

AGENDA



Thursday, October 11, 2007

**Neighborhood Planning & Zoning
RECOMMENDATION FOR COUNCIL ACTION****Item No. 6**

Subject: Approve a resolution establishing a policy for considering requests for adjustment of the City's extraterritorial jurisdiction boundary.

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The extraterritorial jurisdiction (ETJ) is the unincorporated land within five miles of Austin's full purpose city limit that is not within the city limits or ETJ of another city. It is the territory where Austin alone is authorized to annex land. The ETJ represents a city's potential growth boundary, both with respect to its future tax base and municipal service area. The ETJ further ensures a city's ability to capture its fair share of regional growth.

The ETJ also enables the City to extend regulations to adjacent land where development can affect quality of life within the city. ETJ regulations help to ensure that subdivisions that may be annexed by Austin in the future meet minimum standards for road access, water quality, and other factors.

It is for all of these purposes that the ETJ should be valued and promoted as a general public resource. However, there may be times when two cities mutually agree to an adjustment of ETJ boundaries to achieve more logical boundaries. The release of ETJ is a discretionary act on the part of cities. Before granting the request for an adjustment or release, the City of Austin seeks to ensure that the release will not negatively impact Austin's interests. Although the City of Austin has not acquired any substantive area through mutual transfer of ETJ, exchanges of ETJ are more likely to receive positive recommendations than requests for unilateral releases.

Requests for release of ETJ should establish a clear justification for release by meeting the standards that would help identify critical issues and potential negative impacts associated with a release.

This ETJ release policy is intended to:

- a. encourage orderly development
- b. protect the City's future tax base
- c. curtail the amount of jurisdiction that is being yielded annually
- d. create equity between competing jurisdictions, and
- e. provide a mechanism for assessing the appropriateness of future requests.

Adoption of the ETJ release policy would standardize the release process by providing a mechanism for measuring a request based on its individual merit. Standardization should make the release process more equitable for all jurisdictions and effectively reduce the amount of ETJ that is voluntarily released annually.

The adoption of this policy is not intended to limit the authority of the City Council to consider or approve any particular release or exchange of ETJ.