

# Regulation of Development in the ETJ

Land Use Fundamentals  
**Alan Bojorquez**

26<sup>th</sup> Annual Land Use Conference  
April 20, 2022

## Alan Bojorquez

- Municipal Attorney
- Texas Tech University
  - BA, MPA, JD
- Author, TEX MUNI LAW & PRO MANUAL
- Former Staff Attorney, Tex Muni League
- Honorary Member, Int'l City Mgt Assn
- Honorary Member, Tex Muni Clerks Assn
- Board Member, Int'l Muni Law Assn
- Past-President, Tex City Attys Assn



**BOJORQUEZ**  
LAW FIRM, PC  
[TexasMunicipalLawyers.com](http://TexasMunicipalLawyers.com)

# Agenda

---

1. Types of Cities
2. ETJ Defined
3. Regulatory Authority
4. Development Agreements
5. Special Districts



3

# Types of Municipalities

---

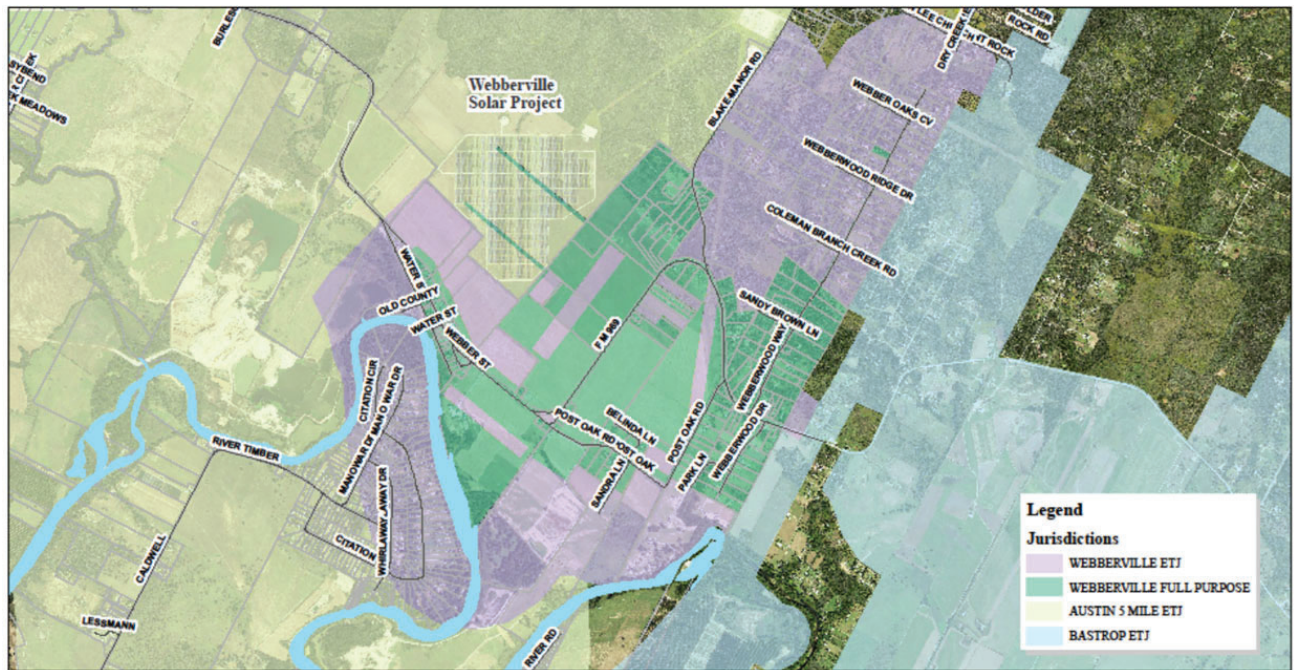
1. **Home-Rule:** Full power of self government
  - Finds authority & limitations in Home-Rule Charter & statutes

Tx Const art 11 § 5,  
LGC Ch. 9
2. **General-Law:** Finds authority & limitations in statutes
  - Type A:** 600+ inhabitants, 6 Member Board of Aldermen
  - Type B:** 201-9,999 inhabitants, 6 Member Board of Alderman
  - Type C:** 201-4,999 inhabitants, 3 Member Commission

LGC Chs. 5, 21, 22, 23
3. **Special-Law:** Finds authority in Legislative Charter & statutes

4

# Boundaries: *City Limits & ETJ*



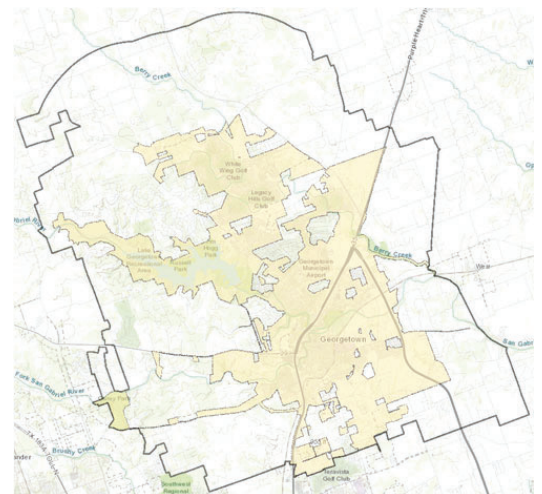
5

## City Limits

**City Limits** = Incorporated Municipal Boundary

LGC §41

- Determined at Incorporation
- Expands by Annexation
- Surveyed Map is Required
- Full Municipal Police Powers
- Zoning
- Building Codes
- Nuisance Prevention & Abatement
- Protect Public Health, Safety, & Welfare



6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: The Regulation of Development in the ETJ

Also available as part of the eCourse

[2022 Land Use Fundamentals eConference](#)

First appeared as part of the conference materials for the  
2022 Land Use Fundamentals session

"The Regulation of Development in the ETJ"