

BILL ANALYSIS

H.B. 3410
By: Gattis
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Owners of real property that is located outside the boundaries of a municipality periodically desire to re-subdivide their parcels into two or more lots. It is not uncommon for a county to require an owner to create an amended plat and provide it along with copies of the existing plat and existing subdivision regulations. Once the information is received, the county verifies that the amended plat meets its current regulations. Upon completion of such review, current law requires three separate publications of a public hearing on the proposed plat, with the notices published between seven and thirty days prior to the hearing. In addition to the publication requirements, a certified or registered letter must be sent to each lot owner in the subdivision. Depending on the size of the existing subdivision, numerous letters may need to be mailed involving significant effort and costs.

The purpose of H.B. 3410 is to streamline the process of re-subdividing a parcel into six or fewer lots by allowing the county to process the amended plat without the need for a public hearing so long as certain conditions apply.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

This bill amends Section 232.0095, Local Government Code, by amending Subsection (b) and adding Subsection (c).

This bill amends Subsection (b) to delete superfluous language and the new Subsection (c) authorizes, instead of the purpose described by Section 212.016(a)(10), Local Government Code, a county to approve and issue an amended plat to make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat under certain conditions. These conditions include that the changes do not affect applicable zoning and other county regulations and that the changes do not attempt to amend or remove any covenants or restrictions and that plat notes restrict the use of the proposed lots to residential use only.

This bill provides for an effective date (upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007).

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.