The relative uniformity of differences between new cities and Counties of Origin across the country may clearly allude to the commonality of the incorporation experience. New municipalities are established in response to the aggressive annexation tactics

of nearby existing municipalities, which leads to the creation of relatively homogeneous enclaves. Clearly, further research is needed that focuses on individual case studies to determine additional factors that may influence how new municipalities and Counties of Origin deviate. After examining the differences between new cities and Counties of Origin in detail, the next chapter will investigate the clustering pattern experienced by new municipalities in an effort to further understand municipal incorporation.

References

Leon-Moreta A (2015a) Municipal incorporation: socioeconomic and policy factors of influence. State Local Gov Rev 47(4):255–270

Leon-Moreta A (2015b) Municipal Incorporation in the United States. Urban Stud 52(16):3160–3180

Leon-Moreta A (2016) Municipal incorporation in the United States. Urban Stud 52(16):3160–3180

Miller G (1981) Cities by contract: the politics of municipal incorporation. MIT Press, Cambridge, MA

Musso JA (2001) The political economy of city formation in California: limits to Tiebout sorting. Social Science Quarterly 82(1):139–153

Smith RM, Debbage K (2011) Spatial distributions of newly incorporated municipalities (NIMs) and related socioeconomic characteristics: a national comparison to cohort cities. Urban Geogr 32(4):568–588

Smith RM, Waldner L, Richardson C (2016) New cities of color: socioeconomic differentiation between majority-minority new cites and white new cities. State Local Gov Rev. https://doi.org/10.1177/0160323XI6660589

Smith RM, Waldner L (2017) Why majority-minority cities form: non-White municipal incorporation in the United States, 1990–2010. Urban Geo:1–18

Chapter 6
Clustering of New Cities and the Theory of a Herd Mentality

Abstract Newly incorporated municipalities (NIMs) disproportionately are located near other new municipalities. This clustering phenomenon had been previously identified by scholars, but little research had been conducted on why it occurs. Based upon more recent research, new cities seem to cluster together as a result of a herd mentality in which numerous and proximate unincorporated communities follow one another along the path to local self-determination. Additional research has also identified the presence of a pioneer NIM, who clears the numerous hurdles facing a community that wishes to incorporate and blazes a trail for subsequent incorporations within a limited geographic area. In the USA, 57% of the NIMs incorporated since 1990 have done so within a county with at least one additional new municipality. On the extreme end of this spatial pattern lie several hyper-clustering counties that witnessed the incorporation of more than four NIMs between 1990 and 2010. These counties include King County, WA; Miami-Dade County, FL and Union County, NC. On the metropolitan wide scale, the Atlanta Metro Region has recently seen the incorporation of 10 NIMs since 2005, with the potential for several more in the coming years. In the end, the grouping of new cities in close geography seems to be a spatial pattern that will continue into the future as unincorporated areas learn from nearby neighbors how and why they can and should incorporate.

Keywords Atlanta · Charlotte · Clustering · Herd mentality · Hyperclustering Pioneer NIM

Newly incorporated municipalities (NIMs) are disproportionately located near other new municipalities. What accounts for this spatial phenomenon? Why do new cities group together? What is the result of this agglomeration of new municipalities? This chapter will discuss the clustering phenomenon associated with new municipalities and explain why new cities cluster together. Additionally, the geography of clustering municipalities will be explored through several case studies. In the end, the geography, rationale, and importance of clustering will be explored in this chapter.

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_6

6.1 Background

For the better part of half a century, scholars have highlighted the clustering phenomena associated with municipal incorporation activity in the USA (Hawley 1959; Stauber 1965; Schmandt 1961; Smith 2008; Smith and Debbage 2006, 2011; Waldner and Smith 2015). Beginning with an analysis of municipal incorporation activity since 1900, Hawley (1959) noted that "a notable feature of the emergence of new cities and villages is their concentration in relatively few metropolitan areas" (42). Hawley's findings, while not specifically calling them clusters, implied clustering of new municipalities as early as 1900. Stauber (1965), in his study of municipal incorporation activity during the 1950s, found that 66% of municipalities created during the 1950s in the USA were located in a county with at least one other new municipality. He also noted that "municipalities, or the forces which begat municipalities, appear to beget more municipalities over time within the same general area" (14). Both of these findings support the theory that new municipalities cluster together.

While the theory that municipalities cluster together has been around for more than half a century, it was not until recently that scholars attempted to study this geographic phenomenon further. Colleagues and I have continued to find the strong presence of clustering with more recently incorporated municipalities. Specifically, in an early examination of new municipalities in the US South, a colleague and I found that "more than half (100) of the Southern NIMs are located in a county where at least one other NIM exists" (Smith and Debbage 2006). In an analysis of North Carolina municipal incorporation activity, I determined that between 1990 and 2008, "almost 70% (69.5%) of the NIMs established in North Carolina" (Smith 2008, 29) were established in a county where another new city was also formed during the study period. An additional study of micropolitan NIMs in North Carolina also revealed that 77.7% of micropolitan NIMs established in between 1990 and 2010 clustered together. Highlighting that clustering is not just a metropolitan phenomenon. Nationally, an examination of the 263 new municipalities created between 1990 and 2000 revealed that 44% of all new municipalities clustered together. Clearly, the clustering of new cities in a county is a geographic phenomenon that warrants further discussion and analysis.

The most recent and in-depth analysis of clustering of new cities in the USA between 1990 and 2009 was completed by Leora Waldner and myself in 2015. This research explored the geography, demographic characteristics, and examined several case studies in an effort to better understand the dynamics surrounding the clustering of new municipalities across the nation. In general, the results of this work revealed that 57% of new municipalities clustered together during the study period. Additionally, the study found that clustering new cities were statistically significantly different from non-clustering new municipalities along a range of socioeconomic variables. Finally, and potentially most importantly, the study explored the individual dynamics of clustering within a few counties through a detailed content analysis of the media in each geography. This resulted in a

surprising finding that annexation and/or the threat of annexation did not seem to play a pivotal role in the development of the clusters examined (Waldner and Smith 2015). Rather, the study determined that dissatisfaction with county-level government and services were more likely to be a catalyst for the development of the new city clusters qualitatively explored in the analysis.

6.2 Exploring the Clustering of Newly Incorporated Municipalities (NIMs) in the USA, 1990–2010

An explicit dichotomy of new city formation existed during the study period. More than 57% of the new municipalities (249) are located in a county where at least one other new community incorporated between 1990 and 2010 (Table 6.1). The most common form of NIM clustering is the dual cluster in which two new municipalities are established within the boundaries of a single county during the study period. This form of clustering accounted for 45% of all municipal incorporation activity identified between 1990 and 2010 in the USA. A tri-cluster was the next most common form of clustering, contributing 28% of all the clusters. Meanwhile, the remaining 147 new municipalities formed during the study period were birthed in relative isolation (Fig. 6.1).

An interesting and important subset of the clustering NIMs is those that experience a hyperclustering, in which four or more NIMs were established within one county during the study period. In sum, 27% of new municipalities were created in a hyperclustering county. The most egregious example of this was King County, WA, home to the City of Seattle, which experienced ten incorporations. With only one fewer incorporation, Miami-Dade County, FL (Miami) came in second nationally with the creation of nine new municipalities. Union County, NC (just outside Charlotte) witnessed the creation of seven new municipalities over twenty years. Other counties in which hyperclustering occurred included: Orange County, CA (6); Guilford County, NC (6); Riverside County, CA (5); and Kane County, IL (5). Fulton County, GA; Essex County, NJ; Hidalgo County, TX; Travis County, TX; and Salt Lake County, UT also experiencing a comparable clustering effect with four new municipalities being incorporated between 1990 and 2010 in each of those counties.

In addition to clustering at the county level, new cities also cluster together at larger geographies, including across metropolitan regions. Based upon a spatial analysis of the new municipalities formed between 1990 and 2010, 67.3% were located in a core-based statistical area (i.e., metropolitan or micropolitan area). Table 6.2 highlights new city activity by core-based statistical area across the USA.

The St. Louis, MO-IL Metro Area, Chicago–Joliet–Naperville, IL-IN-WI Metro Area and Miami–Fort Lauderdale–Pompano Beach, FL Metro Area all witnessed the incorporation of 14 new cities during the study period. Seattle–Tacoma–Bellevue, WA Metro Area ranked second nationally with 13 new municipal

Table 6.1 Counties with multiple newly incorporated municipalities (NIMs), 2010

# of NIMs	County	State
10	King	Washington
9	Miami-Dade	Florida
7	Union	North Carolina
6	Orange	California
6	Guilford	North Carolina
5	Riverside	California
5	Kane	Illinois
4	Fulton	Georgia
4	Essex	New Jersey
4	Hidalgo	Texas
4	Travis	Texas
4	Salt Lake	Utah
3	Baldwin	Alabama
3	Jefferson	Alabama
3	Shelby	Alabama
3	Tuscaloosa	Alabama
3	Hot Springs	Arkansas
3	Los Angeles	California
3	Sacramento	California
3	Broward	Florida
3	Boone	Illinois
3	Boone	Missouri
3	Lincoln	Missouri
3	Warren	Missouri
3	Alamance	North Carolina
3	Brunswick	North Carolina
3	Forsyth	North Carolina
3	Stanly	North Carolina
3	Hughes	Oklahoma
3	Grimes	Texas
3	Hood	Texas
3	Utah	Utah
3	Wasatch	Utah
3	Weber	Utah
3	Pierce	Washington
2	Elmore	Alabama
2	Jackson	Alabama
2	Lake & Peninsula	Alaska
2	Benton	Arkansas
2	Crittenden	Arkansas
2	Faulkner	Arkansas

(continued)

Table 6.1 (continued)

# of NIMs	County	State
2	San Bernardino	California
2	Santa Barbara	California
2	Arapahoe	Colorado
2	Douglas	Colorado
2	Lee	Florida
2	Monroe	Florida
2	Palm Beach	Florida
2	Volusia	Florida
2	Kankakee	Illinois
2	Kendall	Illinois
2	McHenry	Illinois
2	Allen	Indiana
2	Montgomery	Maryland
2	Hennepin	Minnesota
2	Alcorn	Mississippi
2	Cass	Missouri
2	Christian	Missouri
2	Jefferson	Missouri
2	Newton	Missouri
2	St. Louis	Missouri
2	Stone	Missouri
2	Taney	Missouri
2	Orange	New York
2	Rockland	New York
2	Suffolk	New York
2	Carteret	North Carolina
2	Columbus	North Carolina
2	Davidson	North Carolina
2	Henderson	North Carolina
2	Johnston	North Carolina
2	Summit	Ohio
2	Garvin	Oklahoma
2	Charleston	South Carolina
2	Meade	South Dakota
2	Unicoi	Tennessee
2	Williamson	Tennessee
2	Austin	Texas
2	Brazos	Texas
2	Burnet	Texas
2	Denton	Texas
2	Fort Bend	Texas

(continued)

Table 6.1 (continued)

# of NIMs	County	State
2	Guadalupe	Texas
2	Hays	Texas
2	Hunt	Texas
2	Kaufman	Texas
2	Starr	Texas
2	Tyler	Texas
2	Williamson	Texas
2	Spokane	Washington
2	Marion	West Virginia

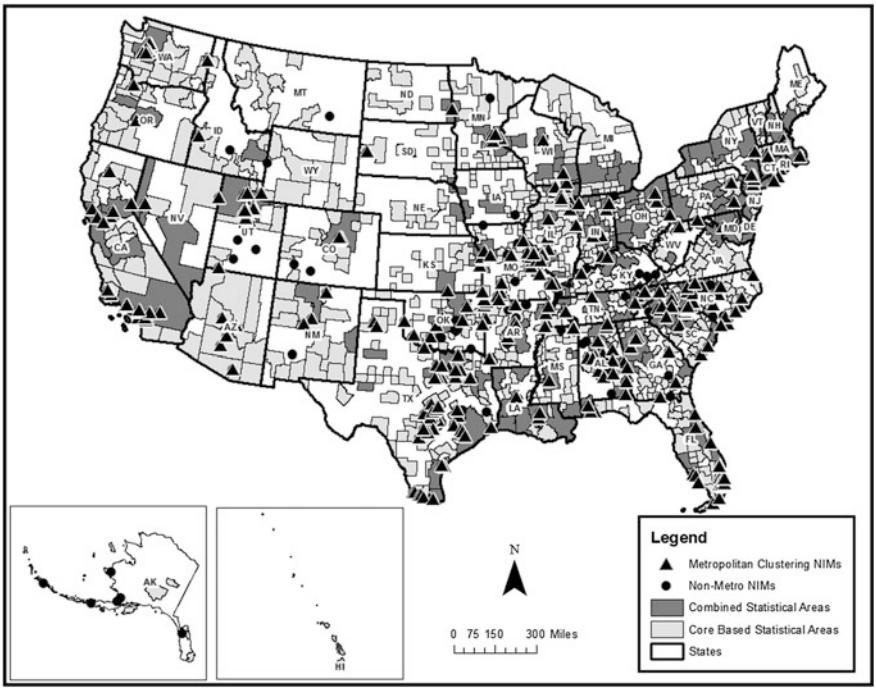

Fig. 6.1 US new municipality metropolitan clustering, 1990–2010

incorporations. Not surprising, both Texas and North Carolina, leaders in overall NIM activity, witnessed two CBSA clusters within their boundaries. Texas experienced a total of 18 new municipalities across two CBSA's, Dallas–Fort Worth–Arlington (10) and the Austin–Round Rock–San Marcos (8) Metro Areas. Meanwhile, North Carolina had 16 new cities created during the time period with both the Charlotte–Gastonia–Rock Hill and Greensboro-High Point Metro Areas incorporating eight cities each. Please note that while part of the Charlotte–

Table 6.2 New municipalities by Core Based Statistical Area, Metropolitan

Rank	Core-based statistical area	# of NIMs
t1	St. Louis, MO-IL Metro Area	14
t1	Chicago–Joliet-Naperville, IL-IN-WI Metro Area	14
t1	Miami–Fort Lauderdale–Pompano Beach, FL Metro Area	14
2	Seattle–Tacoma–Bellevue, WA Metro Area	13
t3	Dallas–Fort Worth–Arlington, TX Metro Area	10
4	Los Angeles–Long Beach–Santa Ana, CA Metro Area	9
t5	New York–Northern New Jersey–Long Island, NY-NJ-PA Metro Area	8
t5	Charlotte–Gastonia–Rock Hill, NC–SC Metro Area	8
t5	Greensboro–High Point, NC Metro Area	8
t5	Austin–Round Rock–San Marcos, TX Metro Area	8

Gastonia–Rock Hill Metro Area is in South Carolina, all new municipalities within the metro were established in North Carolina.

Municipal clustering was not just a metropolitan event, but rather the smaller and more rural micropolitan areas also experienced a high level of clustering. Table 6.3 showcases the top micropolitan areas based upon municipal incorporation activity. Branson, MO Micro Area, witnessed the highest level of new city clustering activity with four new municipalities incorporated within the micropolitan region. Heber, UT and Albermarle, NC tied for second with three clustering new cities in each respective Micro Area and several other micropolitan regions saw the clustering of two new municipalities. While clustering new cities are more heavily located in the metropolitan areas of the USA, it is important to note the municipal incorporation activity is also present in the small cities and communities that make up micropolitan America. Smith (2014) provides an in-depth analysis of

Table 6.3 New municipalities by Core Based Statistical Area, Micropolitan

Rank	Core-based statistical area	# of NIMs
1	Branson, MO Micro Area	4
t2	Heber, UT Micro Area	3
t2	Albermarle, NC Micro Area	3
t3	Fairmont, WV Micro Area	2
t3	Corinth, MS Micro Area	2
t3	Scottsboro, AL Micro Area	2
t3	Thomasville–Lexington, NC Micro Area	2
t3	Granbury, TX Micro Area	2
t3	Rio Grande City–Roma, TX Micro Area	2
t3	Key West, FL Micro Area	2
t3	Morehead City, NC Micro Area	2

micropolitan municipal incorporation in North Carolina. This included a discussion surrounding why new cities are created in smaller and more rural environs.

Potentially, the most interesting clustering of new municipalities can be seen at the combined statistical area level of geographic analysis. Slightly more than half (51.6%) of all new municipal incorporations occurred in a combined statistical area (CSA). These federally designated geographic entities can combine neighboring metropolitan and/or micropolitan areas together under a predetermined set of criteria which includes employment interchange across counties.

The Greensboro—Winston-Salem—High Point, NC CSA, located in the Piedmont region of North Carolina, had the highest level of incorporation activity nationally (17 NIMs). After this mid-size metro, the remaining top ten CSAs for new city clustering included a list of major population centers in the USA including: Atlanta, Chicago, Dallas, Los Angeles, and New York. While new city clustering is prevalent in these locations, the actual geographic location of these new municipalities tends to be on the outskirts of the metropolitan area rather than the core (Table 6.4).

The clustering of new municipalities has and continues to occur across the USA. What accounts for the unique spatial distribution of new municipalities? What process facilitates the diffusion of municipal incorporation ideology across a relative local geography? A theory of new city clustering is provided in the next section and will offer some potential explanations for this geographic phenomenon.

Table 6.4 New municipalities by Combined Statistical Area (CSA)

Rank	Combine statistical area	# of NIMs
1	Greensboro–Winston-Salem–High Point, NC CSA	17
t2	Chicago–Naperville-Michigan City, IL-IN-WI CSA	16
t2	Los Angeles–Long Beach–Riverside, CA CSA	16
3	St. Louis–St. Charles–Farmington, MO-IL CSA	15
t4	Seattle–Tacoma–Olympia, WA CSA	13
t4	Dallas–Fort Worth, TX CSA	13
5	Charlotte–Gastonia–Salisbury, NC–SC CSA	12
t6	New York–Newark–Bridgeport, NY-NJ-CT-PA CSA	10
t6	Salt Lake City–Ogden–Clearfield, UT CSA	10
7	Austin–Round Rock–Marble Falls, TX CSA	9
8	Birmingham–Hoover–Cullman, AL CSA	8
9	Atlanta–Sandy Springs–Gainesville, GA-AL CSA	6
t10	Montgomery–Alexander City, AL CSA	5
t10	Kansas City–Overland Park–Kansas City, MO-KS CSA	5
t10	Minneapolis–St. Paul–St. Cloud, MN-WI CSA	5

6.3 Theory of Newly Incorporated Municipal (NIM) Clustering

As the background discussion mentioned and as the data above clearly shows, new municipalities exhibit a propensity of locating in close proximity with one another. What accounts for this geographic phenomenon? Why do new cities cluster together? What are the implications of clustering? These questions will be addressed below, as we seek to develop a more defined theory of municipal incorporation clustering.

Some of my early work with Dr. Keith Debbage (2006) offered an explanation for why new municipalities cluster together as part of our analysis of municipal incorporation activity in the South US Census Region. The main thrust of our theory was that an apparent herd mentality exists in these counties "where a local political culture is established that facilitates the diffusion of a NIM ideology in response to the aggressive annexation tactics of neighboring cities" (Smith and Debbage 2006, 117). In essence, the creation of one new municipality opens up the floodgates for additional new cities to follow through. We additionally believed that a copycat effect seems to take place within a region after the first unincorporated community successfully makes the transition to NIM status. This seedbed effect seems to encourage other unincorporated territories to consider incorporation strategies" (2006, 117).

More recently, qualitative work that I have completed with Dr. Leora Waldner on new city clusters has greatly aided and informed the herd mentality theory that I put forward more than a decade ago. Our research of four urban NIM clusters identified a pioneer NIM in each case, who paved the way for future incorporations. "The pioneer NIM cleared the state and electoral hurdles, bore the cost of the lawsuits, and created political allies, thus opening a floodgate of sorts for subsequent NIMs. The pioneer NIM paved the way for the others by reducing the transaction costs for subsequent NIMs that wished to exit county control (e.g., working through legal and electoral hurdles, building political support and social capital, providing a model for the incorporation study, arranging MOUs, or finding service providers). Moreover, the pioneer NIMs directly mentored other NIMs, answering questions, providing resources, and sometimes directly contributing money to incorporation drives" (Waldner and Smith 2015, 204).

Additionally, the research focused on a select few urban clusters also determined that annexation does not have to be the main motivating factor that spurs incorporations and clustering. Rather, it is one of many stimuli that can precipitate an incorporation frenzy. Our research identified a general dissatisfaction with county-level services, which triggered the first and subsequent incorporation proceedings within these NIM cluster counties.

In the end, clustering is not strictly a county-level phenomenon. Rather, the process which facilitates the creation of new municipalities can reach across county lines through every increasing communication channels and transportation networks. Core-based statistical area and combined statistical area clustering further

reinforce the theories espoused above. The pioneer NIM, which leads the initial effort to incorporate, can be a guide to other unincorporated communities within the larger metropolitan region and is not limited to its home county. Subsequently, a herd mentality may ensue which facilities additional municipal incorporations in surrounding counties and ends with an incorporation frenzy taking hold over the wider metropolitan region. Commenting on the incorporation activity in the Greensboro—Winston-Salem—High Point, NC CSA, Barron (1996) stated that "incorporation fever has swept through the Piedmont recently as small, rural communities have decided to become towns rather than get swallowed by a nearby city" (B1). In an increasingly connected world, the reach of pioneer NIMs does not seem to stop at county boundaries, but is more likely limited by regional media coverage and community collaborations.

6.4 Clustering Case Studies

6.4.1 Union County, NC: Suburban Growth and Development Pressures

A good example that highlights the theories discussed above can be found through an examination of municipal incorporation activity in Union County, NC. Union County, NC is located directly east of the City of Charlotte, NC and is a growing bedroom community for the rapidly growing sunbelt city of Charlotte. For decades, Union County saw little growth until a recent explosion in population. Beginning in the late 1980s and then taking off over the last two decades, Union County was transformed from a semi-rural county into one of the most prolific locations for the incorporation of new cities in the USA.

According to the 2010 US Census, Union County has a population of 201,292 and is part of the larger Charlotte–Concord–Gastonia, NC–SC Metropolitan Statistical Area. Much of this population has been recently added to the county with population growth rates of 46.9% during the 1990s and a 62.8% increase in population between 2000 and 2010. These tens of thousands of new residents have greatly impacted the urban and political landscape of Union County.

Since 1990, Union County has experienced the incorporation of seven new municipalities, doubling the number of local governments located within the county in less than twenty years (see Figs. 6.2 and 6.3). The new municipalities include Fairview (2002), Hemby Bridge (1998), Lake Park (1994), Marvin (1994), Mineral Springs (1999), Unionville (1998) and Wesley Chapel (1998). These municipalities join the already existing cities of Indian Trail, Marshville, Monroe (the County Seat), Stallings, Waxhaw, Weddington, and Wingate. In the coming pages, we will explore the reasons for incorporation and determine if clustering and/or a herd mentality played any role in the incorporation frenzy witnessed in Union County, NC between 1990 and 2010.

