



American Planning Association
Texas Chapter

Creating Great Communities for All

April 5, 2023

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Thank you, Chairman Burns, for the opportunity to present the following information from the American Planning Association, Texas Chapter (APATX). Our Association represents public and private sector planners, planning academics and students, elected officials, and citizen planners in the great state of Texas. My name is Priscilla Rosales-Piña, and I represent the APATX. We are testifying in **opposition to HB 4215.**

This bill would significantly reduce the amount of the extraterritorial jurisdiction (ETJ) of a city. The following assessments form the basis of our opposition:

1. As the State of Texas continues to grow, the ETJ for the past 70 years has been an important tool for cities to guide development and growth around their cities. Cities have overseen development in the ETJ to ensure that the public health, safety, and welfare of its residents are not negatively affected by development in outlying areas. This bill, if enacted, would significantly impact cities by restricting the limited number of tools cities have to manage growth in their surrounding areas.
2. This bill would thwart the efforts of cities and counties, including border municipalities with "colonias," to better regulate substandard developments.
3. Development in the released land in the county can create havoc in fast growing areas. A suburban residential or industrial development in a rural area could lead to increased traffic, noise, and pollution, which could have a negative impact on the residents living in the county. Unchecked development could also threaten regional water supplies, lakes, rivers, wildlife habitat, and other natural resources which are important assets to the State's economy, tourism, environment, as well as the quality of life of residents.
4. In addition, this bill, if enacted, could also negatively affect military installations around certain cities. If the ETJ were reduced in communities with military installations, any military protection regulations for buffering, encroachment, and building codes could cease to exist. This may cause the installations to be realigned or closed in the future.

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5. As drafted, this bill creates significant limitations for voluntary or consent annexations. Chapter 43 in Local Government Code restricts annexation to areas contained within a city's ETJ. If the ETJ is lessened to the extent proposed in HB 1279, then future voluntary annexations could be severely impacted. Future developments that desire to be within a city could no longer petition for annexation.

6. APATX could support amendments that would address the problems now being encountered by cities and counties in the application of Chapter 242 of the TLGC and Government Code Chapter 2007, Governmental Action Affecting Private Property Rights, which allows only one set of standards to be applied uniformly to properties both inside and outside of a city. An amendment that would allow for a compromise set of subdivision regulations in the ETJ allowing for a more rural set of standards agreed to by the city and county would benefit cities, counties, developers, and landowners and reduce the ETJ impacts of current statutes.

7.

Respectfully submitted,

Priscilla Rosales-Piña

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APA Texas Chapter