

# CITY OF HOUSTON

**Sylvester Turner**

Mayor

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July 21, 2017

The Honorable Kelly Hancock, Chair, the Honorable Brandon Creighton, Vice Chair, and the Honorable Members of the Texas Senate Committee on Business and Commerce:

I write to you to express my opposition to Senate Bill 12, by Senator Buckingham, which would restrict a municipality or county from enforcing an ordinance, order, or other regulation adopted by the municipality or county, as applicable, that prohibits or restricts the use or development of real property that has been platted if the ordinance, order, or other regulation was not in effect on the date the owner of the property acquired title to the property.

The following is a list of just a few local-specific, standard local government rules and regulations that could be made ineffective with this bill:

- Building code and development compliance permits and associated fees;
- Municipal regulations and/or zoning regulations that affect landscaping or tree preservation, open space or park dedication, property classification, lot size, lot dimensions, lot coverage, or building size or that change development permitted by a restrictive covenant required by a municipality;
- Historic preservation;
- Regulations for sexually oriented businesses;
- Regulations for annexation that affect landscaping or tree preservation or open space or park dedication;
- Regulations for utility connections;
- Regulations within a FEMA-designated flood plain;
- Construction standards for public works located on public lands or easements; and
- Regulations to prevent the imminent destruction of property or injury to persons.

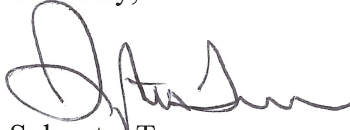
This legislation would create a bureaucratic quagmire that would cause inconsistent standards to be applied and would substantially invalidate all short-term and long-range planning and community standards designed to improve quality of life for residents, protect their safety and welfare, protect the environment, and preserve property values.

Furthermore, this bill will greatly delay property owners' permitting review process. Additional municipal or county staff-time would be required to research the ownership and acquisition date to determine which rules or regulations would apply to a particular issue or regulatory permit application based on said acquisition date of the property. Tax increases or a substantial increase to permitting fees would result from this unfunded mandate.

Houston is growing in record numbers. More than ever, our citizens want walkable places that connect to parks and activity centers. A number of areas in Houston are attracting higher density commercial, office, and multifamily residential developments. These developments present an opportunity to create more vibrant, communities that support alternative modes of transportation. The City's development ordinances should maximize these opportunities. Our city needs to grow and develop responsibly and efficiently, under the guidance of the City's Code of Ordinances.

Every city has unique issues to be considered in addressing the safety and welfare of our communities and should be empowered to enact appropriate controls. Please vote against SB 12 as it will have a negative impact on the quality of life for our citizens. Thank you for your consideration on this important item.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Sylvester Turner', written in a cursive style.

Sylvester Turner  
Mayor, City of Houston