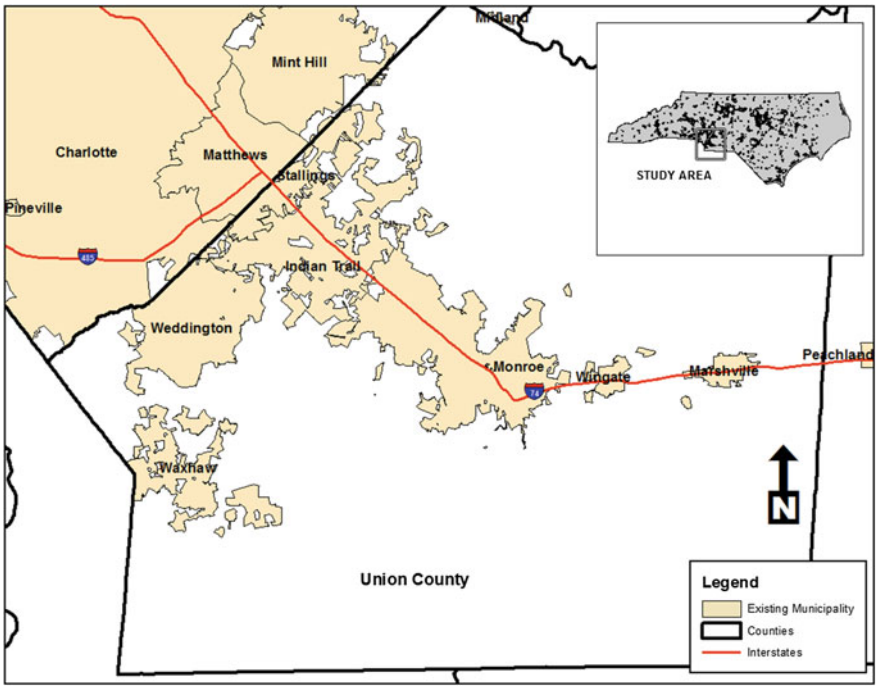

Fig. 6.2 Union County, NC municipalities, 1990

Union County, NC would become a hotbed of municipal incorporation activity not only in North Carolina, but also the nation. The incorporation of seven new municipalities between 1990 and 2010 ranked third national for the greatest concentration of new municipalities in a county in the USA during that time period. The reasons for seeking incorporation for many of these new cities are the traditional themes related to wanting local control over growth and fear of annexation from nearby larger existing municipalities. Outlined below is a brief overview of the seven new municipalities incorporated in Union County, NC.

The Villages of Lake Park and Marvin were both established in 1994 and were the first new municipalities in Union County in over a decade. These two new municipalities ushered in a new era of municipal incorporation activity in the County that made Union County one of the most prolific locations for new cities in the USA over the past two decades. The Village of Lake Park, located 15 miles from downtown Charlotte, was largely centered around the construction of a new community based upon the traditional neighborhood development (TND) concept of planning. TND developments seek to incorporate smaller front yards, rear accessed garages, front porches, and sidewalks in an effort to promote a pedestrian friendly environment for residents. In 1990, the area that would become Lake Park had a population of 4, but by the time of incorporation, Lake Park boasted a population of 650, with plans to house 2200 residents at build out in 2002. The

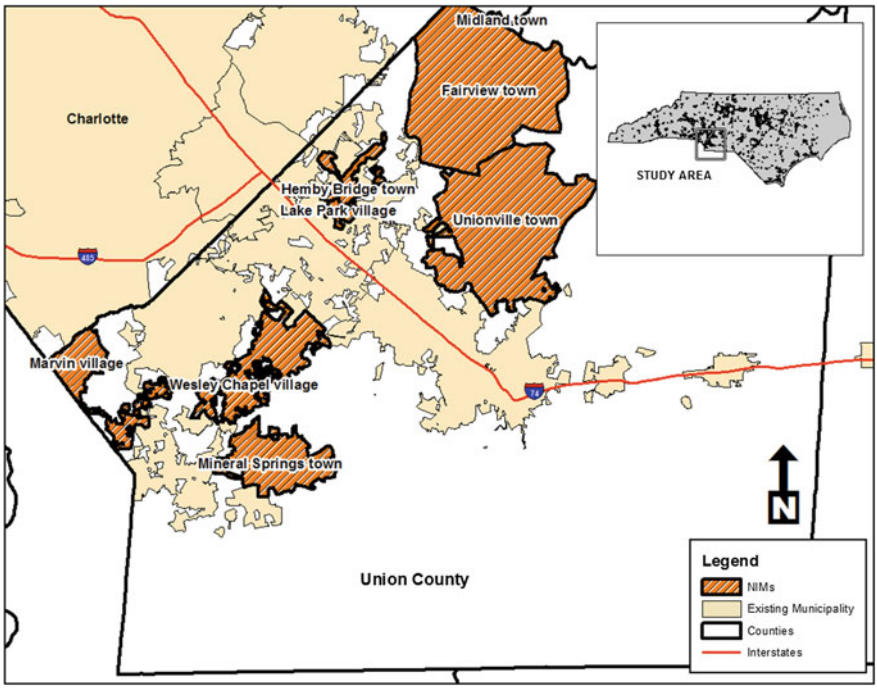

Fig. 6.3 Union County, NC municipalities, 2010

main factor motivating community leaders in Lake Park to seek incorporation was to gain local control over planning (Ball 1994).

Meanwhile, the Village of Marvin was a century old farming settlement on the border of North and South Carolina that was concerned about its rural future when it incorporated with a population of approximately 350 residents in 1994. Marvin sought to incorporate as a method of protecting itself from the potential threat of annexation by the City of Charlotte (Ball 1994) and to control growth related issues like the I-485 outer beltway that would eventual pass nearby (Little 1994). Today, Marvin, houses a population in excess of 6000 residents, has the highest median income in the state and was named by Yahoo! the best town in North Carolina for two consecutive years. These two municipalities opened the floodgates on numerous additional proposed and successful incorporation efforts in Union County, NC as once unincorporated communities realized the potential of municipal incorporation as a mechanism for fighting off annexation from nearby larger neighbors and also controlling growth.

Following the establishment of the Villages of Lake Park and Marvin, four new municipalities "caught the fever" and were incorporated in a relative short period of time in Union County—Hemby Bridge, Unionville, and Wesley Chapel in 1998 and Mineral Spring in 1999. Hemby Bridge was a community centered on family farms that sought to protect itself from annexation efforts by Lake Park and Indian

Trail, two nearby communities. “Most residents worried the community was on the verge of being swallowed by Indian Trail’s rapid annexations across western Union County. They did not want subdivisions to overtake family farms” (Peterson and Bernhard 2001, 16U). As a former Mayor stated “Hemby Bridge wants to remain just as simple and as self-supportive as possible. We want to keep it the way our parents and grandparents had it” (Peterson and Bernhard 2001, 16U).

Unionville’s path to incorporation is a little different since it was originally incorporated in 1911, but subsequently lost its charter when the community stopped holding local elections. “The town reincorporated in 1998 as a way to preserve its rural past” (Peterson and Bernhard 2001, 16U). Wesley Chapel and Mineral Springs also were farming communities that sought to incorporate as a way of preserving their way of life and protecting their community from annexation threats. As the then Mayor of Mineral Springs stated, “There’s no desire for big parking lots and shopping centers. The people would love to have something here that looks like it could have been here 100 years ago” (Peterson and Bernhard 2001, 16U).

The most recent community that incorporated in Union County is the Town of Fairview in 2002. The Town of Fairview was also established in an effort to stop annexation efforts of nearby municipalities and to have a voice in the expect growth of the community. It should be noted that North Carolina changed its municipal incorporation laws between the 1998/1999 incorporations and the 2002 incorporation of Fairview. This change in legislation was largely prompted by the incorporation of numerous communities around the state that incorporated to protect themselves from annexation and not with the intent of providing municipal services. It brought to light the question of the purpose behind a municipality. Can a community incorporate in an effort to not be a municipality? In the end, the North Carolina legislation was amended to include several new requirements that impacted the incorporation of Fairview and any other subsequent incorporations. These requirements included a minimum property tax rate of $0.05 per $100 valuation and the provision of at least four municipal services to local residents (e.g., street lighting, public safety, planning, solid waste collection). The end result of these legislative efforts was a drastic reduction in the number of municipal incorporations in North Carolina and the prevention of the incorporation of so called paper towns.

Union County witnessed the doubling in the number of municipalities located within its borders over a short period of time. While growth pressures (i.e., annexation threats and spillover growth from Charlotte) were consistently cited by local officials and residents as rationale for seeking incorporation, a closer examination of these efforts also reveals the presence of a herd mentality that greatly contributed to the creation of the Union County Municipal Incorporation Cluster. The title of a local story on the rash of incorporations in 1998 was titled “Union County’s New-Town Fever May Be Catching” and highlighted the spread of municipal incorporation across the County. Thanks to the work of a pioneer municipality; in the case of Union County, this was the Town of Weddington incorporated in 1983; a clear path is created that allows subsequent communities to

follow and incorporate. This can be especially true if the motivations for incorporating are similar as is the case with the Union County NIMs that sought protection from annexation and control over growth.

6.4.2 *Metro Atlanta: The Fragmentation of a Region*

This next example highlights the influence of municipal incorporation activity across a metropolitan region and also utilizes more recent data to showcase the continued development of clustering municipalities across the USA. Although, it should be noted that Fulton County, GA (part of Metro Atlanta), ranks high on a national list of clustering counties with four incorporations between 1990 and 2010. The real story of incorporation activity in Metro Atlanta does not begin until 2005 and has seen a total of ten new municipalities incorporated in the subsequent decade.

Officially classified as the Atlanta–Sandy Springs–Roswell, GA Metropolitan Statistical Area, Metro Atlanta has experienced the incorporation of numerous new municipalities over the past two decades. Metro Atlanta consists of over 5.7 million people spread over 28 counties and a growing number of municipalities (140 as of a 2006 survey by the Metro Atlanta Chamber of Commerce). Metro Atlanta provides a ripe avenue for exploring the clustering of new municipalities across county boundaries as one incorporation spurs on another.

Previous research conducted by the author and a colleague has discussed the clustering of new municipalities within the Fulton County, GA (a central county within the Atlanta Metropolitan Statistical Area) (Waldner and Smith 2015). This previous research highlighted the role of Sandy Springs, GA as a pioneer NIM that sought to incorporate in response to dissatisfaction with the county government. However, additional incorporations and proposed incorporations within the larger region over the past several years necessitate further study. As stated in a special report on incorporation fever striking the region by the Atlanta Journal-Constitution newspaper, "Metro Atlanta is fracturing along invisible walls" (Niesse 2015a) and these invisible walls are new city limits dividing places and people along racial, socioeconomic, and political lines.

Since 2005, the Atlanta Metropolitan Statistical Area has experienced the incorporation of ten new municipalities, adding numerous new players to an already fragmented political arena (see Figs. 6.4 and 6.5). The new municipalities include Sandy Springs (2005), Johns Creek (2006), Milton (2006), Chattahoochee Hills (2007), Dunwoody (2008), Brookhaven (2012), Peachtree Corners (2012), Tucker (2015), Stonecrest (2016), and South Fulton (2016). There are an additional three communities which are currently attempting to incorporate and/or have had referendums on the question of cityhood. These include Greenhaven and LaVista Hills in DeKalb County and Sharon Springs in Forsyth County. These new and proposed municipalities join the more than 70 municipalities located within the ten core

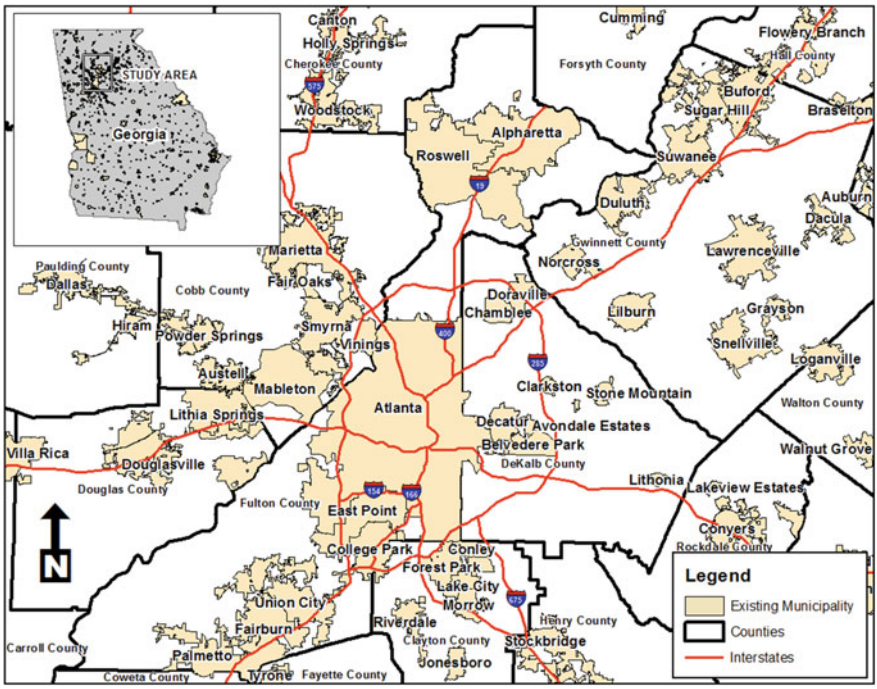

Fig. 6.4 Metro Atlanta, GA municipal boundaries, 2005

counties of the Atlanta Metropolitan Statistical Area, who provide a variety of levels of public service to more than 5.5 million residents.

Beginning with the incorporation of Sandy Springs, GA in 2005, the metropolitan region has witnessed a balkanization and fragmentation of a suburban region into numerous additional suburban enclaves and fiefdoms. Although, it must be noted that it was not easy. Sandy Springs' fight for cityhood took over 30 years, beginning in 1975 (Bennett 2006), but since that initial success, the dam has opened and many more communities have sought the privilege of becoming a municipality. A major factor that contributed to Sandy Springs' successful incorporation in 2005 was a larger political change that saw Republicans take control of Georgia's State Legislature and subsequently amend the procedure for incorporating a new city. The political change in leadership and the successful incorporation of the pioneer NIM (i.e., Sandy Springs) has ushered in an era of municipal incorporation activity not seen before in Georgia. As a resident of a subsequent municipality stated, "As soon as I heard about Sandy Springs, I thought, 'Why can't we do that?'" (Pearson 2006, D1).

Following the incorporation of Sandy Springs, two more municipalities located in northern Fulton County were established in 2006—Johns Creek and Milton, GA. Johns Creek is home to approximately 75,000 people according to 2010 US Census estimates and was incorporated in an effort to improve local control and protect the

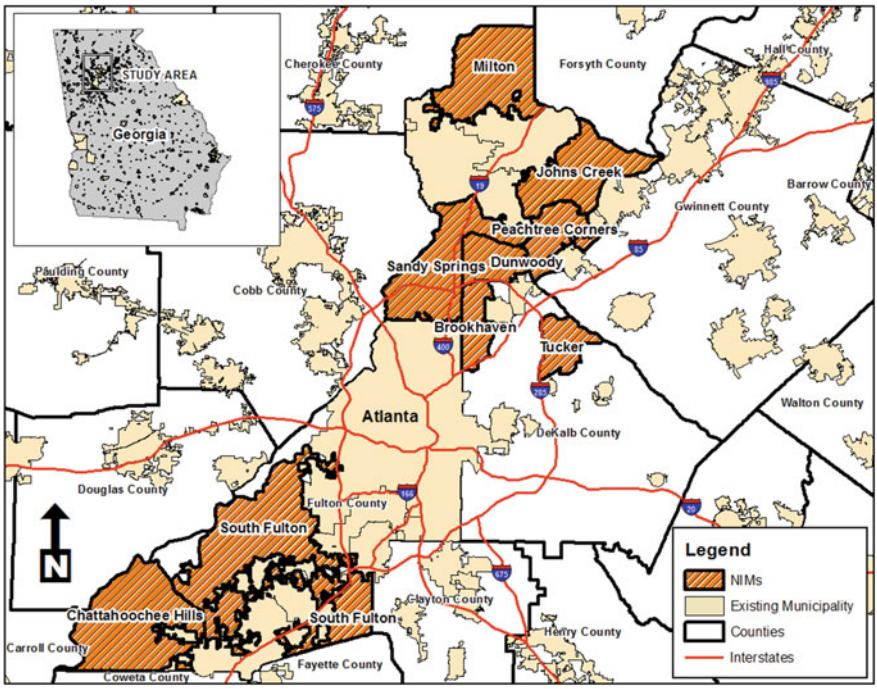

Fig. 6.5 Metro Atlanta, GA municipal boundaries, 2016

area from annexation by nearby Roswell (Kaplan 2006; Nurse 2006). Meanwhile, Milton, GA, has an estimated population of 32,000 and is more rural in character with expensive homes scattered around the area. Milton incorporated in an attempt to maintain the "rural" character of the area and control growth/development, following a failed attempt to be annexed by neighboring Alpharetta (Kaplan 2006). Alpharetta did not want to annex the community. It is interesting that many new cities often cite "maintaining the rural character" of their community as a rationale for incorporating, when in reality, creating a city is seen as the ultimate manifestation of urbanization… new cities become cities so that they cannot become cities… perplexing.

Next, the small community of Chattahoochee Hills (2007) and the larger area known as Dunwoody (2008) were established. Chattahoochee Hills has roughly 2400 residents while Dunwoody is home to 46,000 citizens. Similar to Milton, Chattahoochee Hills first explored the possibility of being annexed by the nearby municipality of Palmetto, only to be rebuffed. As a result, the community decided to incorporate and believed that through the establishment of a new city, they could control development and retain a "rural" lifestyle. As one resident and supporter of the incorporation process put it, "It's a city that's not a city. We like it that way" (Bennett 2007, D1). Chattahoochee Hills also created the first new city in the

southern part of the region, incorporating less than 3000 people over 33,000 acres at the time of incorporation.

Dunwoody is a slightly different case because it was the first incorporation to really face opposition from DeKalb County leaders. This was partially the result of the financial loss that would be suffered by the County as a by-product of incorporation. Estimates revealed that DeKalb could lose approximately $15 million a year in property tax revenue as a result of Dunwoody's incorporation (Brown 2007). Supporters of the incorporation effort touted the effort as an opportunity to take local control over issues like business licenses and police protection (Brown 2007). In the end, the incorporation of Dunwoody signified the expansion of municipal incorporation activity beyond the borders of Fulton County and into the surrounding metro area.

The municipalities of Brookhaven (2012) with a population of approximately 40,000 and Peachtree Corners (2012) with 34,000 residents have been two of the more recent incorporation events within the Metro Atlanta NIM Cluster. Brookhaven was formed in response to a demand by residents to have better city services, including park and road maintenance, zoning, and police (Hunt 2012; Visser 2012). However, Brookhaven's incorporation was contested by a group of vocal citizens who opposed city-hood, and as a result, the referendum on incorporating only narrowly passed. The potential annexation of property in what would become the municipality of Peachtree Corners by the nearby City of Norcross spurred incorporation efforts in the western corner of Gwinnett County (Anderson 2011). In addition to being opposed to any annexation by Norcross, residents of Peachtree Corners also desired more local control of development within the area (Anderson 2011). The transition from unincorporated community to a city has not been easy for Peachtree Corners. Shortly after incorporating, opposition leaders pointed to a budget four times higher than previously discussed, inability to access local leaders and a moratorium on business development as signs of problems facing the fledgling city (Anderson 2012).

The most recent incorporations occurred in the last few years, with the incorporation of Tucker (2015), Stonecrest (2016), and South Fulton (2016). Tucker's incorporation had been contemplated for the last decade and residents in the area could point to a century long community identity as a motivation for incorporating. Meanwhile, Stonecrest's and South Fulton's incorporations represent the incorporation of cities with majority populations that are African-American to the south of Atlanta. The incorporation of these Cities of Color highlights a shift in the incorporation pattern experienced in the region. While the wealthier northern incorporations were largely a by-product of desire for local control and push back against redistributive financial policies of the government, Stonecrest's incorporation was largely focused around economic development considerations and a desire to no longer be ignored (Niesse 2016c). South Fulton has a similar story, but also has witnessed a change in local opinion regarding incorporation. An incorporation referendum for South Fulton was held in 2007 and was soundly defeated. However, as more and more unincorporated territory was converted into cities and the threat of annexation increased from neighboring communities, South Fulton was finally

able to realize the dream of becoming a city in 2016 (Kass 2016; Niesse and Kass 2016).

Currently, three other unincorporated areas have expressed a desire to become municipalities. These include: LaVista Hills and Greenhaven in DeKalb County and Sharon Springs in Forsyth County, GA. The proposed municipality of LaVista Hills was estimated to have about 67,000 residents if approved and would be located within the Perimeter, a beltway that surrounds Atlanta (Niesse 2015b). One of the largest hurdles facing La Vista Hills was finding an identity, since it was an area that had been carved out of many different communities and does not have a clear community identity to rally around.

Meanwhile, Greenhaven, located in southern DeKalb County, would cover approximately 40% of the County and include over 300,000 residents, making it the second largest city in the State of Georgia. Interestingly, while the movement for incorporation covers a larger geography and includes hundreds of thousands of people, the new government would only offer a few services (Niesse 2016b). As of 2017, the State Legislature has refused to move the incorporation effort forward and more recently some community leaders are calling for the incorporation of a much smaller area under the name of the City of Prosperity (Niesse 2017).

The proposed municipality of Sharon Springs in Forsyth County would create a city with an approximate population of 50,000, but has been unable to gather the necessary support in the State Legislature to move the effort forward (Niesse 2016a). If approved, the new city would offer only three city services: planning and zoning, code enforcement, and sanitation. Additionally, the city's proposed charter would also limit the tax rate charged on property in the new municipality. To date, only LaVista Hills has held a referendum on the question of incorporation and that vote failed by less than 1% (Duncan 2015). If the communities that are contemplating cityhood are able to navigate the political process and incorporate, Metro Atlanta will have seen 13 new cities created between 2005 and 2017.

