



American Planning Association  
**Texas Chapter**

*Creating Great Communities for All*

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**HOUSE BILL 2198**

Thank you, Chairman Burns, for the opportunity to present information related to House Bill 2198 and for your work on behalf of the Great State of Texas. My name is **Carissa Cox**, and I am here to testify on behalf of the American Planning Association - Texas Chapter (APA Texas) in **opposition to House Bill 2198**. APA Texas is an association of public and private sector planners that help manage growth and plan for development in Texas.

We oppose this bill because it takes away a city's ability to protect residential neighborhoods and historic and cultural assets in our communities. We find the following problems with this bill:

1. The bill will allow new development to devalue historic and cultural resources in our communities. This doesn't make Texas better.
2. This bill takes away a city's ability to protect residential neighborhoods. It will allow tall buildings, parking garages and other such uses right in the backyards of our residents. This will hurt homeowners.
3. The cut-off population size of 725,000 is arbitrary. Larger cities also have historic areas, cultural assets and residential neighborhoods that will be negatively impacted by this new prohibition.
4. We find 50 feet to be a very arbitrary distance, and less than the distance across the right of way of a typical city street. At this distance, the only residential protections would be for buildings on an immediately joining lot. What if a commercial building is 51 feet from someone's home?
5. This bill will decrease flexibility in municipal zoning codes and create more rigid restrictions. Good urban design promotes contextually appropriate development. If cities cannot set building heights based on context (existing nearby buildings), then they will have to be more restrictive when regulating heights and uses, in order to avoid conflict for neighboring properties.

APA Texas works closely with the people that are designing, regulating and developing projects all over our state. Land use and development are our core areas of expertise. Our members stand ready to assist you with this legislation.

Respectfully submitted,

**Carissa Cox, AICP**  
**American Planning Association - Texas Chapter**

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