

BILL ANALYSIS

Senate Research Center

S.B. 1569
By: Hinojosa
Intergovernmental Relations
4/15/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1569 requires that a city review its comprehensive plan every five years.

A comprehensive plan looks at a city both as it is and as the city council hopes it will be. Sometimes the hopes of a particular city council for a particular area or tract become fixed on narrow uses that are not attainable under real-world marketplace conditions. In the worst instances, the aspirational nature of the comprehensive plan creates a "zoning trap" that impedes near-term development and can force private landowners to hold their land in an undeveloped state for years in order to accommodate the long-term desires of the city.

Combining unrealistic aspirational goals with a comprehensive plan that remains fixed over long periods of time puts the landowner of a targeted tract in an economically untenable situation. In effect, the targeted tract is hostage to a comprehensive plan that blocks zoning to allow near-term development. The landowner bears the time costs (including taxation) and lost opportunity costs associated with the city's aspirational goals.

As proposed, S.B. 1569 amends current law relating to a municipality's comprehensive plan.

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 213, Local Government Code, by adding Section 213.006, as follows:

Sec. 213.006. PERIODIC REVIEW OF COMPREHENSIVE PLAN. Requires the governing body of a municipality to review its comprehensive plan in its entirety not less than every five years.

SECTION 2. Effective date: September 1, 2013.