

By: Farabee, Casteel

H.B. No. 757

Substitute the following for H.B. No. 757:

By: Allen of Dallas

C.S.H.B. No. 757

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the authority of a county to enact certain land
3 development regulations after a local option election.

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

5 SECTION 1. Chapter 232, Local Government Code, is amended
6 by adding Subchapter F to read as follows:

7 SUBCHAPTER F. REGULATION OF LAND DEVELOPMENT

8 Sec. 232.151. SCOPE OF REGULATORY AUTHORITY. (a) The
9 commissioners court of a county that is granted authority in
10 accordance with this subchapter may regulate, by order, land
11 development in the unincorporated area of the county by:

12 (1) requiring a limited fire protection system that
13 requires a developer to construct:

14 (A) for a subdivision of fewer than 50 houses, up
15 to 2,500 gallons of storage; or

16 (B) for a subdivision of 50 or more houses, up to
17 2,500 gallons of storage with a centralized water system or 5,000
18 gallons of storage; or

19 (2) requiring a person who intends to use land for a
20 purpose specified by this subdivision to maintain a buffer zone
21 between the land used for that purpose and residential areas as
22 follows:

23 (A) not to exceed 1,000 feet for heavy industrial
24 or quarry use;

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2005.