In general, the clustering of municipal incorporation activity in the Atlanta region began in the wealthier, Whiter area, north of the City of Atlanta and has slowly moved to the less developed, more heterogeneous southern parts of the Metro Region. A recent piece by Atlanta Journal-Constitution reporter Mark Niesse found a large disparity in racial composition of communities incorporating and being left behind, as well as economic disparities. As the President of DeKalb's NAACP stated, "What's happening in DeKalb County (with new cities) is pure race and control" (Niesse 2015a, A1).

Additionally, the numerous municipal incorporations have resulted in a dramatic reduction in the amount of unincorporated territory that exists within several of the core counties of the Metro Atlanta region. This is important because in Georgia, land that is incorporated is no longer part of the county, thus reducing county tax revenues and increasing the cost of providing services to the remaining unincorporated communities. Additionally, these patterns will result in difficult to service "orphans" that are scattered across the region, located between existing and new municipalities and on the edge of county service districts. These "orphans" may end up receiving inferior public services at higher costs as a result of the political

balkanization that has gripped the region and which has the potential to increase as a result of future incorporation efforts.

In the end, the clustering of new cities around Atlanta was started by the creation of Sandy Springs and it is more than 30-year fight for cityhood. This pioneer municipality led the way for a growing number of new cities as they highlighted how to jump over the hurdles on the way to cityhood and also how to administer a new city through the use of contracts and minimal levels of service. As supporters of incorporation efforts throughout the region have said, "it couldn't have happened without the 2005 creation of the City of Sandy Springs, which provided the philosophical and practical model" for creating a city and changing the political geography of the region for ever (Pearson 2006, D1).

6.4.3 South Florida: The County's Role in Clustering

The Miami-Fort Lauderdale-Pompano Beach, FL Metropolitan Area, tied for the highest level of municipal incorporation activity within a Metropolitan Statistical Area between 1990 and 2010, with the clustering of fourteen (14) new municipalities within its geographic borders (see Figs. 6.6 and 6.7 for pre-1990 and post-2010 municipal incorporations). The Miami metro area is the eighth largest in the USA and includes Miami-Dade County, Broward County, and Palm Beach County, which are the three most populated counties in the State of Florida. According to 2016 estimates, the area is home to more than six million residents and more than one hundred municipalities. Like the Metro Atlanta area, the incorporation of additional municipalities is extremely likely.

Between 1990 and 2010, fourteen (14) new municipalities were established in the Metropolitan Statistical Area. Nine (9) where located in Miami-Dade County, three (3) in Broward County, and two (2) in Palm Beach County (see Table 6.5). Waldner and Smith (2015) provided an analysis of clustering new municipalities within Miami-Dade County. This work highlighted the overall dissatisfaction with county governance. "The Miami-Dade, FL cluster was not related to annexation. Rather, the cluster is best understood as a mass revolt against the county government—a desire to secede from Dade County—which was perceived as inefficient" (Waldner and Smith 2015, 187). The article also provided an overview of individual municipal incorporations within Miami-Dade County. As a result, the analysis within this chapter will not explore the micro motivations for incorporations among individual municipalities, but rather focus on the macro-condition/regional condition which led to the incorporation of fourteen new cities over two decades within the Metropolitan Statistical Area.

The fourteen new municipalities created between 1990 and 2010 were added to an already balkanized political landscape that involved numerous existing jurisdictions, a consolidated city-county government in one of the three counties (i.e., Miami-Dade County), racial and ethnic diversity/segregation, concerns over the delivery and cost of public services and larger region wide environmental issues

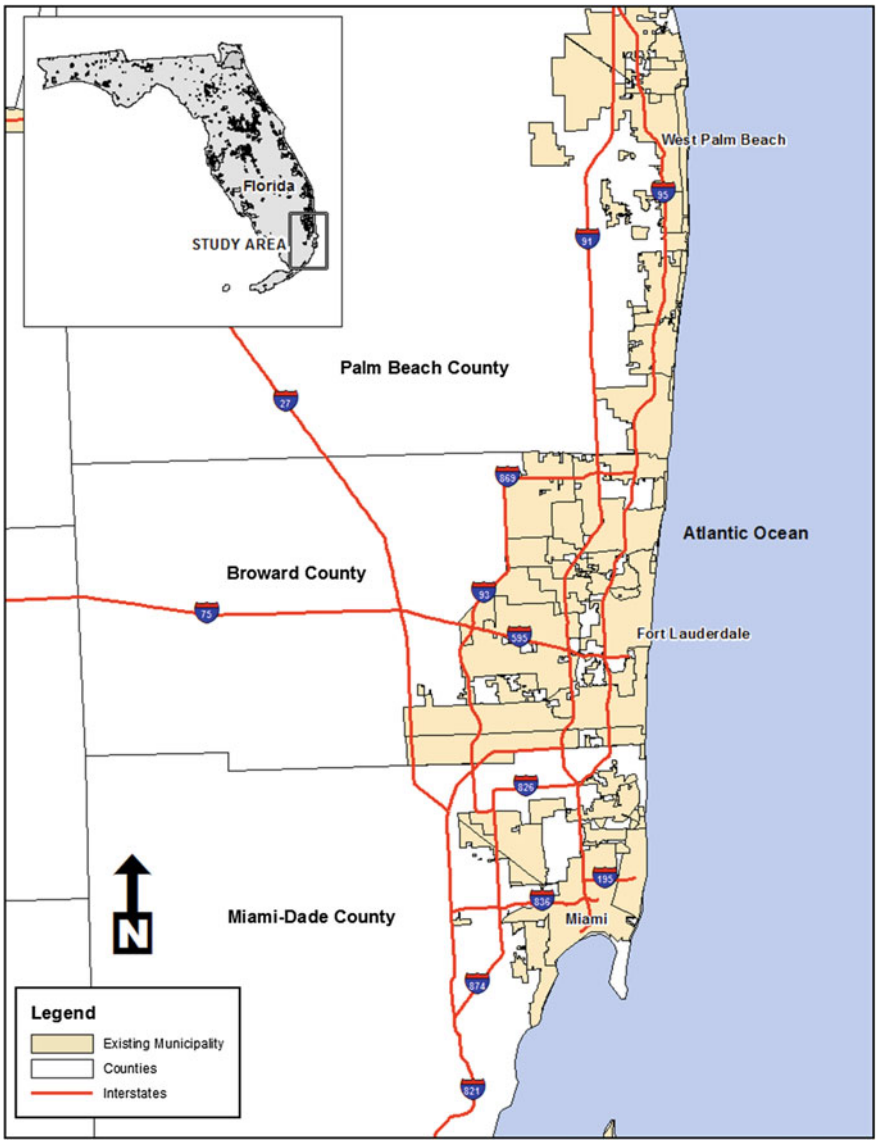

Fig. 6.6 South Florida municipal boundaries, 1990

(i.e., wetlands, ocean,). While a pioneer NIM did begin the process of municipal clustering within the Metropolitan Statistical Area, other unique county-level conditions greatly impacted the establishment of new municipalities within the region.

First, one of the more interesting dynamics at play in this metropolitan area has been Miami-Dade's control of the municipal incorporation process. According to

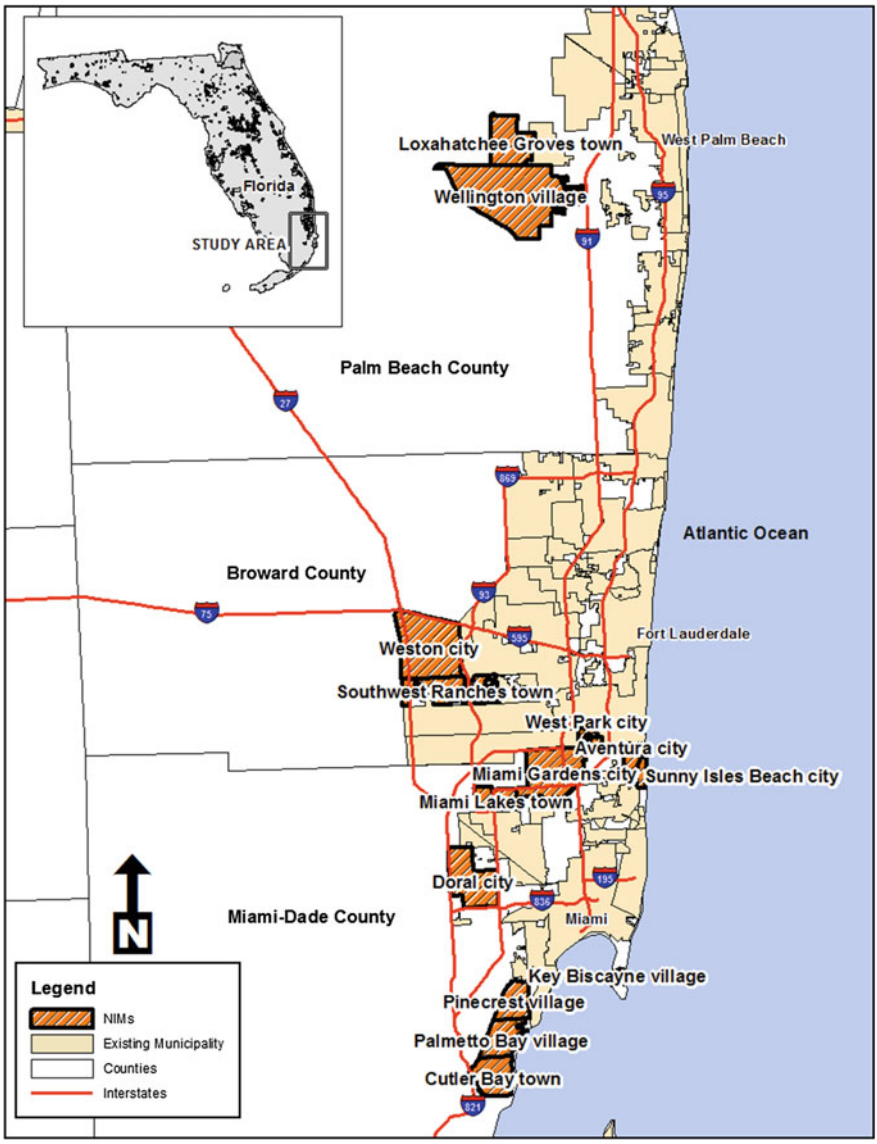

Fig. 6.7 South Florida municipal boundaries, 2010

the County's charter, Dade County may develop a system for creating new municipalities within its borders. Additionally, it may "merge, consolidate, or abolish all municipal corporations" (Lazega and Fletcher 1997, 221). As this book

Table 6.5 Newly incorporated municipalities in the Miami–Fort Lauderdale–Pompano Beach, FL Metropolitan Area, 1990–2010

Newly incorporated municipality	County
Aventura	Miami-Dade
Cutler Bay town	Miami-Dade
Doral city	Miami-Dade
Key Biscayne	Miami-Dade
Loxahatchee Groves town	Palm Beach
Miami Gardens city	Miami-Dade
Miami Lakes town	Miami-Dade
Palmetto Bay village	Miami-Dade
Pinecrest	Miami-Dade
Southwest Ranches town	Broward
Sunny Isles Beach	Miami-Dade
Wellington	Palm Beach
West Park city	Broward
Weston	Broward

has highlighted, the process of establishing a new municipality is usually under the control of the state legislator. However, this is not true for Miami-Dade County, FL.

As a result, Miami-Dade County has instituted a variety of measures to influence municipal incorporation activity since the establishment of several new cities during the 1990s. This included a moratorium on request for new cities from 2007 to 2012 (Mazzei 2014). Miami-Dade County has also instituted an annual fee for new communities to help reduce the impact of lost revenue as a result of municipal incorporation events, which was found to be constitutional (Herald Staff Reports 2002). Finally, a recent report commissioned by the County recommended that "most of unincorporated Miami-Dade should be annexed or incorporated into cities so the county government can focus on regional issues" (Flechas 2016, 6A). This would represent a fundamental shift away from the previous policy which placed a moratorium on municipal incorporation activity, paving the way for the incorporation of many more unincorporated communities. In the end, Miami-Dade's cluster of new cities in the early 1990s sparked a wave of municipal incorporation activities that the County is still dealing with.

Broward County, FL, offered an alternative vision of how to deal with the clustering of new municipalities and the associated impacts. Following the incorporation of several new cities in the early 1990s, Broward County sought to eliminate any unincorporated territory by actively encouraging the incorporation or annexation of communities by 2010 (Wright 2007). This policy was implemented in response to "the rapid erosion of the county tax base as a result of wealthy neighborhoods incorporating" (Lazega and Fletcher 1997, 224). By December 2005, only 23,000 residents remained in unincorporated areas and more than 40 neighborhoods had been incorporated or annexed into existing jurisdictions

(Broward County 2005). One of the unintended consequences of this policy to eliminate unincorporated territory has been the creation of a majority-minority municipality in the form of West Park (Wright 2007). As the prime real estate was quickly annexed and viable neighborhoods were incorporated, the County was left with unincorporated orphans which for a variety of reasons (e.g., race, poverty, tax base) were not annexed nor incorporated. In the end, the Broward County policy to actively encouraged communities to seek annexation or incorporate is an unusual macro-motivation behind the clustering of new municipalities within a county and to my knowledge has not been implemented in another jurisdiction in the USA.

Palm Beach County is home to almost forty (40) municipalities and more than 1.3 million residents. While the majority of new cities within the metro area has been contained within Miami-Dade and Broward counties, Palm Beach County did see the establishment of two new cities between 1990 and 2010. During that period, Wellington (1995) and Loxahatchee Groves (2006) both became new cities under the municipal incorporation regulations of the State of Florida. However, a recent event has dramatically changed the way the County views municipal incorporation and the potential of additional clustering of municipalities within the County.

A development project proposed by Minto Communities, which would bring several thousand homes and more than two million square feet of nonresidential space to Westlake, and which was approved by the County recently become Palm Beach's newest city (Washington 2016a). This was to the surprise and against the wishes of the County, who will now lose millions of dollars in revenue and planning control of the project to the newly incorporated community (Washington 2016b). Westlake was incorporated through the conversion of the Seminole Improvement District into a city under a special 2012 law, which only required the support of five residents and largely bypassed the state's normal incorporation process (Washington 2016b). In addition to the County being against the incorporation, nearby communities also called for an investigation into the incorporation proceedings.

As a result of this surprise conversion, from an improvement district to a municipality, Palm Beach County is taking a more active role in making sure this does not happen again. Another proposed development in the County also located within an improvement district is being carefully scrutinized. The developer has already voluntarily stated that they would not incorporate, but the County would like that to be a condition of approval and not just a good faith gesture (Washington 2016b). Legal scholars have also noted that the special law that allowed the Seminole Improvement District to largely bypass the state's incorporation process does not apply to this new proposed development. In the end, Palm Beach County has recently taken a more active role in considering the impact of municipal incorporation events within its boundaries. Unlike Miami-Dade and Broward, Palm Beach County is not supporting the incorporation of additional municipalities, but rather trying to limit the clustering of NIMs within their jurisdiction. It remains to be seen if this strategy will be successful.

6.5 Conclusions

For more than a century, urban scholars have been aware of the tendencies of new cities to locate in close proximity of one another. This unique geographic phenomenon is the result of several factors that have been outlined in this chapter and include: state regulations (e.g., municipal incorporation and annexation standards), the ability of a pioneer NIM to successfully incorporate, and a herd mentality among subsequent incorporating communities. The transfer of knowledge from the first new municipality in a region to other communities wishing to incorporate is a vital step in the evolution of county and metropolitan NIM clusters.

The impact of clustering new cities can be profound. Multitudes of new municipalities within a county or region can cripple existing governments ability to grow, can have negative consequences on existing cities and county governments, and can lead to animosity between local government actors. Additionally, clusters of new cities create an ever changing political and urban landscape that can reduce a region's ability to work together. Finally, clusters of new cities can also create an "everyman for themselves" environment which makes solving the myriad of regional issues facing metropolitan counties and regions more difficult.

On the positive side, the clustering of new cities can be seen as the ultimate expression of self-determination and can help to preserve unique local community characteristics. The annexation of unincorporated communities by existing municipalities might slowly erode away the special places that are found throughout the USA. Likewise, a strong, vocal, and determined group of citizens fighting for representation and their community's values might make the founding fathers proud. Although, it must be stated that many of the places that incorporate to protect local values, preserve community characteristics and obtain local control, often end up like the nearby communities that they fought against on their journey to incorporation. In the end, the clustering of new cities over a limited geographic area multiplies the impacts of municipal incorporation exponentially. As this chapter has highlighted, several areas around the USA have seen the clustering of new municipalities at epidemic proportions and one must wonder if all these new cities are necessary!

References

Anderson J (2011) Leaders make case for incorporation—Peachtree corners could become 16th city in Gwinnett. Atlanta Journal-Constitution, 1 Sept 2011

Anderson J (2012) Newest city off to bumpy beginning—$2.7 million budget, moratorium on new businesses Stir I-Told-You-So's. Atlanta Journal-Constitution, 8 July 2012

Ball J (1994) Marvin, Lake Park incorporate. Charlotte Observer, 2 July 1994

Barron A (1996) Towns tests proposal to incorporate. Greensboro News & Record, 24 June 1996, B1

Bennett DL (2006) New cities set to take control on Northside. Atlanta Journal-Constitution, 20 July 2006, D1

Bennett DL (2007) Fulton may get a new, Rural city. Atlanta Journal-Constitution, 17 June 2007, D1

Broward County (2005) Broward-by-the-numbers. Retrieved on 24 May 2017 from http://www.broward.org/Planning/FormsPublications/Documents/bbtn41.pdf
Brown C (2007) DeKalb fears Tax Jolt from Dunwoody—County's Loss if city is incorporated Pegged at $15 million. Atlanta Journal-Constitution, 15 Jan 2007
Duncan TC (2015) Historic vote for cities doesn't end with election day results. Atlanta Journal-Constitution, 8 Nov 2015
Flechas J (2016) Miami-Dade County should create new cities, report says. The Miami Herald. 1 Apr 2016, 6A
Hawley AH (1959) The incorporation trend in metropolitan areas, 1900–1950. J Am Inst Plann 25 (1):41–45
Herald Staff Reports (2002) New rules for new cities include disputed Dade fee. The Miami Herald, 27 Feb 2002, 3B
Hunt A (2012) Vote on New City may be pivotal—Brookhaven loss could stall incorporation push Metrowide. Atlanta Journal-Constitution, 9 July 2012
Kaplan P (2006) Data gives New-City Backers a Boost—study projects financial viability. Atlanta Journal-Constitution, 12 Jan 2006
Kass A (2016) S. Fulton residents weigh cityhood—voters to decide whether to form municipality of else area may face possibility of annexations. Atlanta Journal-Constitution, 23 Oct 2016
Lazega RM, Fletcher CR (1997) The politics of municipal incorporation in South Florida. J Land Use Environ Law, 215–245
Little S (1994) Government has become County's growth industry—we now have 9—yes, 9—Mayors to elect. Charlotte Observer, 10 July 1994
Mazzei P (2014) Potential new or expanded cities vex Miami-Dade commissioners. The Miami Herald, 27 Feb 2014
Niesse M (2015a) New cities drive new rift in region—incorporations divide area by class, race. Atlanta Journal-Constitution, 22 Feb 2015, A1
Niesse M (2015b) City push hits new phase—voters to decide future of LaVista Hills, Tucker in November. Atlanta Journal-Constitution, 5 Apr 2015
Niesse M (2016a) Sharon Springs cityhood effort withdrawn—concerns arose over limited services, tax caps. Atlanta Journal-Constitution, 4 Jan 2016
Niesse M (2016b) Greenhaven proposal stalls—Georgia house panel tables plan to create DeKalb city. Atlanta Journal-Constitution, 18 Feb 2016
Niesse M (2016c) Voters will decide if Stonecrest is city—proposal is designated to attract companies, create new jobs. Atlanta Journal-Constitution, 9 Oct 2016
Niesse M (2017) City of prosperity proposed in DeKalb. Atlanta Journal-Constitution, 11 Jan 2017
Niesse M, Kass A (2016) Has cityhood drive peaked? South Fulton, Stonecrest proposals on ballot, but movement is slowing. Atlanta Journal-Constitution, 31 Mar 2016
Nurse D (2006) Johns Creek, Milton officially on the map as of Friday. Atlanta Journal-Constitution, 30 Nov 2006
Pearson M (2006) N. Fulton revolts: Johns Creek, Milton opt for cityhood. Atlanta Journal-Constitution, 19 July 2006, D1
Peterson S, Bernhard K (2001) New Towns add to County fabric—a half-dozen Hamlets incorporated with hopes of preserving their rural character. Charlotte Observer, 18 Nov 2001, 16U
Schmandt HJ (1961) The municipal incorporation trend, 1950–1960. Madison, Wisconsin: Bureau of Government Research and Advisory Service, University Extension Division, University of Wisconsin
Smith RM (2008) Municipal incorporation activity and the clustering of new municipalities in North Carolina: 1990–2008. North Carol Geogr 16:24–35
Smith RM (2014) Examining the geography of newly incorporated municipalities (NIMs) in micropolitan North Carolina, 1990–2010. Southeast Geogr 54(4):384–405
Smith RM, Debbage KG (2006) Where are the geographers? Newly incorporated municipalities (NIMs) in the southeast. Geogr Bull 48:109–121

Smith RM, Debbage KG (2011) Spatial distribution of newly incorporated municipalities (NIMs) and related socio-economic characteristics: a national comparison to cohort cities. Urban Geogr 32(4):568–588

Stauber R (1965) New cities in America; a census of municipal incorporations in the United States, 1950–1960. Lawrence, Kansas: Governmental Research Center, University of Kansas

Visser S (2012) Narrow win for 'Sliver; of a city—voters create large, divided municipality. Next for Brookhaven is creating human infrastructure. Atlanta Journal-Constitution, 2 Aug 2012

Waldner L, Smith RM (2015) The great defection: how new city clusters form to escape county governance. Publ Adm Quart 39(2):171–219

Washington W (2016a) Incorporation process was entirely legal, Westlake says. The Palm Beach Post, 26 June 2016, 1A

Washington W (2016b) County wants GL pledge not to incorporate. The Palm Beach Post, 22 Sept 2016, 1A

Wright T (2007) No annexation option for South County. The Miami Herald, 26 Aug 2007, 19A

Chapter 7
New Cities of Color: Spatial Patterns and Financial Conditions of Majority-Minority Municipal Incorporation Efforts in the USA, 1990–2009

Abstract More than 10% of the new municipalities established between 1990 and 2010 had majority-minority populations. These Cities of Color provide a unique insight into the intersection of race and place in the USA and also reveal that NIMs are not a homogeneous block of White, wealthy, and well-educated suburban enclaves. The research presented in this chapter reveals that 44.4% of the new Cities of Color had a majority population of Black residents. Other communities of color represented the remaining portion of new Cities of Color with 35.6% of the new Cities of Color incorporating with majority Hispanic populations. Meanwhile, Native Americans were the majority in 3 NIMs (6.7%) and residents of Asian origins were the majority in 2 NIMs (4.4%). Four NIMs (8.9%) had populations in which no one race/ethnicity constituted more than 50% of the population. Recent research on Cities of Color revealed that the genesis for why these communities incorporate has less to do with traditional incorporation triggers (i.e., annexation and community identity) and more to do with the role of direct and indirect racism in the form of municipal underbounding, siting of unwanted land uses, and the need for public services. Additionally, according to a recent survey of these new majority-minority municipalities, the dire financial situations portrayed by many prior to incorporation have not come to fruition and almost 90% of Cities of Color reported budget surpluses or balanced budgets. The research on Cities of Color is in its infancy, and more scholarship examining these unique local government boundary change manifestations is warranted.

