

CHAPTER 201

H.B. No. 1686

An Act relating to the method of computing the percentage of land owned by persons who protest a zoning change.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 5(a), Chapter 283, Acts of the 40th Legislature, Regular Session, 1927 (Article 1011e, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) Such regulations, restrictions, and boundaries may from time to time be amended, supplemented, changed, modified, or repealed. In case, however, of a written protest against such change, signed by the owners of 20 per cent or more either of the area of the lots or land included in such proposed change, or of the lots or land immediately adjoining the same and extending 200 feet therefrom, such amendment shall not become effective except by the favorable vote of three-fourths of all members of the legislative body of such municipality. *In computing the percentage of land area, the area of streets and alleys shall be included in the computation.* The legislative body of a municipality may also provide by ordinance that a vote of three-fourths of all its members is required to overrule a recommendation of the zoning commission that a proposed amendment, supplement, or change be denied.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on March 28, 1985, by a non-record vote; passed by the Senate on May 9, 1985, by the following vote: Yeas 31, Nays 0.

Approved: May 24, 1985

Effective: August 26, 1985