

By: Talton

H.B. No. 2734

A BILL TO BE ENTITLED

AN ACT

relating to general zoning regulations.

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

SECTION 1. Title 7, ZONING REGULATIONS GENERALLY, Section 211.003, Local Government Code, is amended to read as follows:

(a) The governing body of a municipality may regulate:

(1) the height, number of stories, and size of buildings and other structures;

(2) the percentage of a lot that may be occupied;

(3) the size of yards, courts, and other open spaces;

(4) population density; and

(5) the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes.

(b) In the case of designated places and areas of historical, cultural, or architectural importance and significance, the governing body of a municipality may regulate the construction, reconstruction, alteration, or razing of buildings and other structures.

(c) The governing body of a home-rule municipality may also regulate the bulk of buildings.

(d) In the case of property subject to a tax exemption pursuant to Section 11.20, Tax Code, a municipality shall enforce only the regulations of the least restrictive zoning districts

1 which allows the permitted or conditional use which qualifies for
2 the tax exemption. This subsection also applies to property which
3 is within 500 feet of the property subject to the tax exemption and
4 is owned and used by the exempt organization.

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2003.