

TEXAS NEIGHBORHOODS TOGETHER

SUPPORT

County Authority: Land Use Authority

Recommendation

Grant all urban/suburban counties the authority to adopt minimum building codes and to regulate certain types of land uses, such as fireworks stands, billboards, labor agencies, private landfills, and junkyards in areas that are not part of any municipality. Counties should also have the right to regulate uses that have a regional impact that are outside the jurisdiction of a municipality. This change would apply only to a county that: has a population of more than 800,000 and in which more than 80 percent of the population lives in a single municipality; or is adjacent to such a county.

Background

Currently, counties have little or no authority to guide and control development by adopting minimum building codes or by regulating adjacency and land use issues. Planned communities that are located outside the territorial limits of a city have no protection from incompatible uses. Residents of these areas have no assurance that minimum building codes were followed in the construction of residential and commercial properties. Substandard construction leads to earlier decay of buildings and deterioration of neighborhoods.

Counties already have the right to regulate the location of sexually-oriented businesses adjacent to schools, churches and neighborhoods, and have done so in a manner that has been unobtrusive and fair. Certain counties have already been granted additional authority in the Local Government Code, and the exercise of these powers has benefited those communities without creating additional problems.

Impact

Adoption of minimum building standards would improve the quality of construction in the county. Additional authority over other noxious uses would provide for the protection of stable residential neighborhoods located outside of the territorial limits of a city.