Keywords Cities of Color (CoCs) · Finance · Institutional racism
Majority-minority municipal incorporations · Place · Race

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_7

7.1 Introduction

As this book has shown, municipal incorporation can be a complex and confusing endeavor to navigate in the USA. All 50 states have differing requirements for establishing a new municipality (e.g., minimum population, service delivery, minimum tax rate), and the legislative powers bequeathed to municipalities upon achieving incorporation also differ greatly by state (e.g., annexation rules, provision of public services, taxation power).

As a result, research into patterns of municipal incorporation activity across the country can be difficult. Nonetheless, scholarship related to municipal incorporation activity in the USA has revealed many interesting patterns. This research has identified dramatic shifts in the frequency of incorporation proceedings over the last 60 years (Waldner et al. 2013), highlighted the role of clustering in new city formation (Smith and Debbage 2011), and examined the impact of other forms of local government boundary change on municipal incorporation patterns and trends (Smith and Fennell 2012; Smith 2011).

One avenue of municipal incorporation research that has not been fully explored has been the intersection of race and place. However, scholars are becoming more active in this arena of research, especially as it relates to environmental and social justice issues. Pulido (2000), a leading scholar in this area, stated that race is "fundamentally a spatial relationship" (44). More recently, Carter (2009) echoed that statement in his analysis that "a large part of being raced is being placed" (476).

The evolution of racial segregation in the USA has witnessed a marked moved from formal segregation mechanisms, such as Jim Crow laws, zoning, and deed restrictions prior to WWII, to subtler methods that achieve a similar result. The redlining of neighborhoods, transportation projects that disproportionately target minority communities, urban renewal, municipal underbounding, and municipal incorporation are all institutional processes that facilitate segregation between Whites and minorities (Miller 1981; Aiken 1987, 1990; Musso 2001; Otero 2010; Smith and Debbage 2011; Golub et al. 2013; Smith and Waldner 2017). Smith and Waldner (2017) discuss the concept of rebound incorporations in a new study of majority-minority incorporations. According to these scholars, "a rebound incorporation occurs when the community is forced to incorporate because surrounding cities refuse to annex it (stemming in part from municipal underbounding dynamics)" (10). These policies and practices have profoundly shaped urban development in the USA.

As it relates to new cities, much of the existing literature focused on municipal incorporation tends to portray new municipalities as largely White, homogenous, suburban communities (Miller 1981; Weiher 1991; Burns 1994; Musso 2001; Low 2008). Loewen (2005), in his book titled *Sundown Towns: A Hidden Dimension of American Racism*, discusses the presence of existing and new municipalities that actively sought to keep minorities from living within their city, town, and/or village. One such method was that the incorporation of a new municipality "also let local officials decide if their communities would participate in subsidized or public housing" (Loewen 2005, 252). As the author discusses, most did not and as a result excluded a particular segment of the population … minorities.

Both Burns (1994) and Miller (1981) determined that new cities resulted in racial exclusion as predominately White cities were established to exclude minority groups. Similarly, Musso (2001) found that "the process of incorporation promoted small cities, with residential populations that were wealthier, more educated, and older and had a larger proportion of White residents than the remaining unincorporated communities" (151).

This chapter seeks to expand the theory of municipal incorporation by acknowledging the presence of Cities of Color (CoC) in the USA (Smith et al. 2016; Smith and Waldner 2017). To that end, two research questions are addressed in this chapter: First, where are Cities of Color being established? Secondly, are these new municipalities still financially viable? A discussion of the importance and impacts of the findings in this chapter will be offered in the conclusion.

7.2 Race and Incorporation

The relationship between race and place is complex. Some new cities form in part for purposes of racial exclusion (Danielson 1976; Teaford 1979; Miller 1981; Weiher 1991; Burns 1994; Alesina et al. 2004). Burns (1994) found that the primary motivations for incorporation include racial exclusion and tax avoidance. She noted that "along with providing effective mechanisms for class segregation, new cities have provided effective barriers to racial integration" (Burns 1994, 81). Similarly, Tkacheva (2008) notes that "… residents alter municipal borders to increase the racial homogeneity of their communities" (164). Other scholars have echoed these findings (Danielson 1976; Weiher 1991; Burns 1994; Alesina et al. 2004; Hogen-Esch 2001). Scholars consistently found that new cities have wealthier and Whiter populations than the surrounding area in which they form (Musso 2001; Smith and Debbage 2011). While studying new cities in the Los Angeles region of California, Miller (1981) found that "Of the 32 (new cities) created between 1950 and 1970, 28 contained less than 1% Black populations."

New cities can detrimentally impact minorities by deepening racial and fiscal disparities and by adopting more stringent zoning and land use requirements that impede multi-family housing (Miller 1981; Pulido 2000; Rusk 2003; Pulido 2006; Anderson 2008; Rice et al. 2014; Waldner and Smith 2015). New cities in urban areas also create unincorporated islands of low-income non-White residents that experience higher taxes or diminished service levels (Waldner and Smith 2015). By creating multiple local governments in a region, newly incorporated municipalities (NIMs) can lead to metropolitan fragmentation (Weiher 1991; Downs 1994; Orfield 1997; Rusk 2003; Ingalls and Rassel 2005)—which can in turn result in service duplication (Marando 1979; Lowery and Lyons 1989), sprawl (Fogelson 1967; Miller 1981; Byun and Esparza 2005), and challenges to regional coordination (Downs 1994; Katz 2000; Lowery 2000; Savitch and Vogel 2000; Norris 2001; Olberding 2002; Rusk 2003; Vicino 2008).

In terms of beneficial impacts, new municipalities can enhance citizen participation and local control through local self-governance (Tiebout 1956; ACIR 1987; Burns 1994) and improve local services (Burns 1994; Foster 1997; Musso 2001). Moreover, the public choice school based on Tiebout's work suggests NIMs improve economic efficiency through competition by driving down service costs (Ostrom et al.1961; Purcell 2001). Meanwhile, public choice theorists have speculated that metropolitan fragmentation may theoretically offer potential for racial empowerment for some minorities, particularly in suburban settings (Ostrom 1983; Ostrom et al. 1988; Goel et al. 1988; and others).

Several scholars have explored the underlying relationship between race and place. Race is "fundamentally a spatial relationship" (Pulido 2000, p. 44), where race is inextricably linked with the construction of place and space (Kobayashi and Peake 2000; Pulido 2000; Carter 2009; Inwood and Yarbrough 2010). Race affects place and vice versa not simply through direct racism, but through embedded institutional racism, or the collective structural and institutional processes that contribute to inequality (Pulido 2000; Bonilla-Silva 2014). Such processes may not appear race-related in some cases. For example, Golub, Marcantonio and Sanchez (2013) found that technocratic, seemingly race-neutral processes such as regional transportation investments can harm communities of color; hence, "race-neutral processes can constitute powerful new forms of race discrimination" (p. 703). In the end, a wide variety of public and private mechanisms have been utilized over the last century. These mechanisms have profoundly impacted the relationship between race and place in the USA.

7.3 Spatial Distribution of Cities of Color in the USA

Between 1990 and 2010, 434 newly incorporated municipalities (NIMs) formed in the USA with a combined 2010 population of more than 4 million residents (see Fig. 7.1 and Table 7.1). Cities of Color constituted 45, or 10.3%, of these new cities, with a total population of 588,784 in 2010. While some historic case studies exploring the incorporation of majority Black cities do exist (DeHoog et al. 1991; Strain 2004; Biles 2005), the research presented in this chapter reveals that only 44.4% of the new Cities of Color had a majority population of Black residents. Other communities of color represented the remaining portion of new Cities of Color with 35.6% of the new Cities of Color incorporating with majority Hispanic populations. Meanwhile, Native Americans were the majority in 3 NIMs (6.7%) and residents of Asian origins were the majority in 2 NIMs (4.4%). Four NIMs (8.9%) (Egekik, AK; American Canyon, CA; Elk Grove, CA; and SeaTac, WA) had populations in which no one race/ethnicity constituted more than 50% of the population.

Clearly, new cities are not solely the province of White, wealthy Americans as the scholarship typically portrays. The municipal incorporation literature holds that White, wealthy communities form cities in order to exclude people of color and/or low-income residents, through land use tools such as zoning. Contrary to the

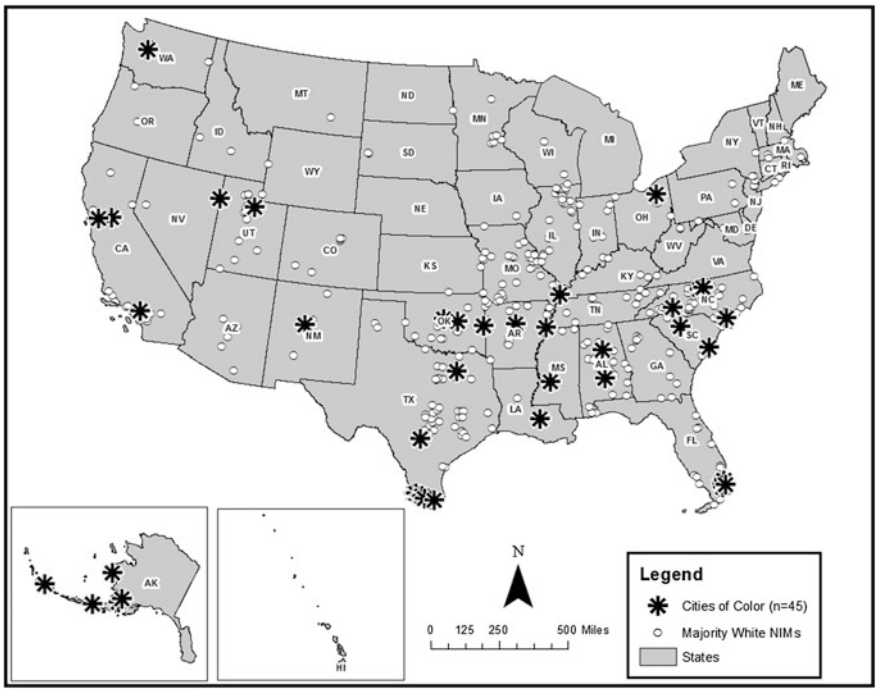

Fig. 7.1 Spatial distribution of Cities of Color in the USA, 1990–2010

dominant narrative, municipal incorporation is not exclusively the domain of White privilege—Black, Hispanic, Asian, and Native American cities do form and are not merely an isolated phenomenon or a historical footnote. Moreover, while Black cities such as Newberg or East Palo Alto are anecdotally mentioned in historical accounts, the scholarly literature has entirely overlooked the formation of newly incorporated Hispanic, Native American, and Asian majority cities in the USA.

The spatial analysis of these Cities of Color reveals a distinct spatial pattern—Cities of Color are more likely to be located in the South US Census Region. Almost 70% (31) of the new Cities of Color formed primarily in the South compared to only 52.6% (205) of majority White NIMs. Just over a quarter (26.7% or 12 Cities of Color) of the new Cities of Color formed in the West compared to 19.7% of White NIMs, while the Midwest Census Region only witnessed the incorporation of 2 (4.4%) Cities of Color compared to 22.8% of White NIMs. The Northeast had no new Cities of Color incorporate between 1990 and 2010 and only 19 majority White NIMs (4.9%).

Most Cities of Color occurred in just a few states: Texas, Florida, Alaska, North Carolina, California, and Oklahoma (see Table 7.2). These six states accounted for more than 68% of all Cities of Color created over the last couple of decades. The correlation analysis of municipal incorporation tendencies by state also revealed a positive and significant relationship between new municipalities and Cities of Color

Table 7.1 General information on Cities of Color (CoC)

Cities of Color (CoCs)	County	State	Year incorporated	Population, 2010
False Pass city	Aleutians East	AK	1991	35
Adak city	Aleutians West	AK	2002	326
Nightmute city	Bethel	AK	1997	280
Egegik city	Lake and Pennisula	AK	1995	109
Pilot Point city	Lake and Pennisula	AK	1992	68
Center Point city	Jefferson	AL	2003	16,921
Gordonville town	Lowndes	AL	1991	326
Anthonyville town	Crittenden	AR	1999	161
Twin Groves town	Faulkner	AR	1991	335
Diamond Bar city	Los Angeles	CA	1990	55,544
American Canyon city	Napa	CA	1992	19,454
Elk Grove city	Sacramento	CA	2001	153,015
West Park city	Broward	FL	2005	14,156
Cutler Bay town	Miami-Dade	FL	2006	40,286
Doral city	Miami-Dade	FL	2004	45,704
Key Biscayne village	Miami-Dade	FL	1993	12,344
Miami Gardens city	Miami-Dade	FL	2004	107,167
Miami Lakes town	Miami-Dade	FL	2001	29,361
St. Gabriel city	Iberville	LA	1994	6677
Pinhook Village	Mississippi	MO	1995	30
Byram city	Hinds	MS	2009	11,489
Green Level town	Alamance	NC	1990	2100
Northwest city	Brunswick	NC	1993	735
Kingstown town	Cleveland	NC	1990	681
Sandyfield town	Columbus	NC	1994	447
Sedalia town	Guilford	NC	1998	623
Peralta town	Valencia	NM	2008	3660
West Wendover city	Elko	NV	1992	4410
Highland Hills Village	Cuyahoga	OH	1990	1130
Fort Coffee town	Le Flore	OK	1999	424
IXL town	Okfuskee	OK	2002	51
Arcadia town	Oklahoma	OK	1990	247
Awendaw town	Charleston	SC	1995	1294
Jenkinsville town	Fairfield	SC	2009	46
Von Ormy city	Bexar	TX	2008	1085
Los Indios town	Cameron	TX	1996	1083
Granjeno city	Hidalgo	TX	1994	293
Penitas city	Hidalgo	TX	1994	4403
Progreso city	Hidalgo	TX	1992	5507
Sullivan City	Hidalgo	TX	1997	4002

(continued)

Table 7.1 (continued)

Cities of Color (CoCs)	County	State	Year incorporated	Population, 2010
Mobile City	Rockwall	TX	1990	188
Escobares city	Starr	TX	2006	1188
Rio Grande City	Starr	TX	1994	13,834
Hideout town	Wasatch	UT	2009	656
SeaTac city	King	WA	1990	26,909

Table 7.2 Cities of Color by state, 2010

State	# of Cities of Color
1. Texas	9
2. Florida	6
t3. Alaska	5
t3. North Carolina	5
t5. California	3
t5. Oklahoma	3
t7. Alabama	2
t7. Arkansas	2
t7. South Carolina	2
t10. Louisiana	1
t10. Missouri	1
t10. Mississippi	1
t10. New Mexico	1
t10. Nevada	1
t10. Ohio	1
t10. Utah	1
t10. Washington	1

($r = (48) = 0.75$, $p = 0.01$). This finding reveals that the presence of new cities increases the chances of the incorporation of a City of Color. In other words, regions and states that have more new cities overall are more likely to have a City of Color.

By state, Texas had the most Cities of Color (9 CoCs). Four of the top five states for the incorporation of Cities of Color were located in the South. Interestingly, 33 states (66%) did not witness the incorporation of any Cities of Color, in part because the majority of these states lack communities of color. For example, only three states with a White population of greater than 80% witnessed the incorporation of a City of Color (i.e., Missouri, Ohio, and Utah). Almost half of these 33 states (i.e., AZ, CO, DE, GA, IA, ID, MA, ME, MN, NE, NH, OR, RI, VT, and WI) experienced triple digit increases in the percentage of non-White populations. This data potentially foreshadows the future incorporation of additional Cities of Color in these once predominantly White locales.

Why do Cities of Color form primarily in the Southern states and Southern US Census Region? The South and West Census regions, the areas with the highest

concentration of new Cities of Color, were also the most racially diverse regions, containing the lowest percentage of White populations (71.9 and 70.3%, respectively). A statistical analysis revealed a significant relationship between Cities of Color and total minority population in 2010 and total regional population ($r(2) = 0.978$, $p = 0.05$ and $r(2) = 0.977$, $p = 0.05$, respectively). The statistical analysis also found a significant relationship between the incorporation of Cities of Color and the growth in minority populations by state ($r(48) = 0.442$, $p = 0.01$). In other words, Cities of Color are more likely to form in diverse, populated regions of the country, which have witnessed a growth in minority populations.

New Cities of Color are also primarily located in metropolitan or urban regions rather than rural areas which is contrary to the hypothesis that thought Cities of Color would tend to be located in rural areas. The vast majority of Cities of Color (82.2%) are located within a core-based statistical area (CBSA) (See Fig. 7.2). A CBSA may have a metropolitan (core urban area population of at least 50,000) or micropolitan designation (urban area population of at least 10,000) depending upon the population of the largest urban area in a given county. However, only 40% of Cities of Color are located within a combined statistical area (CSA). CSAs are a combination of CBSAs based on economic and social integration between CBSAs. Previous research revealed that 85.5% of all new municipalities created between 1990 and 2010 were located in a core-based statistical area and that more than half (55.9%) were located within a combined statistical area (Waldner and Smith 2015).

Cities of Color also exhibited a clustering pattern within individual counties, echoing prior studies (Smith and Debbage 2006, 2011; Smith 2008; Waldner and Smith 2015). More than 57% of the Cities of Color created between 1990 and 2010 were located within a county that witnessed two or more incorporations; similarly, 57% of all NIMs also formed in a county with two or more incorporations. Interestingly, 26.9% of clustering Cities of Color occurred in a hyperclustering county—a county where six or more new cities incorporated between 1990 and 2010 (see Table 7.3). This is a larger percentage than was experienced for all new municipalities (only 15.3%). US counties that witnessed hyperclustering included: King County, WA; Miami-Dade County, FL; and Guilford County, NC.

Thus, Cities of Color are similar spatially to all new cities, with two key differences: (a) the higher concentration of Cities of Color in the South (70% of CoCs in the South compared to an only 52.6% of White NIMs) and (b) the markedly higher rate of hyperclustering (26.9% versus 15.3%). As discussed above, the greater number of Cities of Color in the South may be explained by the presence and/or growth of more communities of color in the South, though other potential explanations should be explored by future scholars, such as a higher degree of racism in the South (Elmendorf and Spender 2014) or historic Black suburbanization patterns in the South (Wiese 2005).

Why are Cities of Color somewhat more likely to be found in hyperclusters? In highly populated areas, new city clusters often emerge when a pioneer new city forms due to dissatisfaction with county governance and triggers a mass defection from the county. The pioneer new city reduces the transaction costs for subsequent new cities to form (Waldner and Smith 2015). Others historically have formed to

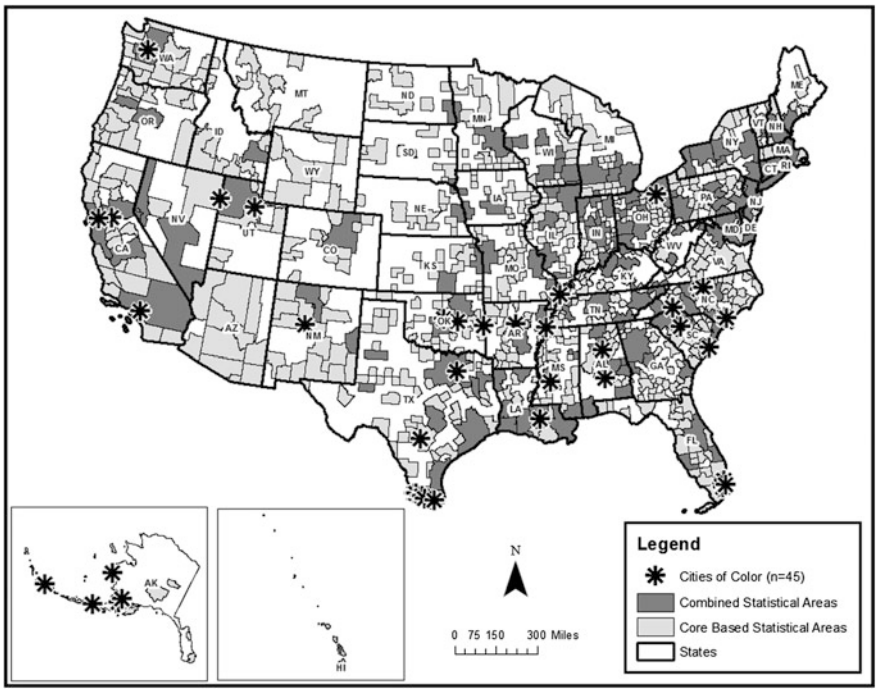

Fig. 7.2 Cities of Color by Core-Based Statistical Area, 1990–2010

Table 7.3 Hyperclustering Cities of Color by County, 1990–2010

County	State	Total NIMs	New Cities of Color
King	Washington	10	1 (SeaTac)
Miami-Dade	Florida	9	5 (Culter Bay, Doral, Key Biscayne, Miami Gardens, Miami Lakes)
Guilford	North Carolina	6	1 (Sedalia)

escape annexation attempts by a central city (Stauber 1965). In some cases, hyperclusters can be stimulated by state laws or county mandates that require unincorporated areas to incorporate (Waldner et al. 2013). Though they can significantly enhance local self-governance, hyperclusters can potentially exacerbate metropolitan fragmentation, with multiple local governments forming in near proximity. Yet as Table 2 demonstrates, two out of the three hyperclusters contained only one CoC (the remaining cities were White NIMs). Thus, though Cities of Color may form more frequently in the context of metropolitan fragmentation, they do not contribute greatly to that fragmentation.

Cities of Color differ spatially from White NIMs in at least two regards (location in the South and hyperclustering). The results indicate that Cities of Color are a

distinct phenomenon that warrants further research. Though these spatial results are revealing, they do not provide any indication of the financial condition associated with these newly incorporated communities of color, and thus, further work must be completed with the aid of a survey instrument described below.

