

By: Smith of Tarrant

H.B. No. 774

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to procedures for the adoption of a municipal zoning  
3 regulation or zoning district boundary.

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

5 SECTION 1. Section 211.006(d), Local Government Code, is  
6 amended to read as follows:

7 (d) If a proposed change to a regulation or boundary is  
8 protested in accordance with this subsection, the proposed change  
9 must receive, in order to take effect, the affirmative vote of at  
10 least three-fourths of all members of the governing body. The  
11 protest must be written and signed by the owners of at least 20  
12 percent of either:

13 (1) the area of the lots or land covered by the  
14 proposed change; or

15 (2) the area of the lots or land:

16 (A) within the incorporated territory of the  
17 municipality; and

18 (B) immediately adjoining the area covered by the  
19 proposed change and extending 200 feet from that area.

20 SECTION 2. Section 211.007(c), Local Government Code, is  
21 amended to read as follows:

22 (c) Before the 10th day before the hearing date, written  
23 notice of each public hearing before the zoning commission on a  
24 proposed change in a zoning classification shall be sent to each

1 owner, as indicated by the most recently approved municipal tax  
2 roll, of real property within 200 feet of the property on which the  
3 change in classification is proposed. The notice may be served by  
4 its deposit in the municipality, properly addressed with postage  
5 paid, in the United States mail. If the property within 200 feet of  
6 the property on which the change is proposed is located in territory  
7 included on the most recently approved tax roll of an adjacent  
8 municipality, the written notice shall be sent to the governing  
9 body of the adjacent municipality. If the property within 200 feet  
10 of the property on which the change is proposed is located in  
11 territory annexed to the municipality and is not included on the  
12 most recently approved municipal tax roll, the notice shall be  
13 given in the manner provided by Section 211.006(a).

14 SECTION 3. The changes in law made by this Act apply only to  
15 a proposal to change a municipal zoning regulation, boundary, or  
16 classification made on or after the effective date of this Act. A  
17 proposal to change a municipal zoning regulation, boundary, or  
18 classification made before the effective date of this Act is  
19 governed by the law in effect at the time the proposal was made, and  
20 the former law is continued in effect for that purpose.

21 SECTION 4. This Act takes effect September 1, 2009.