



## Counties could have stricter rules for development

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AUSTIN — A bill designed to prevent colonias from sprouting along the border has the support of some housing and government groups, but developers are decrying it as an infringement on property rights.

The House Committee on Border and International Affairs this week heard testimony on Senate Bill 684, which would allow counties on the border to establish certain zoning regulations for housing developments, including height and density of subdivisions.

Texas Rep. Veronica Gonzales, D-McAllen, the House sponsor of the bill, called it "long overdue" and said it would help ensure quality developments into the future.

Currently, border counties like Hidalgo and Cameron that receive money from the federal Economically Distressed Areas Program, or EDAP, must require developers to meet what are called "model subdivision rules."

Those rules say, for example, that housing developments must provide electricity, sewage and other basic infrastructure to residents.

But state Sen. Eddie Lucio, D-Brownsville, sponsor of the bill, has long said those minimum rules are not enough to give counties the authority they need to prevent colonias from sprouting the way they did before EDAP money began flowing in the 1990s.

He tried to pass similar legislation in 2003 that would give all counties greater authority to regulate, but the bill died after developers objected.

This time, he has narrowed the scope of the bill to only border counties. The bill would not require counties to adopt

stricter standards, but rather would allow them to do so.

"I think if we're going to stop the problem of colonias, we're going to have to do this," Lucio said on Monday.

A representative of Cameron County Judge Gilberto Hinojosa registered in favor of the bill.

John Henneberger, co-director of the Texas Low Income Housing Information Service, said after the hearing that he is concerned about possible permit costs to low-income homebuyers if stricter standards are in place, but thinks the benefits of having good development outweighs those concerns.

Unlike, say, an isolated lot in West Texas, a house built in a rural part of a border county does not stay rural for long, he said.

"The border areas are becoming urban areas, and we've got to recognize that the border areas are unique," he said.

But Chuck Rice, a lobbyist for the Edinburg-based Texas Land Developers Association, registered against the bill, saying it violates private property rights.

EDAP rules have worked well in eliminating colonias along the border, making Lucio's bill unnecessary, he said.

Other proposals to expand the model subdivision rules to the rest of the state are a good idea, but regulation beyond those rules is not, Rice said.

"Just as a general principle, I don't think regulation is especially helpful," Rice said. "Fortunately for the Valley, those model subdivision rules are in place."

The bill was left pending in the committee.

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