

TEXAS NEIGHBORHOODS TOGETHER

PRIORITY

Municipal Authority: Zoning

Recommendation

Preserve city rezoning authority with no additional inhibitions or restrictions.

Background

Many cities “overzone” developable land to provide landowners and land-seeking prospective developers a range of options. From an individual landowner perspective, this can be a range of options for developing a particular piece of property. From the developer perspective, this means a choice of available locations for major or minor development.

As development occurs, cities may move to “rezone” land. The new zoning is often designed to match what was actually built. This is very frequently done when residential development has taken place. An objective is to protect the residential neighborhood from potentially obtrusive uses which might be allowed under the previous zoning.

Some believe that zoning is a “property right” and accordingly believe cities have a responsibility to guarantee that land can always have the highest possible value. They seek to inhibit or effectively prohibit the practice of rezoning through requiring city compensation for changes in hypothetical value or other schemes.

Impact

Any measure that would inhibit city rezoning authority of land in or adjacent to neighborhoods can have devastating effects on the quality of life and property value within neighborhoods.