

BILL ANALYSIS

Senate Research Center

H.B. 2951
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Intergovernmental Relations
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This analysis is based on the House Committee Report, which is the most recent version available to the Senate Research Center.

DIGEST AND PURPOSE

Currently, planned unit developments affected by municipal zoning regulations are not exempt from provisions relating to the issuance of local permits. If a project takes several years to complete from the initial purchase to a finished building site, a municipality may change its zoning codes to restrict the previously planned project before it is completed. This may significantly change the economics of a project. H.B. 2951 exempts such planned developments from municipal zoning regulations which are enacted after the issuance of an initial permit for the development.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 245.001, Local Government Code, by defining “development permit” and redefining “project.”

SECTION 2. Amends Section 245.002, Local Government Code, by amending Subsection (b) and adding Subsection (e), as follows:

(b) Provides that all development permits required for the development of land are considered collectively to be one series of permits for a project. Deletes text regarding certain plans and plats.

(e) Provides that if a development permit for land is issued by a political subdivision, any subsequent permit for the same land or a portion of the same land is considered to be issued in connection with the same project for which the earlier development permit is issued if the use identified in the subsequent permit is permitted on the land under the applicable land use regulations. Provides that if a change in a development permit is requested and approved in connection with the development of any of the land subject to the original development permit, the project subject to the amended development permit is not considered to be a new project solely on the basis of the requested change in the development permit. Provides that if any portion of the land or any portion of an interest in the land subject to the development permit is conveyed, the project subject to the development permit is not considered to be a new project solely on the basis of the conveyance of the land or interest in the land.

SECTION 3. Amends Section 245.004, Local Government Code, to modify exemptions to this chapter.

SECTION 4. Effective date: upon passage or September 1, 2001.