

By: Kuempel

H.B. No. 1732

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of municipalities to adopt zoning
3 regulations affecting the appearance of buildings or open spaces.

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

5 SECTION 1. Sections 211.016(a) and (b), Local Government
6 Code, are amended to read as follows:

7 (a) This section applies only to a zoning regulation that
8 affects:

9 (1) the exterior appearance of a single-family house,
10 including the type and amount of building materials; ~~[or]~~

11 (2) the landscaping of a single-family residential
12 lot, including the type and amount of plants or landscaping
13 materials;

14 (3) the floor to area ratio or impervious coverage of a
15 previously platted lot; or

16 (4) a previously platted lot by moving or establishing
17 a vertical setback for the lot.

18 (b) A zoning regulation adopted after the approval of a
19 residential subdivision plat does not apply to that subdivision
20 until the second anniversary of the later of:

21 (1) the date the plat was approved; ~~[or]~~

22 (2) the date the municipality accepts the subdivision
23 improvements offered for public dedication; or

24 (3) the date written notice of the zoning regulation

1 is provided to each owner of property affected by the regulation.

2 SECTION 2. The changes in law made by this Act to Sections
3 211.016(a) and (b), Local Government Code, apply to any zoning
4 regulation adopted on or after January 1, 2006.

5 SECTION 3. 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, 2007.