

1-1 By: Kuempel (Senate Sponsor - Armbrister) H.B. No. 1207
1-2 (In the Senate - Received from the House May 2, 2003;
1-3 May 6, 2003, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 16, 2003, reported favorably by
1-5 the following vote: Yeas 4, Nays 0; May 16, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the application of certain municipal zoning regulations
1-9 affecting the appearance of buildings or open spaces.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter A, Chapter 211, Local Government
1-12 Code, is amended by adding Section 211.016 to read as follows:

1-13 Sec. 211.016. ZONING REGULATION AFFECTING APPEARANCE OF
1-14 BUILDINGS OR OPEN SPACE. (a) This section applies only to a zoning
1-15 regulation that affects:

1-16 (1) the exterior appearance of a single-family house,
1-17 including the type and amount of building materials; or

1-18 (2) the landscaping of a single-family residential
1-19 lot, including the type and amount of plants or landscaping
1-20 materials.

1-21 (b) A zoning regulation adopted after the approval of a
1-22 residential subdivision plat does not apply to that subdivision
1-23 until the second anniversary of the later of:

1-24 (1) the date the plat was approved; or

1-25 (2) the date the municipality accepts the subdivision
1-26 improvements offered for public dedication.

1-27 (c) This section does not prevent a municipality from
1-28 adopting or enforcing applicable building codes or prohibiting the
1-29 use of building materials that have been proven to be inherently
1-30 dangerous.

1-31 SECTION 2. (a) This Act takes effect September 1, 2003.

1-32 (b) The change in law made by this Act applies only to a
1-33 residential subdivision plat approved by a municipality on or after
1-34 the effective date of this Act. A residential subdivision plat
1-35 approved by a municipality before the effective date of this Act is
1-36 governed by the law in effect when the plat was approved, and the
1-37 former law is continued in effect for that purpose.

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