7.4 Financial Conditions Associated with Cities of Color

The results of an online survey of the Cities of Color incorporated between 1990 and 2010 during September 2016 reveal many interesting findings related to the financial conditions of these new municipalities. First, two-thirds of survey respondents stated that their municipality was operating under a balanced budget. Another 20% of Cities of Color stated that their budget was operating under a surplus and only 1 CoC had a budget deficit. This was a very unexpected finding since the majority of the literature portrays majority-minority communities as financial burdens and thus not ripe for annexation by existing municipalities. While the research presented here seems to discount this previous way of thinking, it should be noted that the financial conditions located within Cities of Color may have changed drastically over the numerous years since establishment and more detailed analysis are needed to better understand the financial realities of these new municipalities.

The primary sources of revenue for Cities of Color included property taxes, sales taxes, and state funding. Almost 58% of the Cities of Color ranked property taxes as the most important source of funding for their municipality. Sales taxes ranked the second most important and state funding was the third most often listed source of revenue for Cities of Color. These three sources of revenue accounted for the lion's share of income within the Cities of Color. Other funding sources identified included federal funding, utility revenue, and grants. Compared to funding sources for all municipalities, these results are not unexpected and are the traditional sources of funding for local governments in the USA.

Finally, the types of services that Cities of Color offer to their residents were explored in order to understand the financial pressures associated with providing public services. Planning, street lighting, and public safety services were the most often stated services provided by Cities of Color. This is not that surprising since these services can often be contracted out to private companies or to other existing municipalities/counties in an effort to reduce costs. This is especially true for planning and public safety services. The least offered public services were water, sewer, and recycling programs. The provision of water and sewer is extremely expensive to construct and maintain. As a result, the cost burden of these utilities might be too high for new municipalities to tackle.

7.5 Conclusions

In conclusion, Cities of Color are more concentrated in the South US Census Region and are more likely to be located in a hypercluster than majority White NIMs. These results can be partially explained by the population diversity that exists in the South Census Region, but digging deeper might also highlight the role of municipal underbounding, poor quality of county services, and exclusionary tendencies of new White communities.

The financial survey of new Cities of Color (CoCs) revealed that Cities of Color are largely operating under a budget surplus or balanced budget and are not facing financial constraints as hypothesized. Additionally, the sources of revenue for Cities of Color are also similar to those for all municipalities and include property taxes, sales taxes, and state funding. Finally, most Cities of Color were able to provide their residents with planning, street lighting, and public safety services. However, water and sewer services were not offered as much due to the high costs associated with these public infrastructures.

More conversation on the spatial and financial characteristics of Cities of Color established in the USA between 1990 and 2010 is needed. Research is needed in this field to help flesh out the nuanced differences between majority White NIMs and Cities of Color. Exploring new Cities of Color provides important insight into the relationship between race and place in the urban and political fabric of the USA and can help planners begin to understand this underexplored phenomenon.

References

Advisory Commission on Intergovernmental Rights (ACIR) (1987) The organization of local public economies. In: Oakerson R (ed) Rethinking local self government in a federal system. Advisory Commission on Intergovernmental Relations, Washington, DC

Aiken CS (1987) Race as a factor in municipal underbounding. Ann Assoc Am Geogr 77(4):564–579

Aiken CS (1990) A new type of black ghetto in the plantation south. Ann Assoc Am Geogr 80 (2):223–246

A A, Baqir R, Hoxby C (2004) Political jurisdictions in heterogeneous communities. J Polit Econ 112(2):348–396

Anderson MW (2008) Cities inside out: race, poverty, and exclusion at the urban fringe. UCLA Law Review 55(1095)

Biles R (2005) The Rise and fall of Soul City: planning, politics, and race in recent America. J Plann Hist 4(1):52–72

Bonilla-Silva E (2014) Racism without racists. Rowman & Littlefield Publishers Inc, New York, NY

Burns N (1994) The formation of American local governments: private values in public institutions. Oxford University Press, New York, NY

Byun P, Esparza AX (2005) A revisionist model of suburbanization and sprawl: the role of political fragmentation, growth control, and spillovers. J Plann Educ Res 24(3):252–264

Carter PL (2009) Geography, race, and quantification. The Prof Geogr 61(4):465–480

Danielson MN (1976) The politics of exclusion. Columbia University Press, New York, NY

DeHoog RH, Lowery David, Lyons William E (1991) Metropolitan fragmentation and suburban ghettos: some empirical observations on institutional racism. J Urban Aff 13(4):479–493
Downs A (1994) New visions for metropolitan America. Brookings Institution, Washington DC
Elmendorf CS, Spencer DM (2014) The geography of racial stereotyping: Evidence and implications for VRA preclearance after Shelby County. Cal L Rev 102:1123
Fogelson RM (1967) The fragmented metropolis: Los Angeles from 1850 to 1930. Harvard University Press, Cambridge, MA
Foster KA (1997) The political economy of special-purpose government. Georgetown University Press, Washington, DC
Goel AJ, Lovett WJ, Jr RP, Wilkins RL (1988) Black neighborhoods becoming Black cities: group empowerment, local control and the implications of being darker than brown. Harv CR-CLL Rev 23:415
Golub A, Marcantonio Richard A, Sanchez Thomas W (2013) Race, space, and the struggle for mobility: transportation impacts on African Americas in Oakland and the East Bay. Urban Geography 34(5):699–728
Hogen-Esch T (2001) Urban succession and the politics of growth: the case of Los Angeles. Urban Affairs Review 36(6):783–809
Ingalls G, Rassel G (2005) Political fragmentation, municipal incorporation and annexation in a high growth urban area: the case of Charlotte, North Carolina. N C Geogr 13:17–30
Inwood JF, Yarbrough RA (2010) Racialized places, racialized bodies: the impact of racialization on place and individual identities. GeoJournal 75(3):299–301
Katz B (2000) Reflections on regionalism. Brookings Institution Press, Washington, DC
Kobayashi A, Peake L (2000) Racism out of place: thoughts on whiteness and an antiracist geography in the new millennium. Ann Assoc Am Geogr 90(2):392–403
Loewen JW (2005) Sundown towns: a hidden dimension of American racism. Touchstone Publishers, New York, NY
Low SM (2008) Incorporation and gated communities in the greater metro-Los Angeles region as a model of privatization of residential communities. Home Cultures 5:85–108
Lowery D (2000) A transactions costs model of metropolitan governance: allocation versus redistribution in urban America. J Publ Adm Res Theor J-PART 10(1):49–78
Lowery D, Lyons WE (1989) The impact of jurisdictional boundaries: an individual-level test of the Tiebout model. The Journal of Politics 51(1):73–97
Marando VL (1979) City-County consolidations: reform, regionalism, referenda and requiem. W Political Quart 32:409–421
Miller G (1981) Cities by contract: the politics of municipal incorporation Cambridge. MIT Press, MA
Musso JA (2001) The political economy of city formation in California: limits to Tiebout sorting. Soc Sci Quart 82:139–153
Norris DF (2001) Prospects for regional governance under the new regionalism: economic imperatives versus political impediments. J Urban Aff 23(5):557–571
Olberding JC (2002) Economic development: does regionalism beget regionalism? The relationship between norms and regional partnerships for economic development. Public Adm Rev 62(4):480–491
Orfield M (1997) Metropolitics: a regional agenda for community and stability. Mass: Brookings Institution Press; Lincoln Institute of Land Policy, Washington, DC, Cambridge
Ostrom Elinor (1983) The social stratification-government inequality thesis explored. Urban Aff Quart 19:91–112
Ostrom V, Bish RL, Ostrom E (1988) Local government in the United States. Ics Pr
Ostrom Vincent, Tiebout Charles M, Warren Robert (1961) The organization of government in metropolitan areas: a theoretical inquiry. Am Polit Sci Rev 55(December):831–842
Otero LR (2010) La calle: spatial conflicts and urban renewal in a southwest city. University of Arizona Press, Tucson, AZ
Pulido Laura (2006) Black, brown, yellow, and left: radical activism in Los Angeles. University of California Press, Berkeley, CA

Pulido Laura (2000) Rethinking environmental racism: white privilege and urban development in Southern California. Ann Assoc Am Geogr 90(1):12–40
Purcell Mark (2001) Metropolitan political reorganization as a politics of urban growth: the case of San Fernando Valley secession. Political Geogr 20:613–633
Rice Kathryn, Waldner Leora, Smith Russell M (2014) Why new cities form: an examination into municipal incorporation in the United States, 1950–2010. J Plann Lit 29(2):140–154
Rusk David (2003) Cities without suburbs. Johns Hopkins University Press, Washington, DC
Savitch HV, Vogel R (2000) Metropolitan consolidation versus metropolitan governance in Louisville. State and Local Government Review (Fall)
Smith RM (2008) Municipal incorporation activity and the clustering of new municipalities in North Carolina: 1990–2008. N C Geogr 16:24–35
Smith RM (2011) City limits? The impact of annexation on the frequency of municipal incorporation in North Carolina. Southeast Geogr 51:422–442
Smith RM, Debbage KG (2006) Where are the geographers? Newly incorporated municipalities (NIMs) in the southeast. Geogr Bull 48:109–121
Smith RM, Debbage KG (2011) Spatial distribution of newly incorporated municipalities (NIMs) and related socio-economic characteristics: a national comparison to cohort cities. Urban Geogr 32(4):568–588
Smith RM, Fennell A (2012) Local government boundary change in Brunswick County, North Carolina: 1990–2010. The North Carolina Geographer 19:4–19
Smith Russell M, Waldner Leora (2017) Why majority–minority cities form in the United States, 1990–2010. Urban Geography. https://doi.org/10.1080/02723638.2017.1298018
Smith RM, Leora W, Craig JR (2016) New Cities of Color socioeconomic differentiation between majority–minority new cities and white new cities. State and Local Government Review, 0160323X16660589
Stauber Richard (1965) New cities in America; a census of municipal incorporations in the United States, 1950-1960 Lawrence. Governmental Research Center, University of Kansas, Kansas
Strain C (2004) Soul City, North Carolina: black power, utopia, and the African American dream. J Afr Am Hist 57–74
Teaford Jon C (1979) City and suburb: the political fragmentation of metropolitan America, 1850–1970. Johns Hopkins University Press, Baltimore, MD
Tiebout Charles M (1956) A pure theory of local expenditures. J Polit Econ 64(5):416–424
Tkacheva Olesya (2008) New cities, local officials, and municipal incorporation laws: a supply-side model of city formation. J Urban Aff 30(2):155–174
Vicino Thomas J (2008) The quest to confront suburban decline political realities and lessons. Urban Aff Rev 43(4):553–581
Waldner L, Rice K, Smith RM (2013) Why cities form: a historical and media literature review 1950–2010. J Plann Lit 1–10
Waldner Leora, Smith Russell M (2015) The great defection: how new city clusters form to escape county governance. Publ Adm Quart 39(2):171–219
Weiher GR (1991) The fractured metropolis: political fragmentation and metropolitan segregation. State University of New York Press, Albany, NY
Wiese A (2005) Places of their own: African American suburbanization in the twentieth century. University of Chicago Press, Chicago, IL

Chapter 8
Implications of Municipal Incorporation Activity in the USA

Abstract Newly incorporated municipalities (NIMs) can have dramatic consequences for the residents of the new municipality, as well as surrounding jurisdictions and citizenry. These consequences can impact fiscal matters, governance and representation, planning and/or the provision of public services. Fiscal challenges can revolve around the allocation of scarce resources and taxation. New municipalities mean a further balkanized political geography which can have impacts on governance and representation. Meanwhile, a myriad of planning-related items can also be impacted by new municipalities and can range from land use decisions to the provision of transportation facilities. Finally, the efficient and cost-effective delivery of public services is another issue that arises from the incorporation of new municipalities. While some communities decide to contract with existing service providers (e.g., Lakewood Plan cities), over time new cities often decide to provide their own services—thus duplicating services, which can lead to the inefficient use of taxpayer money. Unincorporated communities that wish to incorporate would be wise to explore the implications of their actions to themselves, as well as the surrounding region prior to formally incorporating. The issues raised by new cities are numerous, complex, and real.

Keywords Duplication of services · Fiscal implications · Governance
Planning · Redistributive funds · Service delivery

8.1 The Issues

The establishment of new municipalities can have drastic consequences for the urban and political arena (i.e., county, region, state) in which they are formed. While some will see the creation of a new municipality the penultimate manifestation of Jeffersonian democracy, others will see it as a vile attempt to divorce oneself from the social responsibility of the larger community. It is true that new cities often create a stronger sense of place and community, bring democracy closer to the residents the new city serves, and can also provide additional opportunities

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_8

for the provision of public services and differing levels of service from which residents can choose. However, new cities also bring with them a myriad of challenges that cannot be overlooked including fiscal challenges, issues related to governance and representation, planning-related concerns, and service delivery problems. These and other issues will be discussed further beginning below.

8.1.1 Fiscal Implications

Municipal incorporation activity has one of the largest impacts on taxation. At the simplest level, a new municipality often means the levy of new taxes, although it should be noted that many new municipalities do not levy any tax rate and this is a major reason why residents often support the creation of a new city, town, and/or village. Likewise, new taxes also do not always mean higher taxes. Depending upon the state system of local governance, the creation of a new municipality and the levying of a new tax rate might actually end up creating a lower tax burden for residents included within the newly incorporated territory. For example, in Virginia and Georgia, when a new city is established, the property included within the new city is no longer considered to be part of the county from which it was created. As a result, if the county tax rate was higher than the new municipalities' tax rate, residents can see a savings of thousands of dollars in many instances. The rash of new municipal incorporations in the Atlanta metropolitan region and Fulton County, GA in particular has had a major impact on the County's financial situation and its ability to maintain existing levels of service for unincorporated communities.

This leads us to a discussion on the second fiscal consideration related to the incorporation of new municipalities… loss of revenue for existing local government entities. As discussed above, when a new city is carved out of a previously unincorporated area (e.g., township, county, parish), it may gain fiscal autonomy over the area and result in a loss of revenue for the existing local government entity. Even if this is not the case and a new city just adds another layer of taxation (i.e., city taxes and county taxes), the new city may still result in a loss of revenue for existing government entities through a number of mechanisms. First, a new municipality will result in shared revenues (i.e., sales tax, redistributed state and federal monies) declining as the pie must get divided up even further by the addition of a new local government. For example, if a state redistributes sales tax revenue based upon population, existing municipalities and counties often see a decrease in their share of sale tax money as a result of the incorporation of a new government entity. If a county contained three municipalities and then a fourth gets added, that is an additional local government body that must be given its share of sales tax revenue.

This scenario is true for municipalities in North Carolina and resulted in a change in how revenue is shared among governments in many counties. Under North Carolina law, sales tax revenue can be redistributed to local governments based upon a per capita formula or an ad valorem distribution method (Millonzi 2017). The chosen formula is decided upon by individual Board of County Commissioners across the State of North Carolina. Historically, many counties utilized the per capita formula to divide the sales tax revenue among the County and any municipal incorporations. However, as a result of the rash of municipal incorporations occurring across North Carolina over the last two decades and changes to the tax laws in North Carolina, many counties have rethought that decision. Beginning in the early 2000s, several counties opted to change the distribution method away from per capita and to the ad valorem method. This was a result of realizing that many new cities did not charge any (or a very low) tax rate and as a result were not entitled to any (or a very low) proportion of the sales tax revenues. Guilford County, NC, which witnessed the incorporation of 7 new municipalities was one such NC county to proceed with this change in an effort to minimize the loss of revenue expected as a result of new incorporation activity.

Another fiscal concern related to the incorporation of new cities centers around the impact on existing service providers (e.g., volunteer fire departments, public utilities, solid waste, and recycling providers). For example, in many states prior to the establishment of a municipality, an area is often part of a fire district serviced by a volunteer fire department, which has the ability to levy taxes to support their fire protection services. When a new municipality is created, it may opt to create its own fire department and thus render the existing fire district unnecessary within the borders of the new city. While the fire district is a public entity, it does not mean that this scenario does not also apply to private companies/businesses. Prior to the incorporation of a new city, the area is often serviced by a private company that handles the collection of solid waste and recycling in the community. After incorporation and if the new municipality decides to offer solid waste and recycling services, they can dramatically decrease the number of customers for the existing service provider. Under both of these scenarios (i.e., fire districts and solid waste collection), some states have a provision that requires the new municipality to "hold harmless" existing service providers for a number of years. While this is welcome news for the service providers, it is not a lasting relief as the length of payments expires after a certain number of years in many states. It must also be noted that new municipalities will often enter into contracts with existing service providers as a means to ensure the continuation of needed services, but eventually end up providing many of these services themselves and the contracts are only a temporary reprieve for those agencies.

A final area of concern that is fiscally related is that of redistributive funds (i.e., grants) within a region. The addition of another government agency can create additional competition for limited state and federal resources especially in the form of grants. As has been previously mentioned in Chap. 3, some new municipalities seek to incorporate in order to obtain grants and funding from the state and federal government. For existing local governments, this adds more competition for limited

dollars and can create financial friction between communities seeking funds for parks and recreation projects, water and sewer infrastructure, and transportation plans. Similarly, economic development projects may also become a point of fiscal contention as local governments battle with one another for industrial, commercial, and even residential projects within the region. A winner-takes-all mentality often accompanies these events, and animosity between local governments can already be high due to events surrounding the incorporation of many communities at the expense of existing entities.

8.1.2 Governance and Representation

New municipalities further balkanize and fragment regions. New cities increase the number of jurisdictions in a given area and can complicate representation. In some cases, the creation of a new municipality can result in existing elected/appointed officials no longer being able to serve on the existing governing body because they no longer meet the geographic requirements associated with that position. For example, a member of a planning board for an existing jurisdiction who represents a future growth area (i.e., extraterritorial planning area) may be swallowed up by the incorporation of a new municipality and be no longer eligible to represent that area on the planning board.

New cities result in new city limits and jurisdictional boundaries that impact and influence governance and representation. At the most basic level, new cities result in a newly elected municipal body, usually comprised of a mayor and city council members. These newly elected officials bring governance closer to the segment of the population that they represent. Additionally, new municipalities can also result in adjustments to school district boundaries, planning boards, soil and water conservation districts, and numerous other government agencies that rely upon elected and appointed officials for direction. Some of the most difficult governance issues can revolve around school district assignments for families, and the creation of a new municipality can have dramatic consequences for families that get either included or excluded from a desired school assignment. This is especially true for locations that do not have county-wide school districts, but rather rely upon city schools and/or school districts that conform to some other geographic boundary which is smaller than a county/township. Jonas (1991) provides an excellent discussion of annexation policy in Columbus, OH (while annexation is a different form of local government boundary change, the ends' results are similar), and its impact on school district boundaries.

Regional cooperation may also be impacted by the establishment of new municipalities. In many cases, the creation of a new municipality can be a contentious event that ends up pitting neighbors against one another. As the previous chapters have revealed, a major motivation for the development of a new municipality is the protection it affords from annexation efforts of nearby existing municipalities. As a result, if a new city is able to be created, it can lead to

animosity between existing cities, who were against the incorporation of a new municipality, and the new municipality, who did not want to be annexed by an existing city. Numerous examples from across the country exist of neighboring communities that have been feuding for decades as a result of fallout from incorporation activity. Often, this animosity toward one another is centered around central city versus suburban ideology.

In the end, this is bad for regional cooperation, in which all of the cities are usually striving for similar goals including growing the tax base, providing high-quality services, and protecting their respective communities from undesirable land uses. The establishment of a new local government might be the quintessential example of American grassroots democracy, as local individuals seek to create a government to represent them. However, this spatial act also has drastic consequences for the governance and representation within the geography from which it is conceived.

8.1.3 Planning-Related Concerns

Planning-related concerns associated with municipal incorporation activity are some of the most obvious and include implications related to land use, transportation, the environment, and public services. Controlling the land use decisions within a geographic area is often touted as a major factor behind the efforts to seek incorporation by unincorporated communities. The incorporation of a new municipality can have a variety of land use-related planning consequences.

First, the new municipality may opt to develop a high standard of land use regulations that differs significantly from the existing level of regulation. As a result, residents and property owners within the new municipality may see previously approved land uses restricted as a result of new zoning requirements. Subdivision standards may also be "ratcheted up" and result in larger minimum lot sizes, thus potentially reducing the ability to develop affordable housing within a community. Conversely, a new municipality might decide to reduce the requirements of land use regulations, thus "freeing" up residents to have more options related to the development of their property. Depending on the rationale behind the municipal incorporation effort, either of these scenarios are potentially possible and can greatly alter the land use decisions in a community.

A second land use-related planning implication of municipal incorporation activity is the potential for poor or less coordination among jurisdictions related to the way in which land is utilized in a given area. When a new government entity is created, it will further fragment the existing urban and political geography of that area and thus create the potential for less coordination and more variation of expectation especially related to how land is utilized and developed. For example, in a county that was in control of land use planning and decisions, the establishment of a new municipality will reduce the ability of the county to oversee the implementation of land use plans within that newly incorporated municipality's territory.

A new city often will want to develop its own land use plans and expectations of development in an effort to represent the interests of its own residents which may be in conflict with the previous planning authorities' plans. More government entities create more opportunities for conflict and the potential for less coordination and cooperation.

A final impact of the incorporation of a new municipality on land use planning is the limiting of less desirable land uses with a geography. The incorporation of a new municipality will often begin a competition among local governments to keep out land uses that are perceived by the local community as undesirable and seek to push these land uses to other communities by heavily regulating them and/or prohibiting them from the planning jurisdiction of a new city. These less desirable land uses may include sexually oriented businesses, nightclubs and bars, heavy industrial sites, and in many cases multi-family and affordable housing developments. The major problem with this type of NIMBYism is that legally these uses need somewhere to go within a community because they all serve some purposes—even if the majority of the population is against them. One of the more problematic locally undesirable land uses is multi-family/affordable housing. Many new suburban incorporations wish to keep out this form of land use because they see it as a drain on the community's resources and not in keeping with the image of the community that they have crafted. However, affordable housing is in short supply across the nation, and without affordable housing, many of the service sector industries that are frequented by the wealthier in society (i.e., restaurants, retail, hospitality, spas) will not have an adequate pool of labor from which to pull.

