

BILL ANALYSIS

Senate Research Center

S.B. 1227
By: Shapiro
Intergovernmental Relations
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As Filed

DIGEST

Currently, Texas cities have the ability to implement comprehensive municipal plans, but it is unclear how development regulations should relate to the plans. Consistency between a city's regulations and a city's comprehensive plan is ambiguous under current law. This bill eliminates the requirement for comprehensive plans to be developed after land use assumptions are adopted by a city.

PURPOSE

As proposed, S.B. 1227 eliminates the requirement for comprehensive plans to be developed after land use assumptions are adopted by a city.

RULEMAKING AUTHORITY

Rulemaking authority is granted to a municipality in SECTION 1 (Sections 219.002 and 219.003, Local Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 7A, Local Government Code, by adding Chapter 219, as follows:

CHAPTER 219. MUNICIPAL COMPREHENSIVE PLANS

Sec. 219.001. **PURPOSE.** Provides that the powers granted under this chapter are for the purpose of promoting sound development of municipalities and promoting public health, safety, and welfare.

Sec. 219.002. **COMPREHENSIVE PLAN.** Authorizes the governing body of a municipality to adopt a comprehensive plan for the long-range development of the municipality. Authorizes a municipality to define the content and design of a comprehensive plan. Sets forth provisions which a comprehensive plan may include. Authorizes a municipality to define, in its charter or by ordinance, the relationship between a comprehensive plan and development regulations and to provide standards for determining the consistency required between a plan and development regulations. Authorizes a comprehensive plan adopted under this chapter, complying with Chapter 395C, to be used in place of a separate ordinance, order, or resolution approving land use assumptions under Section 395.045.

Sec. 219.003. **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN.** Authorizes a comprehensive plan to be adopted or amended by ordinance following a hearing at which the public is given the opportunity to give testimony and present written evidence and, if one exists, review by the municipality's planning commission or department. Authorizes a municipality to establish, in its charter or by ordinance, procedures for adopting and amending a comprehensive plan.

Sec. 219.004. **EFFECT ON OTHER MUNICIPAL PLANS.** Prohibits this chapter from limiting the ability of a municipality to prepare other plans, policies, or strategies as required.

SECTION 2. Repealer: Section 211.004(b), Local Government Code (Compliance with Comprehensive Plan).

SECTION 3. Emergency clause.
Effective date: upon passage.