

## **BILL ANALYSIS**

H.B. 774  
By: Smith, Todd  
Land & Resource Management  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, municipalities are required to hold a public hearing before executing changes in zoning classifications. Written notice of the hearing must be sent to each property owner within 200 feet of the property on which the proposed change is located, as indicated by the most recently approved municipal tax roll.

H.B. 774 requires a municipality to notify the governing body of an adjacent municipality when the municipality makes zoning changes affecting property located in the adjacent municipality. The bill changes the protest petition requirement regarding zoning changes to help ensure that a municipality is not prevented from making zoning changes by owners of property outside the municipality's corporate borders.

### **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**

H.B. 774 amends the Local Government Code to specify that for purposes of the law requiring a protest to a proposed change to a municipal zoning regulation or zoning district boundary to be written and signed by the owners of at least 20 percent of either the area of the lots or land covered by the proposed change or the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, the adjoining land must be within the incorporated territory of the municipality. The bill requires written notice of each public hearing before a zoning commission on a proposed change in a zoning classification to be sent to the governing body of an adjacent municipality if the property within 200 feet of the property on which the change is proposed is located in territory included on the most recently approved tax roll of the municipality.

### **EFFECTIVE DATE**

September 1, 2009.