Transportation-related issues are another planning-related problem connected with the establishment of new municipalities. Time and time again, the literature and the case studies highlight the disconnect between plans developed by an existing city and the desires and wants of the unincorporated territory seeking incorporation. Many municipalities in North Carolina have recently incorporated as a result of planned road projects including Red Cross and Misenheimer in Stanly County, which both saw the road widening projects in their communities threatening their way of life. Often, these transportation projects will result in widening an existing road or the construction of a new road through an unincorporated community. These plans end up mustering the residents of the unincorporated territory into seeking incorporation and "gaining a seat at the table" in order to influence future transportation decisions. Usually, the new municipality is able to stop or modify the planned transportation facility which may be seen as a positive by the local community, but can have profound impacts on the existing municipalities that might have been developing a larger economic development strategy around the construction of the transportation infrastructure.

In larger metropolitan areas, new municipalities can also influence the decisions around providing public transportation to the area. New municipalities can reject the locating of a public transportation stop from being put inside their jurisdiction, opt out of the provision of regional transportation delivery, and also reduce the amount of funding available for public transportation projects by further dividing up the limited financial pool for the area.

Like transportation planning, environmental planning can also be greatly impacted by the establishment of new municipalities. Issues related to the environment including air quality, water quality and quantity, soil contamination, and other issues do not start and stop at a political boundary. However, often the policies and regulations that impact these environmental issues can vary considerably by local jurisdiction. While it is true that state and federal regulations often are responsible for establishing the regulatory expectations related to environmental planning, local governments still have a role to play in this arena and local regulations and the enforcement of these regulations can differ dramatically.

Specifically, local governments can influence land use decisions that can have drastic consequences for air quality- and water quality-related issues. Additionally, riparian buffer requirements or the lack thereof can also influence water quality in a community as well as affect those downstream. Recently, we have seen the impact of poor environmental planning in Flint, MI and its devastating impact on the water quality for its residents. While this is more of an infrastructure issue and was related to a long-established municipality, the potential for similar problems to arise in new communities might actually be greater since they often lack the technical skill and experience to understand the consequences of poor environmental planning. Environmental planning at the local level can also impact how storm water runoff is handled by individual communities which can greatly influence water quality.

Other areas of concern related to environmental planning include the preferred energy source in a community and the degree to which sustainable urban development is practiced. Does the new municipality incentivize alternative forms of energy production? Are solar and wind farms allowed within the jurisdiction? Does the new municipality encourage/require new structures and the rehabilitation of existing buildings to meet "green" building standards? Are there alternatives to the automobile like sidewalks, greenways, trails, etc.? Does the municipality have a commitment to reducing its carbon footprint? All of these issues are related to environmental planning and how they are dealt with can and do differ wildly across the country.

8.1.4 Service Provisions and Delivery

First, the establishment of new municipalities, especially in metropolitan regions, can lead to the duplication of services. How many parks and recreation departments are needed in a given area? Does every municipality need its own solid waste collection system? These questions bring to light a debate on the size of government and the services that are provided to the citizens. The creation of a new municipality is usually accompanied by the demand for services from the residents of the new city. However, in many instances, nearby existing municipalities and/or the county government may already be offering these services. The duplication of services can sometimes be addressed by having a new city contract with existing service providers for the necessary/needed services for a new municipality. This form of

government cooperation was first highlighted by Miller (1981) in his work on the Lakewood Plan cities of California.

A second and related problem to the duplication of services associated with the establishment of new municipalities is the inefficient delivery of services. The new municipality may be established in an area that has been previously under the planning authority of another existing local government. If this occurs, the existing municipality might proactively plan for the provision of public services in the area thinking one day they will service the area. However, the introduction of a new municipality can dramatically alter that scenario and end up with both municipalities (the new and the old), providing services in the same area in an inefficient manner.

A great example of the inefficient delivery of public service can be seen in how solid waste is collected in two municipalities located in the Piedmont Region of North Carolina. The existing city of King and the newly incorporated municipality of Tobaccoville must both provide for the collection of solid waste on the same street as a result of convoluted jurisdictional boundaries that divide neighbors from neighbors (see Fig. 8.1). When Tobaccoville was established, numerous properties that were located next to properties already within the jurisdiction of the existing city of King petitioned to be included in the new city of Tobaccoville. As a result, you have properties along the same side of the street that are located in Tobaccoville and others that are located in King. This makes trash collection difficult and inefficient, since the towns have different trash days for the same street and the sanitation workers must be cognizant of which houses from which they should collect trash.

Another example of the inefficiencies in the delivery of public services that can be the result of municipal incorporation activity can be seen in the planning and delivery of parks and recreational services. While parks and recreation is one of a limited number of areas in which cooperation and the shared delivery of services is relatively common across the country, it is not guaranteed. A new municipality may be incorporated in an area that already has a park and/or recreation facility that is owned and operated by another local government entity. Under this example, who can use that facility, ownership of the facility, future upkeep, expansion and renovation of the facility are but a few of the myriad of questions that must be answered as a result of municipal incorporation activity. If a park and/or recreation facility is owned and operated by a county/township government, it is a little easier to work out some of these questions, but many concerns are often still raised as a result of the establishment of a new city, town, or village.

The provision of public safety services is a final area that can be affected by municipal incorporation activity. The incorporation of a new city can impact police and/or fire service response times, influence decisions and planning on the future location of facilities, and cause public confusion as to which service provider is responsible for the protection of their property. In very fragmented regions, understanding which entity provides what public safety service can be extremely difficult since police protection may be the responsibility of numerous city police departments, a county sheriffs' office, private security firms, and contracting of city

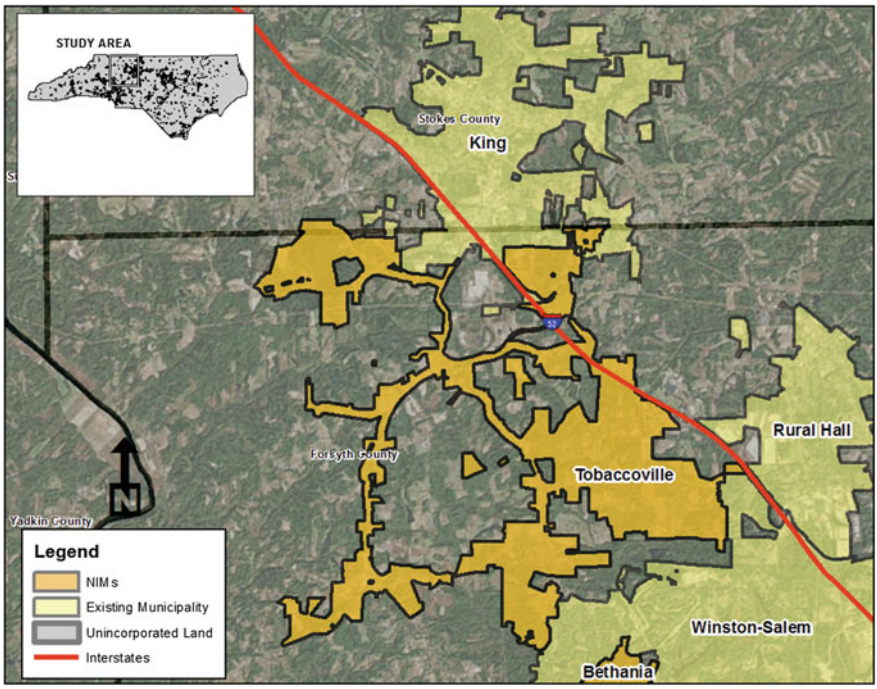

Fig. 8.1 Municipal boundaries of Tobaccoville and King, NC

or county police/sheriffs for some towns. Likewise, fire protection can be delivered by the municipalities in the region, volunteer fire district, and/or other county systems of fire protection. In the end, the more fragmented a region, the more opportunity for the inefficient delivery of public services to the public.

8.2 Conclusions

The focus of this chapter has been to provide a general overview of the main implications that municipal incorporation activity can have on four main issues. First, fiscal concerns were discussed related to the allocation of limited financial resources, new taxes, and competition for funding. New municipalities add more "mouths to feed" and result in the further division of redistributive funds. New cities also add another layer of taxation in many places around the country and, in some places, can result in the loss of tax revenue for existing local governments. Increased competition for funding distributed in the form of grants is another fiscal impact of new municipalities.

Governance and representation is a second arena in which municipal incorporation activity can "cloud the water" as it pertains to who represents who and what

is considered good governance. Many scholars have pondered the question of what is the appropriate size of government bodies, and the continued incorporation of places throughout the USA reveals that this issue is still left unanswered.

Planning-related concerns are another major area in which municipal incorporation activity can have profound impacts. Whether it is land use planning, transportation planning, and/or environmental planning, the creation of new local government bodies adds to the complexity of regulations within regions. These regulations determine the rules under which development occurs, sets community standards regarding the environment, and can even alter decades-old transportation plans that could greatly impact the quality of life of residents.

Finally, new municipalities can lead to inefficiencies in the delivery of public services and the duplication of public services across local government bodies. The integration of new public service providers, in the form of new municipalities, takes time. In the beginning, the duplication of services and the inefficient delivery of necessary public services may be commonplace. In some cases, this may be bypassed as new municipalities contract with existing service providers for either the continuation of service or request new services for the residents of new communities (e.g., Lakewood Plan model). More often, the expected model will follow the creation of new services to serve the new municipalities which will be in direct competition with existing local governments and the services they offer. As new municipalities age, experiences around the country have shown, competition between cities will often lead to cooperation and eventually the sharing of the public service burden when financial viable and beneficially to all parties. In the end, only through cooperation will local governments overcome the high costs, duplication of services, and inefficiencies associated with providing public services to a population within the same region. Examples of shared water and sewer infrastructure, unified county and city public safety departments, and regional solid waste agencies are but a few sterling examples of what can occur.

References

Jonas AEG (1991) Urban growth coalitions and urban development policy: postwar growth and the politics of annexation in metropolitan Columbus. Urban Geogr 12(3):197–225

Miller G (1981) Cities by contract: the politics of municipal incorporation. MIT Press, Cambridge, MA

Millonzi K (2017) Local sales and use tax distributions: where does the money go? UNC School of Government. Retrieved on 22 May 2017 from https://canons.sog.unc.edu/local-sales-and-use-tax-distributions-where-does-the-money-go/

Chapter 9
The Future of Municipal Incorporation in the USA

Abstract New municipalities will continue to be established in the USA, but at a decreasing rate based on trends identified over the last half century. Municipal incorporation theory must acknowledge the presence of additional factors influencing incorporation activity. Stimuli, state laws, people, and geography all play a role in determining municipal incorporation outcomes. Additionally, the development of a NIM Typology can aid in the exploration of new cities, towns, and villages across the nation. The creation of new municipalities put two competing thoughts in direct conflict: local control vs. regional efficiency. Proponents of new municipalities showcase these new local government entities as the penultimate expression of democracy, self-determination, and localized control over government and governance. However, opponents will highlight the numerous issues raised by the further fragmentation of already balkanized urban and political landscapes, which leads to duplication of services, competition for limited resources, and declining efficiencies. Opponents will also point out the existence of other forms of boundary change that can take the place of municipal incorporation including annexation, special districts, and mergers/consolidations, which all offer alternatives to municipal incorporation proceedings. In the end, state laws will continue to influence patterns of municipal incorporation and the types of new cities that emerge from local government boundary change events.

Keywords Annexation · Consolidation/merger · Local control
NIM Typology · Regional efficiency · Secession · Theory

The preceding chapters of this book have offered an in-depth analysis of municipal incorporation activity in the USA over the last several decades. While not the most prolific form of local government boundary change (that honor is held by annexation activity), municipal incorporation is still an important and relatively understudied political, geographic, economic, social, and environmental occurrence. Hundreds of new cities, towns, and villages have been established over the last twenty years throughout the country, and more will come in the future.

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0_9

New cities are the by-product of state regulations that can actively promote incorporation activity or dissuaded incorporation events. States that allow for aggressive annexation activity and also have a low legislative bar regarding municipal incorporation standards are home to some of the highest levels of municipal incorporation activity. Meanwhile, states with limited annexation authority for existing municipalities, have local government boundary change commissions, and require state approval for the incorporation of a new place tend to witness less incorporation activity. As a result of these differing rules, regulations, and standards across the USA, it is difficult to speak about municipal incorporation with one voice.

These new municipalities vary in size from a few dozen residents to almost 100,000 citizens and have an even bigger impact on hundreds of thousands of others. These new cities also vary considerably in the motivations that spurred their incorporation events. Many new cities are the by-product of local political geography, which view existing municipalities' annexation activity as a threat to "their way of life." Others are seizing an opportunity to improve the lives of their neighbors through incorporating and offering a variety of public infrastructure and public safety related activities within the new jurisdiction. Some incorporate in an effort to control land use and development within their community. Often, municipal incorporation is the culmination of decades of work that sees local residents excited by the possibility of creating a new city. Residents of new municipalities cite frustrations with existing local government bodies, changes in state laws that required communities to either incorporate or be annexed as major motivating factors in their quest to create a new city.

New municipalities also manifest themselves in unique geographic patterns across the USA. While much of the political and urban geography of the Northeast and Midwest is already locked in a fragmented state that prohibits or severely limits municipal incorporation events in this part of the country, the South and West have been fertile grounds for municipal incorporation activity as a result of state legislation, a growing population, and available unincorporated territory. Additionally, new municipalities also continue to cluster together, a geographic phenomenon identified as early as the 1950s and which is still evident today. Municipal incorporations breed more municipal incorporations in close proximity to each other. A herd mentality seems to be present in which one unincorporated community follows another as the first (pioneer NIM) is successful at navigating the municipal incorporation process. Whether the clustering is a by-product of jealousy or opportunity, new cities are more likely to be created in a similar geographic area.

The socioeconomic characteristics of new municipalities are another interesting area of study. While it is true that the majority of new cities are White, suburban, and wealthy, not all new municipalities fit this mold. A small, but significant subset of new cities are majority-minority communities that have unique origin stories often shrouded in exclusionary tendencies of nearby places. In the future, the USA can expect to see more Cities of Color incorporate as a by-product of the changing

demographic realties facing the country. These new majority-minority communities will add another interesting and complicated layer to local government in the USA as the country tries to deal with increasingly diverse communities in many parts of the nation.

9.1 Advancing Municipal Incorporation Theory

To date, theory related to municipal incorporation has largely centered on the defensive incorporation of a White, wealthy, and well-educated suburban community, near a larger-to-medium-sized metropolitan area. Numerous scholars over the past half century have consistently discussed this model as the framework from which municipal incorporation proceedings should be understood and analyzed. However, the results of past decades' worth of research on municipal incorporation activity across the USA have clearly highlighted the variation in municipal incorporation rationale, geography, and populations of people impacted.

In addition to the defensive incorporation theory proposed by many, previous work by Feiock and Carr (2001) and Hoch (1985) revealed the role of differing groups of people in the successful manipulation of local government boundaries. This scholarly work highlighted the role of individuals, organizations, and entrepreneurs in pushing forward the boundary change agenda. These key stakeholders rise to the forefront in municipal incorporation proceedings to champion the cause. These individuals or groups usually have some vested interest in the outcome of the municipal incorporation event and as such lead the effort in the face of challenging legislation, existing county and municipal opposition and a variety of other hurdles. Interestingly, these parties can be formal, well organized, and well funded, as is the case with Chambers of Commerce and other existing organizations that are championing the cause for incorporation (Hoch 1985). However, there may also be grassroot groups, with little in the way of infrastructure, financial support, or technical training.

Any theory of municipal incorporation must take into account the role of annexation and the importance of individuals as discussed above. As a result, the theory outlined below seeks to include these elements, but also acknowledge the work that has been completed over the past ten years that has greatly expanded the knowledge that exists on municipal incorporation activity in the USA. Recent scholarship on municipal incorporation and the work discussed in this book has revealed a more complex pattern to the geography of new municipalities, a more diverse demographic of the citizenry of new municipalities and a more robust tally of reasons for incorporating. These components are the critical elements of the theory of municipal incorporation outlined below.

First, municipal incorporation initiation must be recognized in light of the change occurring within the community to make individuals/groups move from the existing point of inertia toward a different future. Chapter 4 discussed a plethora of stimuli (change), whether external (i.e., annexation activity) or internal (i.e., need

for water, public safety, etc.), that are key motivating factors that ignite a community into action. The stimuli upset the status quo and force individuals/groups to make a decision concerning how they envision their future. The stimuli can be numerous and unique. Not all municipal incorporation activity is the result of annexation activity from a nearby existing municipality. The stimuli vary by location, population, and situation, but it is a stimulus that often begins a community's discussion regarding municipal incorporation.

A second component of the theory of municipal incorporation is state legislation from which local government boundary change is conducted. Chapter 2 provided an overview of the varying and complex municipal incorporation standards that exist across the USA. In addition, this book highlighted the interconnectedness of a variety of local government boundary change activities. Municipal annexation is often connected with municipal incorporation. Secession efforts can lead to municipal incorporation events. Special districts can eventually become new municipalities. As a result of the associations between the many forms of local government boundary change, any theory of municipal incorporation must include some acknowledgment of the role of the state in encouraging/discouraging/prohibiting, etc., municipal incorporation and other local government boundary change events from occurring within its borders. As previously discussed, a dozen states did not experience any municipal incorporations between 1990 and 2010. This is in part due to the laws that exist in these locations. Permissive annexation laws can lead to more incorporation activity and complex legislation, including the provision of local government boundary change commissions, can potentially decrease the likelihood of incorporation events.

A third component of the theory is people. Chapters 5 and 7 provided important insight into who resides in these newly incorporated municipalities. The theory of municipal incorporation espoused in this chapter recognizes that local individuals and/or people with a stake in the local community (i.e., developers, concerned citizens, real estate, civic organizations, etc.) play a critical role in municipal incorporation proceedings. Incorporation is initiated by someone or some group leading the effort to incorporate at the local level. Without individuals/groups leading community meetings to explain what can happen, obtaining signatures often necessary for a referendum, lobbying for votes at various stages of the incorporation process, and a multitude of additional activities, no new city can be formed. Additionally, individuals and/or groups provide the municipal incorporation movement with its staying power. Municipal incorporation events can take decades to complete (e.g., Sandy Springs, GA) and in the best of circumstances a minimum of a year. As a result, individuals must provide the continuous support for the effort or the effort will fail. It is easy to get people excited at a big rally, but maintaining momentum to organize a subsequent event, go door-to-door collecting signatures, and attend state legislative hearings to make sure that their incorporation makes the cut is a much larger challenge. Having dedicated, concerned individuals are essential and not every community has these people.

Finally, geography plays an important role in the incorporation of new municipalities. Chapters 3 and 6 highlighted the importance of a community's absolute

and relative location as it pertains to municipal incorporation activity. Chapter 3 identified patterns to municipal incorporation activity across the USA. These patterns increase or decrease the likelihood of an event occurring. Similarly, Chap. 6 revealed the vital role clustering plays in facilitating the incorporation of numerous new cities within a defined geographic region. Clustering is made possible by a "pioneer" NIM, who paves the way for future incorporation activity.

The driving variable across municipal incorporation efforts is the stimuli. As Chap. 4 highlighted, the stimuli for incorporating can vary greatly. From the expected annexation attempt by a nearby city, to the need for public services, to the desire to protect a community's identity, the reasons for incorporating are varied and numerous. It should be noted that it is often one event (stimuli) that initiates the incorporation process and then additional rationales for incorporating are added in order to appease and attract additional community support.

Ultimately, a more robust theory of municipal incorporation must include some acknowledgment of the role that stimuli, state legislation, people, and geography play in incorporation proceedings. To aid in the understanding and examination of municipal incorporation events in the USA, a newly incorporated municipality (NIM) typology that was originally part of my Ph.D. dissertation and has evolved over the years as my understanding of new municipalities has grown is proposed below. The proposed NIM Typology should be viewed as a rudimentary tool by which to begin to compare different municipal incorporations, explore the characteristics of new cities, and begin to assess the impact new municipalities might have on the region in which they were established.

9.2 Toward a Newly Incorporated Municipality (NIM) Typology

As this book has highlighted, new municipalities come in many different shapes, sizes, geographic locations, and reasons for being. As a result, the type of new city established may have different implications for many of the issues discussed above. One type of new city may seek to contract for needed services and infrastructure, while another new municipality might want to develop their own infrastructure capacity and thus duplicate services. Table 9.1 provides an overview of a proposed newly incorporated municipality typology, including many of the key characteristics that explain the differences between new city types. Note that it is entirely possible for a new city to take on the characteristics of several "types" of NIMs. Also note that some of the defining characteristics of a new municipality type may be spatial, while others are defined by their rationale for incorporating.

The purpose of this typology is to begin to decode complex political and geographic dimensions of newly incorporated municipalities. This offers academics, policy makers, and planners a way to better understand the issues and implications

Table 9.1 Newly incorporated municipality (NIM) typology

NIM type	Reason(s) for incorporating	Spatial dynamics	Other characteristics	Examples
Exclusive Enclaves				
Variations: gated communities, resorts, planned developments	Protection, economic isolation, segregation, community amentities, strong HOA/POA	Predominately located in beach, mountain, resort, and suburbs surrounding large cities	Walled, enhanced security presence, second homes, retirement-aged population, master-planned developments, homogeneous population	Malibu, CA; Bermuda Run, NC; Lone Tree, CO
Suburban settlements				
Variations: defensive incorporations, anti-cities, service providers	Real or perceived threat of annexation by a nearby existing municipality. Desire to not be in a city	Close proximity to larger cities, within metropolitan areas	Primarily residential and suburban style of development, relatively newer community, population in thousands	Kenmore, WA; Wellington, FL; Oak Ridge, NC
Peripheral communities				
Variations: service providers, rural crossroads	Service/ infrastructure needs, community identity, funding	Most likely to be located outside metropolitan/ micropolitan areas, rural	Area often has a history of being a community, smaller population	Natural Bridge, AL; Clincho, VA
Majority-minority municipalities				
Variations: Cities of Color, rebound incorporations, border towns	Direct or indirect racism, environmental justice, underbounding, denied annexation	South and West Census Regions, metropolitan areas	Majority-minority population. Lower socioeconomic status	West Park, FL; Green Level, NC; Progresso, TX

of a variety of new cities. This typology can help to further the evolution of municipal incorporation theory and local government boundary change theory.

9.2.1 Exclusive Enclave NIMs

Exclusive Enclave NIMs are some of the wealthiest, homogeneous, and private communities in the nation. Generally, these places can be found along the coast, in desirable mountain locations or the suburbs of larger cities. Other characteristics that help define Exclusive Enclave new municipalities include: walls and enhanced

security presence, master planning, and recreational amenities. Often these places will include a large share of second homes and retirement-aged populations. Exclusive Enclave new municipalities may come in a few variations including: gated communities, resort communities, and planned developments. To better understand the Exclusive Enclave new municipality, some illustrative examples of these NIMs are discussed below.

