

Beyond Boundaries: Land Use in the ETJ

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UT Land Use Conference

ETJ: Cities Outside Themselves



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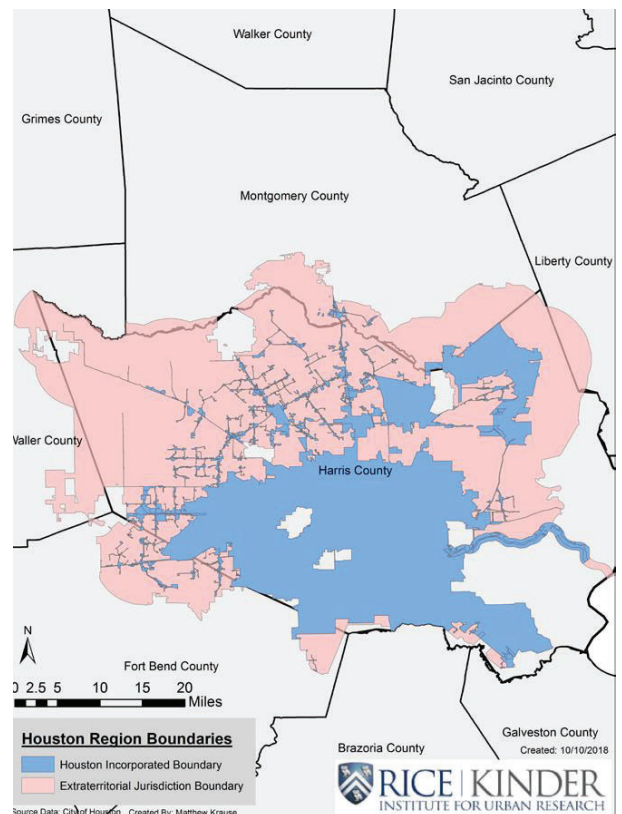
Texas Extraterritorial Jurisdiction (ETJ)

- 1963 Statute: Tex. Local Gov't Code Ch. 42.
- Purposes—
 - Control development
 - Prepare for annexation . . .
 - *And the ETJ expands after annexation*
- U.S. Supreme Court: upholds state grant of ETJ power where residents can't vote. *Holt Civic Club v. Tuscaloosa* (1978)
- 1990s: annexation slows down
 - *Unpopular annexations; Legislative reforms*
- 2010s: additional annexation/ETJ reforms

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Houston ETJ, 2017

Source: Governing A Growing Region: Addressing Challenges of Service Provision and Development in Houston, Rice Kinder Institute (2018)



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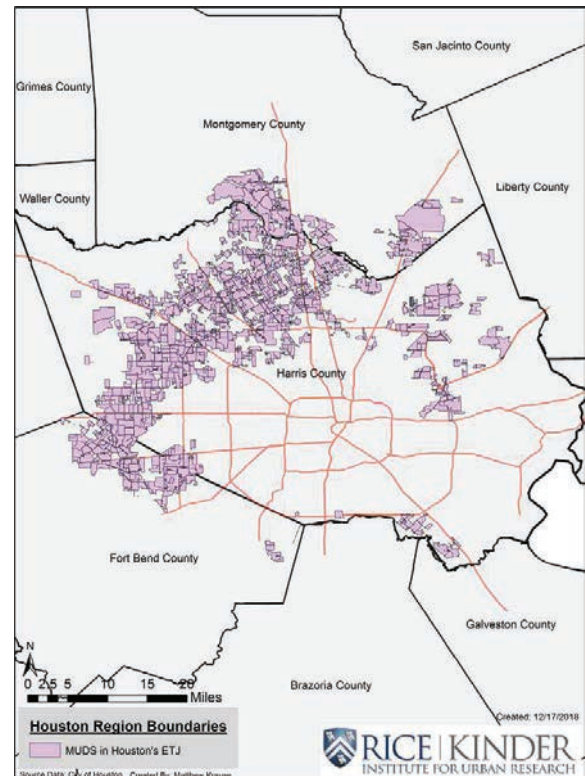
ETJ Critiques

- Regulations without services
- Voting rights
- Remoteness of city government
- Residents' ability to choose form of governance
- Counties' expanded obligations
- Prevents new municipalities
- *With annexation reform—what do we do with the ETJ??*

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MUDS in Houston ETJ, 2017

Source: Kinder Institute (2018)



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"Beyond Boundaries: Land Use in the ETJ"