

# Beyond Boundaries: Land Use in the ETJ

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*UT Land Use Conference*

## **ETJ: Cities Outside Themselves**



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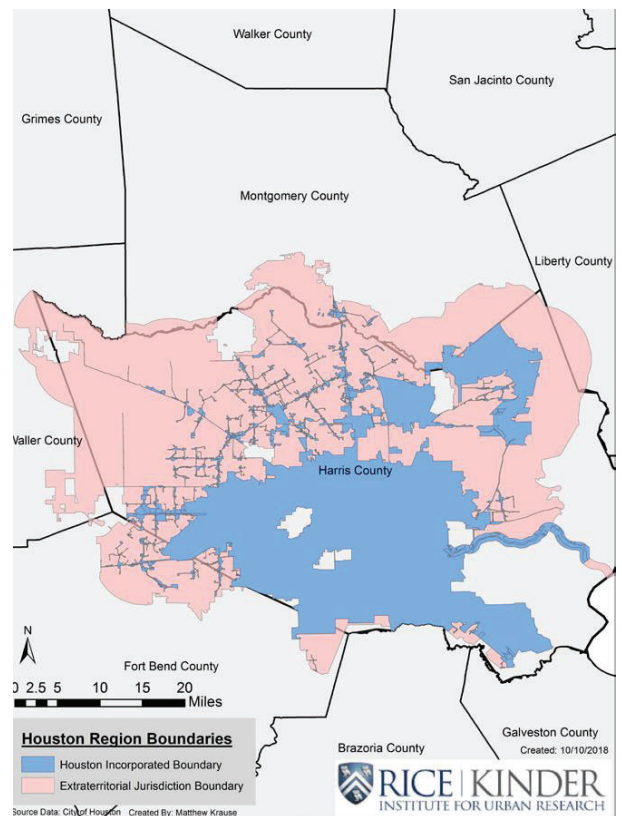
# Texas Extraterritorial Jurisdiction (ETJ)

- 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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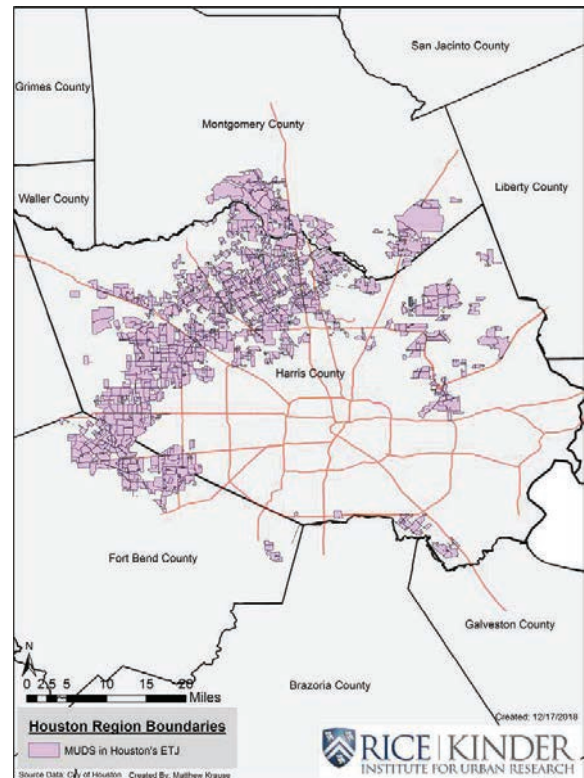
# ETJ Critiques

- 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"