Perhaps one of the most stereotypical Exclusive Enclave NIMs in America is Malibu, CA. Malibu is a *beach community* with 21 miles of coastline located in northwest Los Angeles County that is synonymous with exclusivity. According to the 2015 American Community Survey, Malibu has an estimated population of 12, 856. While the area has been developed over the last century, it was not until 1991 that it officially incorporated. According to the 2000 US Census (closest to when it incorporated), the median value of an owner-occupied housing unit in Malibu was $1,000,000 and the median household income was $102,031. Additionally, 91.9% of Malibu's residents are White. Only 14% of Malibu's population was over the age of 65, and only 7.6% of the residents were living in poverty in 2000. Since the late 1920s, Malibu has been home to movie stars and entertainment personalities. One of the more famous neighborhoods located within Malibu is "The Colony." "The Colony" is a gated community with 24-hour security that has been home to some of Hollywood's most famous faces (e.g., Jack Warner, Gary Cooper, and Barbara Stanwyck). The neighborhood routinely witnesses the sale of homes in the $1.6 to $6.0 million range, and vacant lots sell for more than $1.0 million (Malibu 2017). Today, stars ranging from Martin Sheen to Melissa Etheridge call Malibu home.

In another example, Bermuda Run is a *gated community* located southwest of Winston-Salem, NC, that incorporated in 1999 and is a prime example of exclusivity. Bermuda Run is home to 1431 residents according to the 2000 US Census (closest to incorporation) and was estimated to have 2532 residents in 2015. The original development that would evolve into the Town of Bermuda Run began as a country club and golf course community with the sale of 175 lots at $10,000 a piece. The first lot was sold to Arnold Palmer in 1971. Since then, retirement amenities, luxury condominiums, and an additional golf course and club house have been constructed on the property (Bermuda Run 2017). The socioeconomic characteristics of Bermuda Run are quintessentially those of an Exclusive Enclave. Bermuda Run's residents are 99% White and have a median household income of $84,187. Likewise, 41% of Bermuda Run's residents are 65 or older and only 1.4% lived in poverty according to US Census data.

Finally, the City of Lone Tree, CO (*planned suburban development*), which is located less than 20 miles south of Denver, CO, is another example of an Exclusive Enclave NIM. Lone Tree had a population of 4873 and a population density of 2827 persons per square mile in 2000. More recently, Lone Tree's population was estimated to be closer to 13,000. Additionally, 91.5% of Lone Tree's residents are White. According to the City's Web site, "a major impetus for incorporation was residents' concerns relating to land use, the quality of development along the C-470 corridor, and their desire for greater input over development decisions affecting their future" (Lone Tree 2017). Lone Tree City residents had a median household

income of $96,308 and a median value of owner-occupied housing units of $292,500. Additionally, only 1.4% of Lone Tree's population lived in poverty according to the 2000 US Census. Showcasing the variation among Exclusive Enclave NIMs, Lone Tree did have a relatively young population compared to the other Exclusive Enclave NIMs with a median age of 36.9 years and only 3.9% of the residents being 65 years or older.

Malibu, CA; Bermuda Run, NC; and Lone Tree, CO, are typical Exclusive Enclave NIMs. In general, these NIMs are some of the most racially and economically segregated municipalities in the USA. These NIMs are often gated enclaves or restricted developments that look to explicitly separate themselves from the remainder of society. Cities, towns, and villages were previously established to provide public services (i.e., water, sewer, fire protection), yet Exclusive Enclave NIMs now appear to be incorporating to protect their interests and themselves from the rest of society.

9.2.2 Suburban Settlement NIMs

Suburban Settlement NIMs, as their name implies, are generally located on the edges of existing larger municipalities which tend to serve as the focal point of economic opportunity for the region. Often found in metropolitan and micropolitan areas, Suburban Settlement NIMs often incorporated because of growth pressures in the form of annexation activity (i.e., defensive incorporations). Additionally, some Suburban Settlements incorporate to avoid being a city/town/village at all. These anti-cities, seek to incorporate and provide limited or no public services, keep taxes low or non-existent and maintain the status quo. Anti-cities can also be known as "paper towns," in which they exist on paper and little else. The primary land uses found within Suburban Settlement NIMs are residential and characterized by large lots, big homes, and few public spaces. Suburban Settlement NIMs may mature into a more fully functioning city over time. Examples of Suburban Settlement NIMs include Kenmore, WA, which is located north of Seattle, WA; Wellington, FL, a suburb of Palm Beach and Fort Lauderdale, FL; and Oak Ridge, NC, which is located in the Piedmont Triad of North Carolina.

The City of Kenmore, WA, is one of ten NIMs incorporated in King County, WA, during the 1990s. Kenmore had a 2000 US Census population of 18,678 and a population density of 3029 people per square mile, making it a relatively large and densely settled NIM. The 2015 American Community Survey estimated Kenmore's population to be 21,575. According to 2000 Census statistics, more than 86% of the population of Kenmore is White (86.7%). And over 40% of Kenmore's residents have a college degree or better (41.5%). Conversely, only 5.7% of Kenmore's population lived in poverty in 2000. Kenmore's residents had a median household income of $61,756 and a median value of owner-occupied dwelling units of $246,000. Additionally, 11.4% of Kenmore's residents worked within the city. The

larger population of Kenmore provides more opportunity to live and work within the same city even though a great many residents still commute to jobs in other cities. According to the City of Kenmore's web site, development in the area that is currently known as Kenmore has been occurring for the better part of a century, although it was not until 1998 that the city was officially incorporated (Kenmore 2017). Kenmore's incorporation may have been precipitated by the growth of the nearby City of Bothell, WA, which witnessed a doubling of its population (12,345–30,150) and land area (5.3–12.02 sq. miles) during the 1990s.

The Village of Wellington, FL, which is located in Palm Beach County, FL, was originally known as the Acme Improvement District prior to incorporation in 1995 and today is home to more than 60,000 residents. According to the 2000 US Census, the village was home to 38,216 residents and just under 89% were White. Additionally, the median household income in the village was $70,271 and the median value of an owner-occupied dwelling unit was $164,800. Only 4.3% of Wellington's population lived in poverty in 2000. Meanwhile, 38% of the residents of Wellington earned a college degree or higher. Prior to the creation of the improvement district in the 1950s, the area had only a couple of hundred residents because most of the property was wetlands and swamp. As a result, the primary focus of the district was to drain the Everglades to allow for the construction of what would become the Village of Wellington. Today, the village is "mainly composed of golfing and equestrian areas with an upscale shopping mall and many small specialty boutiques and restaurants" (Wellington 2017). According to the village's Web site, one of the motivations behind incorporation was the millions of dollars in financial incentives that would be received from the State of Florida (Wellington 2017).

The Town of Oak Ridge, NC, is located in Guilford County, NC, just outside the City of Greensboro. Oak Ridge had a 2000 US Census population of 3988 and a population density of 272 people per square mile. In 2015, the estimated population was 6513. Almost 94% of the town is White (93.5%), and more than 40% (40.2%) have earned a college degree or higher. The town is primarily a bedroom community with only 9.3% of its residents employed within the town and a mean travel time to work of almost 26 min. The median household income is $74,608, and the median value of owner-occupied dwelling units is $204,900. Oak Ridge also had a low percentage of residents living in poverty with only 3.8%. The town was created as a result of the growth of nearby cities. As one of the founding members of the city stated, "A group of us got together and formed a committee because we knew Summerfield, which had been incorporated a few years earlier, Kernersville and Greensboro were interested in moving into this area" (Hairston 2007). Oak Ridge was incorporated to protect itself from annexation by nearby larger neighbors and is slowly developing into a more fully functioning municipality.

Kenmore, WA; Wellington, FL; and Oak Ridge, NC are prototypical examples of Suburban Settlements with higher median incomes, relatively affordable home values, and low levels of employment within the municipalities. As a typology, Suburban Settlement residents are not as homogeneous as those found in the Exclusive Enclave and Peripheral Community typologies. Frequently these places

tend to be segregated by economic factors rather than racial status. While this type of NIM may often begin as a bedroom community, they have the potential to develop into more complete cities.

9.2.3 *Peripheral Community NIMs*

Peripheral Community NIMs are often small, homogeneous, rural settlements that may be connected to the exploitation of natural resources in the area. They may incorporate out of a need for public services/infrastructure needs. For example, a community water well may go dry or get contaminated or an economic engine of the community may abandon the community. An additional motivating factor may be the desire to maintain the community's identity in the face of changing economic or demographic factors. Variants of Peripheral Community NIMs include service providers and rural crossroads. Natural Bridge, AL, and Clincho, VA are two prime examples of Peripheral Community NIMs which will be discussed below.

Natural Bridge, Alabama, is an excellent example of a Peripheral Community NIMs. The town had a population of 28 (2015 estimates show a population of 43) and was the second smallest municipality in Alabama according to the 2000 US Census. Additionally, 100% of Natural Bridge's residents are White and the median age is 39.5 years old. Natural Bridge gets its name from the unusual rock formation found near the town, which spans over 148 feet and is the longest rock arch east of the Rockies (Natural Bridge 2017). For many years, the nearby coal industry provided the majority of people with jobs. However, the coal industry has recently left the area and been replaced by the Natural Bridge Restaurant as the town's largest employer. As a result of the decline in the coal industry, the median household income in Natural Bridge was only $11,875 in 2000 and approximately 62% of the residents lived in poverty. Additionally, none of the 28 residents of Natural Bridge had earned a college degree according to 2000 US Census data. Finally, like many small towns, Natural Bridge can trace its roots back to the railroad that first came to the area in the late 1890s (Beckwith 2002).

The Town of Clincho, VA, is located in Dickerson County in southwestern Virginia, which was once a thriving coal area. According to the US Census, the town had a population of 424 in 2000, 90.6% of which were White. The 2015 population estimate for Clincho revealed a population decline and a current estimated population of 336. The median age of Clincho's residents was 39.4 years old in 2000. In the early part of the twentieth century, the area was similar to the "boom towns" of the west that thrived on the natural resources found in the area. Water supplied the first industry with power to run the grist mill and later the coal found in the nearby mountains brought many people to the region. However, it was not until 1991 that the town officially incorporated (Clincho 2017). The residents that called Clincho home in 2000 had a median income of only $18,393 and a median value of owner-occupied dwelling units of $23,300. Additionally, 30% of the residents live in poverty, while only 6.2% had earned a college degree or better by 2000.

As these examples infer, Peripheral Community NIMs are characterized by small populations, lower incomes, higher levels of poverty, and geographic isolation. One interesting dynamic revealed through the examination of two of these examples is the potential role the exploitation of natural resources may have in the development of Peripheral Communities. In particular, the coal industry was a common trait shared by both Natural Bridge, AL, and Clincho, VA. A portion of Peripheral Community NIMs may be created in response to changing economic realities. This can be especially true in places that see their primary employment centers close or relocate and leave a large portion of the population behind without a job. Places that rely greatly on the manufacturing, mining, gas, oil, and coal industries can be especially vulnerable as many of these industries operate as "pseudo-cities" and provide many important services to the local population. When the industry closes or leaves town, they leave behind a populace that has come to enjoy a particular level of public services but without any entity to provide that service into the future. As a result, these areas may be inclined to incorporate.

9.2.4 Majority-Minority NIMs

A new type of new city that was not included within the original NIM Typology developed over ten years ago is the majority-minority municipality. These NIMs are characterized by the majority population of minority residents (i.e., Black, Asian, Hispanic, Native America). Additionally, these municipalities often have populations with lower socioeconomic characteristics. Almost all majority-minority municipalities are found in the South and West US Census Regions for a variety of factors discussed in Chap. 7. Often these NIMs seek to incorporate as a result of direct or indirect racism, environmental justice issues, underbounding, and/or social justice concerns. Other names for majority-minority municipalities include Cities of Color, rebound incorporations, and border towns.

The Town of Green Level, NC, is an example of a City of Color established in 1990, in Alamance County, North Carolina. Almost three quarters of Green Level's more than 2000 residents were African American according to 2000 US Census figures. Primarily a residential community, Green Level's residents had historically worked in the nearby mills of the Town of Haw River and in agricultural pursuits. As a result of failing infrastructure and underbounding policies of nearby municipalities, the community sought incorporation in 1990. Today, the town boasts a park, water tower, and new water and sewer lines, thanks to several grants obtained by the town.

The Town of Progresso, Texas, provides an example of a majority-minority municipalities. This town also represents a unique subset of majority-minority municipalities because it is one of several border towns that were incorporated in

the 1990s in Texas. A new bridge across the Rio Grande River contributed to the recent rise in Progresso's population and may have played a role in incorporation. However, the origins of Progresso can be traced back to the late 1880s when sugarcane was the staple crop and most of the land around Progresso was divided into small farms and ranches (Progresso 2017). The 2015 American Community Survey estimated Progresso's population at 5789. Closer to Progresso's establishment, the Town had a 2000 population of 4851 and population density of 1626 persons per square mile. Ninety-nine percent (99%) of the residents of Progresso are Hispanic and the median age in the Town is only 21.6 years. Like other Peripheral Community NIMs, Progresso also had very low home values and incomes. The median value of owner-occupied housing units was $29,100 and the median household income was only $18,184 according to the 2000 US Census. Less than 4.0% of Progresso's population had earned a college degree or better (3.5%), and not surprisingly, 50.9% of the population lived in poverty in 2000.

The City of West Park, FL, is a final example of a majority-minority municipality, which is located in Broward County, FL. Some of the history and background on West Park has previously been discussed in Chap. 3, and West Park was established after being rejected for annexation by several existing municipalities. A true "rebound incorporation," West Park has a population of 14,779 of which 55.7% are African American. The median household income was estimated to be almost $38,000, and a fifth of residents lived in poverty according to 2015 data. For a community that was not originally seeking to incorporate, West Park has developed into a full-service municipality and has a bright future.

9.2.5 Conclusion

In summary, the creation of a newly incorporated municipality (NIM) typology serves several purposes. First, the creation of the typology is an important step in better understanding and studying new cities. Through the creation of a typology, it becomes possible to better understand the unique geography of municipal incorporation. Additionally, the NIM Typology will also provide future research opportunities through the creation of a basic framework and language in which municipal incorporations may be studied and compared. It is envisioned that the typology will serve as the basis for future discussions on city formation. The typology will be especially useful for developing a broader theoretical background for more detailed case study analyses.

The NIM Typology can also assist public policy makers at different levels of government to make informed decisions regarding incorporation efforts. For example, this research can help shape state incorporation standards regarding population requirements, distances from existing municipalities, and various socioeconomic requirements of proposed municipalities. Existing local governments may utilize this information when dealing with the potential incorporation of a nearby community to better assess the challenges and opportunities that might be

associated with municipal incorporation proceedings. Finally, areas considering incorporating can gain a better understanding of the results of municipal incorporation through the use of the typology and develop realistic expectations regarding their future.

Municipal incorporation events will continue to be a major challenge confronting the field of local government boundary change for years to come. Ultimately, the NIM Typology can serve as a tool that seeks to offer insight into this challenge that often seeks to balance the rights of individual communities seeking to cultivate grassroot democracies against larger metropolitan-wide concerns about regional economies of scale. Acknowledging the presence of multiple types of new municipalities is an important first step along the path of gaining greater understanding of the municipal incorporation phenomenon.

9.3 Local Control Versus Regional Efficiency

At its most basic level, the process of municipal incorporation pits the desire for local control against calls for regional efficiency. This battle has been raging for decades and as it relates to local government boundary change…it pits public choice proponents against metropolitan reformers, conservatives versus liberals. It is a question of community freedom versus economies of scale and is usually centered around some of the following questions:

1. What is the best size (population) for local government?
2. How many local governments should be in a given area?
3. Is local government competition good for the public?
4. Should individual communities be able to retreat from civic responsibilities of a larger group?

These questions do not have easy answers and may not have any completely correct answer. Much of how you answer these and similar questions relates to your experiences, life philosophy, political identity, and the like. Public choice proponents would argue that the democracy on which the USA was founded gives individuals the right to self-determination and the creation of a new municipality may be the quintessential example of evoking that right. On the other hand, metropolitan reformers would counter by stating that more than just an individual or individual's desires need to be factored into any decision to promulgate more units of local government as a result of their potential impact on the larger community. Additionally, who incorporates can also be a question of equity and social justice that can have consequences for the most vulnerable of the country's population.

Many communities seek to incorporate for control…over taxes, services, schools, regulations, planning, etc. However, this control can come at a price, including duplication of services, inefficient delivery of services, higher costs, and regional animosity among local governments. While people may not besmirch

someone their right to self-determination, one must eventually ask at what cost? Does a community's right to protect its sense of place override the larger region's ability to provide affordable housing, improve transportation facilities, and attract industry? These are many of the questions regions with a plethora of new municipalities must deal with now and in the future.

9.4 Alternatives to Municipal Incorporation

Any discussion of municipal incorporation would be incomplete without a brief acknowledgment of the complimentary and often contradictory role alternative forms of local government boundary change have on the creation of new cities. From annexations to special district formations and from mergers/consolidations to secessions, these forms of local government boundary change have profound influences on the urban geography and politics within a given region. These influences might lead to more unity, fragmentation, controversy, animosity, collaboration, etc., as these events push, pull, and change the local geography under which people must live.

The most often utilized form of local government boundary change is municipal annexation, which has been discussed, alluded too, and intertwined throughout this book. Tens of thousands of municipal annexations occur each year across the USA, and this form of local government boundary change might be the biggest catalyst influencing municipal incorporation proceedings, but should not be seen as the only reason that new cities are created as discussed in this book. Municipal annexation can also be viewed as an alternative to municipal incorporation. Often existing cities can provide the needed public services, institutions and other devices that new communities are seeking. Through annexation, an unincorporated community might be able to gain the benefits of urban services at a reduced cost and quicker than attempting to incorporate their community. Additionally, metropolitan reformers believe that utilizing existing service providers will reduce duplication of services, reduce costs for all, and lead to more regional efficiencies. However, in many instances existing communities are reluctant to extend services for a variety of real or perceived threats and unincorporated communities may also be hesitant to cede power to an existing government in fear of losing their "identity" or as a result of past grievances.

Special districts are another form of local government boundary change that has the potential to be an alternative to municipal incorporation proceedings. This growing (in popularity and territory) form of local government is especially useful when an unincorporated community has a singular public service issue on which it is contemplating municipal incorporation proceedings. As their name implies, special districts are a form of local government established for a special (usually limited) purpose that is often easier to start than a full-fledged municipal incorporation. Special districts have been created to handle a variety of issues including:

infrastructure, public safety, environmental, economic, and health concerns. Foster (1997) provides an in-depth analysis of special districts across the USA that includes an overview of their numbers, locations, purposes, and implications.

Related to municipal incorporation, special districts often provide a more convenient, less time-consuming, and less expensive alternative to municipal incorporation when an unincorporated community has only one main issue that it is grappling with. One interesting and I believe unstudied area of research that can help push forward the theory of local government boundary change would be to explore special districts that evolved into municipalities. It is quite possible that many unincorporated places take the first step toward becoming a municipality by forming a special district in order to tackle a specific issue such as the need for public water and/or sewer service in an area. After a given time, it is not unreasonable to assume that the governing board of the special district and/or the residents receiving benefits from the special district might seek to provide more services and become a fully functioning municipality, incorporated under the laws and regulations of their state. It is like a former local government official once stated…"the only way to boil a frog is to slowly turn up the heat…if you throw a frog into a boiling pot of water he will jump out!".

While not an outright alternative to municipal incorporation, secession can result in the formation of a new municipality. This form of local government boundary change occurs very infrequently and is often extremely controversial. Secession occurs when a portion of an existing municipality seeks to divorce itself from said municipality. This can result in the seceding area becoming unincorporated and returning to county control throughout much of the nation or becoming an independent municipality. One of the more famous examples of an unsuccessful secession effort that has dragged on for decades is the San Fernando Valley's attempt to secede from the City of Los Angeles. Please see Purcell's (2001), Boudreau and Keil (2001), and/or Faught (2006) work on this topic for a more detailed analysis and explanation.

More recently, a posh area of southern Mecklenburg County in North Carolina (see Fig. 9.1), known as Ballantyne, has begun to discuss the potential of seceding from the City of Charlotte to form their own town as a result of perceived slights by the local school system and a view that the area's high tax valuation results in more tax dollars leaving the community to support poorer areas (McMillan, January 15, 2012). One major hurdle facing Ballantyne's desire to secede and form their own town is the lack of legislation in North Carolina by which the process could be facilitated. The only current way for an area to secede from an existing city is by an act of the North Carolina General Assembly. Secession might sound like the anti-thesis to incorporation, but often seceding communities seek to reconstitute themselves as new municipalities and thus should be seen as a potential avenue that leads to municipal incorporation.

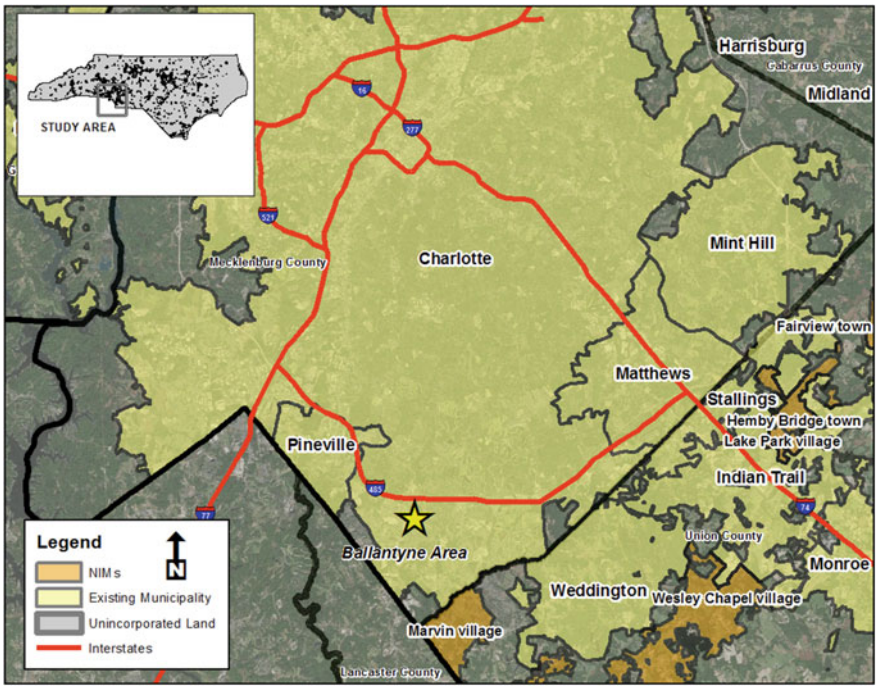

Fig. 9.1 Area map of proposed secession of Ballantyne, NC

9.5 Trends for the Future

In sum, the USA has witnessed an overall decrease in municipal incorporation activity since the 1950s. As the amount of unincorporated territory has decreased through a variety of local government techniques, as state laws have evolved to restrain incorporation proceedings, and as once virgin suburban landscapes have been incorporated, the desire/need/space for municipalities has declined. With that said, municipal incorporations will continue to occur in a wide variety of locales. The Sunbelt will continue to experience the highest rate of municipal incorporations as populations shift, lax state laws allow for new municipalities, and remote areas seek public services. Additionally, as long as communities seek to protect their local identity, community character, and/or their "special sense of place," municipal incorporation will be a viable activity for decades to come.

