

BILL ANALYSIS

Senate Research Center
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S.B. 773
By: Uresti
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Streamlining the replatting process will allow for continued development of the City of San Antonio, particular the inner city. Currently, the Local Government Code requires a property owner to vacate a plat to remove a platted restriction, such as an unutilized utility easement or a setback line. The legal process of vacating a plat requires written permission from all current property owners with lots platted in the original subdivision. At this time only municipalities with a population of 1.9 million or more may participate in the alternative procedure of replatting without vacating. This bill reduces the required population to replat without vacating to 1.3 million.

Additionally, in 2001, the City of San Antonio adopted the current Unified Development Code which revised setback regulations and adopted a policy allowing for the removal of a plat restriction without vacating the plat because of the negative impact vacating a plat had on development. San Antonio recognizes the conflict with state law and through this bill hopes to remedy that situation by adding San Antonio to the list of municipalities that may replat without vacating.

As proposed, S.B. 773 amends current law relating to the replatting of a subdivision without vacating the preceding plat in certain municipalities.

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 Section 212.0146(a), Local Government Code, to provide that this section (Replatting Without Vacating Preceding Plat: Certain Municipalities) applies only to a replat of a subdivision or a part of a subdivision located in a municipality or the extraterritorial jurisdiction of a municipality with a population of 1.3 million or more, rather than 1.9 million or more.

SECTION 2. Effective date: upon passage or September 1, 2013.