

By: Kuempel

H.B. No. 1207

A BILL TO BE ENTITLED

AN ACT

relating to the application of certain municipal zoning regulations affecting the appearance of buildings or open spaces.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 211, Local Government Code, is amended by adding Section 211.016 to read as follows:

Sec. 211.016. ZONING REGULATION AFFECTING APPEARANCE OF BUILDINGS OR OPEN SPACE. (a) This section applies only to a zoning regulation that affects:

(1) the exterior appearance of a single-family house, including the type and amount of building materials; or

(2) the landscaping of a single-family residential lot, including the type and amount of plants or landscaping materials.

(b) A zoning regulation adopted after the approval of a residential subdivision plat does not apply to that subdivision until the second anniversary of the later of:

(1) the date the plat was approved; or

(2) the date the municipality accepts the subdivision improvements offered for public dedication.

(c) This section does not prevent a municipality from adopting or enforcing applicable building codes or prohibiting the use of building materials that have been proven to be inherently dangerous.

1           SECTION 2. (a) This Act takes effect September 1, 2003.

2           (b) The change in law made by this Act applies only to a  
3 residential subdivision plat approved by a municipality on or after  
4 the effective date of this Act. A residential subdivision plat  
5 approved by a municipality before the effective date of this Act is  
6 governed by the law in effect when the plat was approved, and the  
7 former law is continued in effect for that purpose.