

BILL ANALYSIS

Senate Research Center
78R4761 DRH-F

S.B. 991
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DIGEST AND PURPOSE

Current Texas law authorizes cities to adopt zoning ordinances to control land and building use. Under the police power granted to cities, a city may also regulate aesthetics such as landscaping and the types of building materials or architectural styles that must be used. As proposed, S.B. 991 prohibits cities from enforcing new zoning ordinances on ongoing development projects for a period of two years if the ordinance changes requirements for building materials and landscaping.

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 Chapter 211A, Local Government Code, by adding Section 211.0031, as follows:

Sec. 211.0031. ZONING REGULATION AFFECTING APPEARANCE OF BUILDINGS OR OPEN SPACES. (a) Authorizes the governing body of a municipality, as part of adopting zoning regulations under this chapter, to regulate certain conditions of appearance for buildings and properties.

(b) Provides that a municipal regulation authorized by Subsection (a) is subject to the restrictions in Chapter 245 and is not exempt from those restrictions under Section 245.004.

SECTION 2. (a) Effective date: September 1, 2003.

(b) Makes application of this Act prospective.