One of the potentially largest limiting factors that could influence municipal incorporation activity would be Federal engagement in the field of local government boundary change. While the Federal Voting Rights Act of 1965 provided some influence in the realm of local government boundary change (especially as it relates to annexation), future environmental regulations might be the area of federal intervention that provides the impetus for communities to seriously consider

alternatives to municipal incorporation. For example, more costly requirements for water and wastewater treatment facilities, as well as regulations on the transfer of water across watershed boundaries, can all dampen municipal incorporation activity and spur moves toward more agglomerative forms of boundary change like annexation, mergers/consolidations. Finally, evaporating federal funds for a variety of infrastructure projects may also force unincorporated communities to reconsider incorporating and seek less costly avenues.

An additional trend in the arena of municipal incorporation activity is the establishment of more majority-minority municipalities. As Chap. 7 discussed, 10% of new municipalities incorporated with majority-minority populations. The frequency of majority-minority incorporations is anticipated to increase as a result of geography (incorporations are most likely in states with more diverse populations), demography (estimates forecast that the USA will be a majority-minority country by mid-century), and a variety of covert and overt forms of racism. For example, environmental racism will continue to place pressure on minority communities to defend themselves from unwanted land uses and an attractive alternative for these communities of color is municipal incorporation. Similarly, existing municipalities that continue practices of exclusionary zoning and underbounding will force the hands of minority communities into seeking alternative avenues by which to provide housing and needed public services.

In the end, municipal incorporation is often the most realistic alternative and can be viewed as both a form of spatial justice and spatial injustice (Soja 2010). Soja (2010) appropriately states, "the spatiality of (in)justice can be both intensely oppressive and potentially liberating" (37). Applied here, the spatiality of injustice is evident in the form of underbounding by existing, often White municipalities. Meanwhile, a form of spatial justice is served through the incorporation of majority-minority municipalities, as these communities take matters into their own hands and form a community. A key question that remains unanswered is whether or not this form of incorporation segregation is a desirable outcome being fostered by local government boundary change.

9.6 Closing Thoughts

Municipal incorporation theory has evolved from the time of the first cities. Many of the earliest cities were established in response to advances in agricultural production which allowed larger numbers of people to reside in closer proximity to each other. Eventually trading, religious, and/or defensive settlements emerged from these advances in agriculture. As cities evolved over the millennia and across the globe, places sought incorporation as a way to provide needed public services to growing urban populations.

Today, municipal incorporation theory has continued to evolve and recent research has begun to explore the varied reasons behind why new municipalities are created. While the desire to provide public services, to create homogeneous

enclaves that sort along socioeconomic variation, and to flee annexing municipalities are still rationales that lie behind many incorporation efforts, other reasons have emerged including: municipal underbounding, lack of county services, and direct and indirect forms of racism. Additionally, state laws on all forms of local government boundary change have a profound influence on patterns of municipal incorporation and the desire for local control can often not be quenched.

As this book has demonstrated, the incorporation of a new place has dramatic consequences for both residents of the new municipality and residents of nearby cities, towns, and villages—not to mention the county from which it is originates. New cities impact everything from education to the environment and politics to planning. One of the more controversial impacts of municipal incorporation is on social justice and equality. As communities incorporate, some people are "winners" and other are "losers." The long-term impact of this game is in need of additional analysis and scholarship. As Former Speaker of the US House of Representatives Tip O'Neill stated, "all politics is local" and perhaps the politics of municipal incorporation is the most local!

References

Beckwith A (2002) Natural bridge history. The Tuscaloosa News. 10 Feb 2002. Available at http://www.freestateofwinston.org/naturalbridgehistory.htm

Bermuda Run (2017) History. Retrieved on 20 June 2017 from http://townofbr.com/history/

Boudreau J, Keil R (2001) Seceding from responsibility? Secession movements in Los Angeles. Urban Stud 38(10):1701–1731

Clincho (2017) History and government. Retrieved on 28 May 2017 from https://clinchcova.net/services/

Faught J (2006) Breaking up is hard to do: explaining the 2002 San Fernando Valley secession vote. J Urban Aff 28(4):375–398

Feiock RC, Carr JB (2001) Incentives, entrepreneurs, and boundary change: a collective action framework. Urban Aff Rev 36(3):382–405

Foster KA (1997) The political economy of special-purpose government. Georgetown University Press

Hairston A (2007) First mayor visits, recalls effort to incorporate town. Greensboro News and Record. 24 June 2007

Hoch C (1985) Municipal contracting in California: privatizing with class. Urban Aff Quart 20 (3):303–323

Kenmore (2017) History of Kenmore. Retrieved on 17 June 2017 from http://www.kenmorewa.gov/history

Lone Tree (2017) About Lone Tree. Retrieved on 18 June 2017 from http://www.cityoflonetree.com/visitors/about_lone_tree

Malibu (2017) The story of Malibu. Retrieved on 27 May 2017 from http://www.malibucity.org/index.aspx?NID=106

McMillan C (2012) Town of Ballantyne concept faces hurdles. The Charlotte Observer. 15 Jan 2012. Retrieved on 15 Jan 2017 from http://www.charlotteobserver.com/news/local/community/south-charlotte/article9074702.html

Natural Bridge (2017) Natural bridge of Alabama. Retrieved on 20 June 2017 from http://www.northalabama.org/do/nature-parks/detail/natural-bridge-of-alabama

Progresso. (2017) History in a pecan shell. Retrieved on June 8, 2017 from http://www.texasescapes.com/SouthTexasTowns/Progreso-Texas.htm

Purcell M (2001) Metropolitan political reorganization as a politics of urban growth: the case of San Fernando Valley secession. Polit Geogr 20:613–633

Soja E (2010) Seeking spatial justice. University of Minnesota Press, Minneapolis, MN

Wellington (2017) Road to incorporation. Retrieved on 12 June 2017 from http://www.wellingtonfl.gov/discover-us/about-wellington/road-to-incorporation

Appendix
List of Newly Incorporated Municipalities (NIMs)

State	NIM	County
AK	Adak	Aleutians West
AK	Egegik	Lake and Peninsula
AK	False Pass	Aleutians East
AK	Gustavus	Hoonah-Angoon
AK	Nightmute	Bethel
AK	Pilot Point	Lake and Peninsula
AL	Bakerhill	Barbour
AL	Center Point	Jefferson
AL	Chelsea	Shelby
AL	Clay	Jefferson
AL	Coaling	Tuscaloosa
AL	Coker	Tuscaloosa
AL	Cusseta	Chambers
AL	Deatsville	Elmore
AL	Dodge City	Cullman
AL	Elmore	Elmore
AL	Gordonville	Lowndes
AL	Horn Hill	Covington
AL	Hytop	Jackson
AL	Indian Springs Village	Shelby
AL	Kellyton	Coosa
AL	Lake View	Tuscaloosa
AL	Magnolia Springs	Baldwin
AL	Munford	Talladega
AL	Natural Bridge	Winston
AL	North Bibb	Bibb
AL	Perdido Beach	Baldwin
AL	Pike Road	Montgomery

(continued)

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0

(continued)

State	NIM	County
AL	Pinson	Jefferson
AL	Pleasant Groves	Jackson
AL	Rehobeth	Houston
AL	Smiths Station	Lee County
AL	Spanish Fort	Baldwin
AL	Twin	Marion
AL	Valley Grande	Dallas
AL	Westover	Shelby
AR	Anthonyville	Crittenden
AR	Bella Vista	Benton
AR	Briarcliff	Baxter
AR	Cedarville	Crawford
AR	Cherokee Village West	Fulton
AR	Clarkedale	Crittenden
AR	Donaldson	Hot Springs
AR	Etowah	Mississippi
AR	Fairfield Bay	Van Buren
AR	Fountain Lake	Garland
AR	Highland	Sharp
AR	Holland	Faulkner
AR	Magnet Cove	Hot Springs
AR	Midway	Hot Springs
AR	Springtown	Benton
AR	St. Joe	Searcy
AR	Twin Groves	Faulkner
AZ	Dewey-Humboldt	Yavapai
AZ	Fountain Hills	Maricopa
AZ	Maricopa	Pinal
AZ	Sahuarita	Pima
AZ	Star Valley	Gila
CA	Aliso Viejo	Orange
CA	American Canyon	Napa
CA	Buellton	Santa Barbara
CA	Calabasas	Los Angeles
CA	Calimesa	Riverside
CA	Canyon Lake	Riverside
CA	Chino Hills	San Bernardino
CA	Citrus Heights	Sacramento
CA	Diamond Bar	Los Angeles
CA	Elk Grove	Sacramento

(continued)

(continued)

State	NIM	County
CA	Goleta	Santa Barbara
CA	Laguna Hills	Orange
CA	Laguna Niguel	Orange
CA	Laguna Woods	Orange
CA	Lake Forest	Orange
CA	Malibu	Los Angeles
CA	Menifee	Riverside
CA	Murrietta	Riverside
CA	Oakley	Contra Costa
CA	Rancho Cordova	Sacramento
CA	Rancho Santa Margarita	Orange
CA	Shasta Lake	Shasta
CA	Truckee	Nevada
CA	Wildomar	Riverside
CA	Windsor	Sonoma
CA	Yucca Valley	San Bernardino
CO	Castle Pines North	Douglas
CO	Centennial	Arapahoe
CO	Foxfield	Arapahoe
CO	Lone Tree	Douglas
CO	Mountain Village	San Miguel
CO	South Fork	Rio Grande
CT	Groton Long Point	New London
FL	Aventura	Dade
FL	Bonita Springs	Lee
FL	Cutler Bay	Miami-Dade
FL	De Bary	Volusia
FL	Deltona	Volusia
FL	Doral	Miami-Dade
FL	Fort Myers Beach	Lee
FL	Grant-Valkaria	Brevard
FL	Islamorada	Monroe
FL	Key Biscayne	Dade
FL	Loxahatchee Groves	Palm Beach
FL	Marathon	Monroe
FL	Marco Island	Collier
FL	Miami Gardens	Miami-Dade
FL	Miami Lakes	Dade
FL	Palm Coast	Flagler
FL	Palmetto Bay	Miami-Dade

(continued)

(continued)

State	NIM	County
FL	Pinecrest	Dade
FL	Southwest Ranches	Broward
FL	Sunny Isles Beach	Miami-Dade
FL	Wellington	Palm Beach
FL	West Park	Broward
FL	Weston	Broward
GA	Chattahoochee Hills	Fulton
GA	Dasher	Lowndes
GA	Dunwoody	DeKalb
GA	Fargo	Clinch
GA	Graham	Appling
GA	Johns Creek	Fulton
GA	Milton	Fulton
GA	Offerman	Pierce
GA	Sandy Springs	Fulton
GA	Vidette	Burke
IA	Maharishi Vedic City	Jefferson
ID	Carey	Blaine
ID	Star	Ada
IL	Big Rock	Kane
IL	Bismarck	Vermilion
IL	Campton Hills	Kane
IL	Curran	Sangamon
IL	Garden Prairie	Boone
IL	Godfrey	Madison
IL	Greenwood	McHenry
IL	Homer Glen	Will
IL	Kaneville	Kane
IL	Lake Ka-ho	Macoupin
IL	Lily Lake	Kane
IL	Limestone	Kankakee
IL	McClure	Alexander
IL	Millbrook	Kendall
IL	Monroe Center	Ogle
IL	North Caledonia	Boone
IL	Plattville	Kendall
IL	Ringwood	McHenry
IL	Sammons Point	Kankakee
IL	Timberlane	Boone
IL	Trout Valley	Perry

(continued)

(continued)

State	NIM	County
IL	Virgil	Kane
IL	Volo	Lake
IL	West Peoria	Peoria
IN	Avon	Hendricks
IN	Borden	Clark
IN	Fairland	Shelby
IN	Leo-Cedarville	Allen
IN	Monrovia	Morgan
IN	Richland	Spencer
IN	Winfield	Lake
IN	Zanesville	Allen
KS	Linn Valley	Linn
KS	Parkerfield	Cowley
KY	Blackey	Letcher
KY	Buckhorn	Perry
KY	Goshen	Oldham
KY	Robards	Henderson
LA	Central	East Baton Rouge
LA	Creola	Grant
LA	St. Gabriel	Iberville
MA	Agawam	Hampden
MA	Barnstable	Barnstable
MA	Easthampton	Hampshire
MA	Methuen	Essex
MA	Watertown	Middlesex
MD	Chevy Chase View	Montgomery
MD	North Chevy Chase	Montgomery
MN	Cohasset	Itasca
MN	Grant	Washington
MN	Long Lake	Hennepin
MN	Oak Grove	Anoka
MN	Otsego	Wright
MN	St. Bonifacius	Hennepin
MO	Arrow Point	Barry
MO	Bull Creek	Taney
MO	Chain of Rocks	Lincoln
MO	Coney Island	Stone
MO	Dutchtown	Cape Girardeau
MO	Fountain N' Lakes	Lincoln
MO	Ginger Blue	McDonald

(continued)

(continued)

State	NIM	County
MO	Goodnight	Polk
MO	Goss	Monroe
MO	Grand Falls Plaza	Newton
MO	Greenpark	St. Louis
MO	Highlandville	Christian
MO	Huntsdale	Boone
MO	Innsbrook	Warren
MO	Irena	Worth
MO	Kirbyville	Taney
MO	Lake Lafayette	Lafayett
MO	Lake Tekakwitha	Jefferson
MO	Loch Lloyd	Cass
MO	Loma Linda	Newton
MO	McCord Bend	Stone
MO	Miramigua Park	Franklin
MO	Park Hills	St. Francois
MO	Peaceful Village	Jefferson
MO	Pendleton	Warren
MO	Pierpont	Boone
MO	Pinhook	Mississippi
MO	Plato	Texas
MO	Rensselaer	Ralls
MO	River Bend	Jackson
MO	Riverview Estates	Cass
MO	Rives	Dunklin
MO	Saddlebrooke	Christian
MO	Three Creeks	Warren
MO	Truxton	Lincoln
MO	West Alton	St. Charles
MO	West Sullivan	Crawford
MO	Wildwood	St. Louis
MO	Windsor Place	Cooper
MS	Byram	Hinds
MS	Farmington	Alcorn
MS	Glen	Alcorn
MS	Snow Lake Shores	Benton
MT	Colstrip	Rosebud
NC	Archer Lodge	Johnston
NC	Badin	Stanly
NC	Bermuda Run	Davie

(continued)

(continued)

State	NIM	County
NC	Bethania	Forsyth
NC	Boardman	Columbus
NC	Bogue	Cartaret
NC	Butner	Granville
NC	Carolina Shores	Brunswick
NC	Cedar Rock	Caldwell
NC	Chimney Rock	Rutherford
NC	Duck	Dare
NC	Eastover	Cumberland
NC	Fairview	Union
NC	Flat Rock	Henderson
NC	Forest Hills	Jackson
NC	Grantsboro	Pamlico
NC	Green Level	Alamance
NC	Hemby Bridge	Union
NC	Kingstown	Cleveland
NC	Lake Park	Union
NC	Lewisville	Forsyth
NC	Marvin	Union
NC	Midland	Cabarrus
NC	Midway	Davidson
NC	Mills River	Henderson
NC	Mineral Springs	Union
NC	Misenheimer	Stanly
NC	Momeyer	Nash
NC	North Top Sail Beach	Onslow
NC	Northwest	Brunswick
NC	Oak Ridge	Guilford
NC	Ossipee	Alamance
NC	Peletier	Cartaret
NC	Pleasant Garden	Guilford
NC	Red Cross	Stanly
NC	Rutherford College	Burke
NC	Sandyfield	Columbus
NC	Sedalia	Guilford
NC	St. James	Brunswick
NC	Stokesdale	Guilford
NC	Summerfield	Guilford
NC	Swepsonville	Alamance
NC	Tobaccoville	Forsyth

(continued)

(continued)

State	NIM	County
NC	Trinity	Randolph
NC	Unionville	Union
NC	Wallburg	Davidson
NC	Wentworth	Rockingham
NC	Wesley Chapel	Union
NC	Whitsett	Guilford
NC	Wilson's Mills	Johnston
ND	Oxbow	Cass
NJ	Caldwell	Essex
NJ	Essex Fells	Essex
NJ	Glen Ridge	Essex
NJ	North Caldwell	Essex
NM	Edgewood	Santa Fe
NM	Elephant Butte	Sierra
NM	Peralta	Valencia
NM	Taos Ski Valley	Taos
NV	Fernley	Lyon
NV	West Wendover	Elko
NY	Airmont	Rockland
NY	East Nassau	Rennselaer
NY	Kaser	Rockland
NY	Sagaponack	Suffolk
NY	South Blooming Grove	Orange
NY	Westhampton Dunes	Suffolk
NY	Woodbury	Orange
OH	Green	Summit
OH	Highland Hills	Cuyahoga
OH	Holiday City	Williamson
OH	New Franklin	Summit
OK	Arcadia	Oklahoma
OK	Atwood	Hughes
OK	Bridge Creek	Grady
OK	Central High	Stephens
OK	Fort Coffee	Leflore
OK	Foster	Garvin
OK	Friendship	Jackson
OK	Horntown	Hughes
OK	IXL	Okfuskee
OK	Katie	Garvin
OK	Sawyer	Choctaw

(continued)

(continued)

State	NIM	County
OK	Schulter	Okmulgee
OK	Spaulding	Hughes
OK	Sweetwater	Beckham
OK	Verdigris	Rogers
OR	Damascus	Clackamas
OR	La Pine	Deschutes
PA	Bear Creek Village	Luzerne
PA	New Morgan	Berks
SC	Awendaw	Charleston
SC	Jenkinsville	Fairfield
SC	Reidville	Spartanburg
SC	Rockville	Charleston
SD	Piedmont	Meade
SD	Summerset	Meade
TN	Bean Station	Grainger
TN	Coopertown	Robertson
TN	Crump	Hardin
TN	Harrogate	Claiborne
TN	Louisville	Blount
TN	Nolensville	Williamson
TN	Plainview	Union
TN	Pleasantview	Cheatham
TN	Sunbright	Morgan
TN	Thompson Station	Williamson
TN	Three Way	Madison
TN	Unicoi	Unicoi
TX	Anderson	Grimes
TX	Bear Creek	Hays
TX	Bedias	Grimes
TX	Bishop Hills	Potter
TX	Brazos Bend	Hood
TX	Brazos Country	Austin
TX	Bulverde South	Comal
TX	Cashion Community	Wichita
TX	Cresson	Hood
TX	Cross Timber	Johnson
TX	DeCordova	Hood
TX	DISH	Denton
TX	East Bernard	Wharton
TX	Escobares	Starr

(continued)

(continued)

State	NIM	County
TX	Fairchilds	Fort Bend
TX	Granjeno	Hidalgo
TX	Hawk Cove	Hunt
TX	Hebron	Denton
TX	Hideaway	Smith
TX	Highland Haven	Burnet
TX	Horseshoe Bay	Burnet
TX	Industry	Austin
TX	Ingleside on the Bay	San Patricio
TX	Iola	Grimes
TX	Ivanhoe	Tyler
TX	Ivanhoe North	Tyler
TX	Jarrell	Williamson
TX	Kempner	Lampasas
TX	Kurten	Brazos
TX	Liberty Hill	Williamson
TX	Los Indios	Cameron
TX	Millican	Brazos
TX	Mobile	Rockwall
TX	Palisades	Randall
TX	Paradise	Wise
TX	Penitas	Hidalgo
TX	Point Venture	Travis
TX	Port Aransas	Nueces
TX	Progresso	Hidalgo
TX	Ravenna	Fannin
TX	Red Lick	Bowie
TX	Rio Grande City	Starr
TX	Round Mountain	Blanco
TX	Salado	Bell
TX	Santa Clara	Guadalupe
TX	Scurry	Kaufman
TX	Staples	Guadalupe
TX	Sullivan City	Hidalgo
TX	Talty	Kaufman
TX	Taylor Landing	Jefferson
TX	The Hills	Travis
TX	Union Valley	Hunt
TX	Volente	Travis
TX	Von Ormy	Bexar

(continued)

(continued)

State	NIM	County
TX	Webberville	Travis
TX	Weston Lakes	Fort Bend
TX	Wimberley	Hays
UT	Apple Valley	Washington
UT	Bryce Canyon City	Garfield
UT	Central Valley	Sevier
UT	Cottonwood Heights	Salt Lake
UT	Daniel	Wasatch
UT	Eagle Mountain	Utah
UT	Fairfield	Utah
UT	Hanksville	Wayne
UT	Herriman	Salt Lake
UT	Hideout	Wasatch
UT	Holladay	Salt Lake
UT	Hooper	Weber
UT	Independence	Wasatch
UT	Marriott-Slatterville	Weber
UT	Rocky Ridge	Juab
UT	Saratoga Springs	Utah
UT	Taylorsville	Salt Lake
UT	West Haven	Weber
VA	Clinchco	Dickenson
WA	Burien	King
WA	Covington	King
WA	Edgewood	Pierce
WA	Federal Way	King
WA	Kenmore	King
WA	Lakewood	Pierce
WA	Liberty Lake	Spokane
WA	Maple Valley	King
WA	Newcastle	King
WA	Sammamish	King
WA	SeaTac	King
WA	Shoreline	King
WA	Spokane Valley	Spokane
WA	University Place	Pierce
WA	Woodinville	King
WI	Bristol	Kenosha
WI	Pewaukee	Waukesha
WI	Weston	Crawford

(continued)

(continued)

State	NIM	County
WV	Carpendale	Mineral
WV	Pleasant Valley	Marion
WV	Whitehall	Marion
WV	Windsor Heights	Brooke
WY	Bear River	Uinta
WY	Star Valley Ranch	Lincoln

Index

Note: Page numbers followed by f and t indicate figures and tables, respectively

R. M. Smith, *Municipal Incorporation Activity in the United States*,
The Urban Book Series, https://doi.org/10.1007/978-3-319-72188-0