

New bills proposed in the Texas House to...

Help Texas Communities Increase Efficiency & Promote Meaningful Public Engagement



Cities across Texas strive to have predictable and efficient development processes to promote economic development, reduce administrative costs, and be responsive to the needs of residents.

H.B. 3314 and H.B. 3315 help to increase efficiency and encourage meaningful community input by removing unnecessary bureaucracy within the municipal subdivision replatting processes and removing public hearing procedures that do not serve a useful public purpose.

H.B. 3314

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Background: Local Government Code Sections 212.014 and 212.015 currently require a public hearing and notification for any replat with residential restrictions. Platting is a ministerial function in which under the laws of Texas, a plat meeting all local subdivision requirements must be approved. Requiring public hearings for replats that do not involve subdivision waivers or variances does not serve a useful public purpose. Builders and developers are frustrated by neighborhood opposition; planners and Planning Commissions are frustrated because they cannot offer any meaningful response to the neighborhood opposition, and citizens are frustrated because they engaged in the hearing only to find no real recourse, which can discourage them from getting involved in other meaningful efforts.

Proposal: The proposed language of H.B. 3314 eliminates the public hearing requirement for replats that do not involve variances or waivers. In its place are new provisions that require the municipality to provide notice following approval, with information regarding the zoning and outcome. This, in turn, redirects the public to avenues that can provide satisfaction to their concerns.

This amendment simplifies and clarifies the processes for replatting land for redevelopment. This improves the development process for developers and builders, increases government efficiency and may increase housing affordability by reducing costs for residential replats. Furthermore, this amendment improves public notice and education related to land development.

Outcomes of H.B. 3314:

- The public interest remains protected, as a replat involving deviation from subdivision standards still triggers a public hearing and an opportunity for public engagement.
- The public interest is enhanced, as recipients of notice are directed towards appropriate avenues of due process that involve discretionary rather than ministerial approval.
- Exercising of these provisions is at the discretion of the City. A City can choose or not choose to use these provisions based on the unique needs of their community.
- This improves the development process for developers and builders, increases government efficiency and may increase housing affordability by reducing costs for residential replats. Furthermore, this amendment improves public notice and education related to land development.

Ask your state elected official to support and co-sponsor H.B. 3314

TAKE ACTION

Click the "Take Action" button to submit your support for H.B. 3314 and H.B. 3315.

Note: A request has been made by APATX to add language exempting public notification of replat approval if a municipality chooses to continue existing notification and public hearing processes for replats.

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H.B. 3315

Background: Local Government Code Section 212.0065 allows cities to delegate approval authority for certain minor plats up to four lots. Research indicates this limitation was arbitrarily established.

Proposal: H.B. 3315 proposes deleting the four lot limitation, instead allowing cities broader discretion to determine how many lots to allow administrative approval as a minor plat provided that the lots front onto an existing street. It also provides clarifying language to allow for right-of-way dedication in order to address minor dedications to make rights-of-way whole.

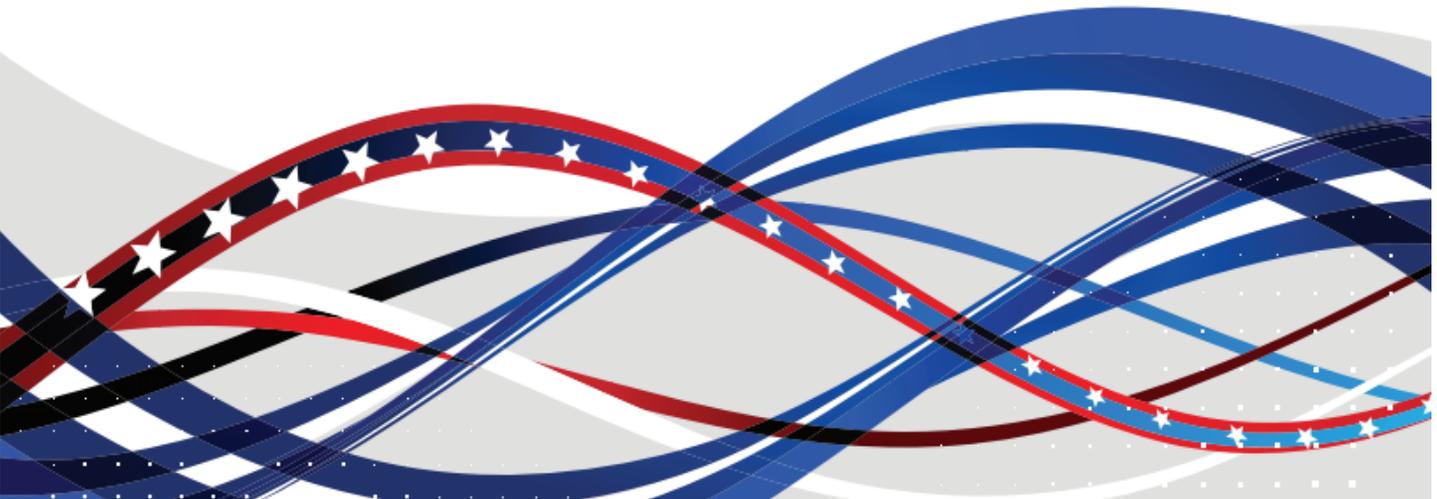
Outcomes of H.B.3315:

- The public interest remains protected, as a plat must still satisfy requirements that it not create an obligation of the city to construct or accept infrastructure for maintenance, and the plat or replat must front onto an existing street.
- Exercising of these provisions is at the discretion of the City. A City can choose or not choose to use these provisions based on the unique needs of their community.
- This amendment simplifies the processes available to cities for replatting land for redevelopment, reducing unnecessary bureaucracy and increasing the efficiency of the platting process. This improves the development process for developers and builders and increases government efficiency and may also increase housing affordability by reducing costs for residential replats.

Ask your state elected official to support and co-sponsor H.B. 3315

TAKE ACTION

Click the "Take Action" button to submit your support for H.B. 3314 and H.B 3315.



The American Planning Association—Texas Chapter is comprised of over 2,500 professional planners and planning officials spread across the State of Texas. We are a diverse membership that includes planners employed in local government, local appointed planning commissioners, planners that work for other levels of government, planning consultants that assist governments, planning consultants that assist the land development industry, and employees that work directly in the land development industry. This gives us a broad and unique perspective on all aspects of planning and land development.

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