

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.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1207 was passed by the House on May 1, 2003, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 1207 was passed by the Senate on May 27, 2003, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor