



# Issue: County Tools Reasonable and Necessary Development Practices

Photo by: Lisa Kay



*HCA is a passionate community caring for the unique features, spring-fed streams, heritage ranch lands, spectacular beauty and culture of the Texas Hill Country for the benefit of future generations.*

Some of the most significant challenges in the State of Texas are related to unmanaged growth and land development outside the boundaries of our cities. Texas is a place with pride and preference for local control, but *no* control is another matter — and no control is creating vulnerable scenarios for the many good land stewards and private landowners in unincorporated rural areas.

The Texas Hill Country is one of the fastest growing regions of North America with serious unique challenges when it comes to water resources. The aquifer systems that produce springs that feed our creeks and rivers are fragile. Groundwater and surface water planning processes reveal that many of our rivers and aquifers are already over-allocated, yet we don't adequately address how land is developed which has a significant impact on water supply.

This region is valued for its unique heritage, scenic beauty and recreational and tourism assets. Sadly, we are not providing an adequate framework for growth that can protect these largely rural assets that drive our economy. Ninety percent of the Hill Country is in unincorporated areas and is governed solely by county government.

***It is time to address some of our state's most pressing issues by implementing limited and targeted county land development authority:***

First, the State Water Plan recognizes we do not have the water we need in times of drought. Funding sources for the recommended, mostly engineered, solutions have not been identified. Giving counties tools they need to manage the urbanization of rural lands and densities of new development is necessary to assure adequate, clean, drinking water supply for future generations.

*"The Texas Hill Country is a treasure. It's a place where people of all walks of life come from all corners of the globe to get away. We call it home though. Its resources are sacred to our very existence."*

~ State Representative Doug Miller, New Braunfels

Second, Texas is losing rural lands at one of the fastest rates in the country according to the Texas A&M *Land Trends Study* prepared in 2010. Texas loses about 1.5 million acres to land development every ten years. In addition, another 3.5 million acres are fragmented into smaller and smaller pieces. Responsible stewardship of rural land sustains healthy land, air and water for all Texans. Encouraging local agriculture production is essential to our growing economy. We need state and county plans that support private land stewardship, rather than a system that burdens landowners to the point where the sale of their land for development becomes the only viable option.

Third, the increasing cost of community services to support residential land development in our rural areas is stressing local economies and forcing local governments to incur excessive debt, raise local taxes, or cut funding and programs that communities rely on. The amount of property tax revenue from residential sprawl is simply not enough to cover the costs associated with new roads, schools and emergency services. County budgets are in serious trouble and existing taxpayers are left to subsidize new development. While most other states allow counties to collect fees from developers to help offset the cost of new development, Texas does not.

Fourth, wildfires that threaten human lives and property occur most frequently in areas where housing developments interface with wild-lands. These high risk regions outside the boundaries of municipalities depend upon locally-funded emergency service districts that often lack equipment, access to neighborhoods, and water supplies to suppress fires efficiently. Counties could establish development standards that reduce risks to homeowners and streamline emergency efforts; however the Texas Local Government Code does not permit counties to regulate residential development in this way.



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County	County Size (Ac)	Population 2000	Population 2010	2000-10 Percentage Increase	Projected Population 2050	2010-50 Projected Population Increase
Bandera	510,107	17,645	20,485	16.10%	56,642	176.50%
Bexar	804,045	1,392,931	1,714,773	23.11%	2,369,950	38.21%
Blanco	456,498	8,418	10,497	24.70%	16,641	58.53%
Burnet	652,665	34,147	42,750	25.19%	78,981	84.75%
Comal	367,818	78,021	108,472	39.03%	278,626	156.86%
Edwards	1,356,643	2,162	2,002	-7.40%	2,264	13.09%
Gillespie	678,784	20,814	24,837	19.33%	30,861	24.25%
Hays	434,065	97,589	157,107	60.99%	436,388	177.76%
Kendall	423,970	23,743	33,410	40.72%	89,312	167.32%
Kerr	708,100	43,653	49,625	13.68%	61,204	23.33%
Kimble	799,456	4,468	4,607	3.11%	4,702	2.06%
Llano	618,056	17,044	19,301	13.24%	24,393	26.38%
Mason	597,060	3,738	4,012	7.33%	3,891	-3.02%
Medina	855,074	39,304	46,006	17.05%	75,370	63.83%
Real	447,657	3,047	3,309	8.60%	3,070	-7.22%
Travis	655,606	812,280	1,024,266	26.10%	1,770,347	72.84%
Uvalde	999,896	25,926	26,405	1.85%	36,876	39.66%
<b>Total</b>	<b>11,365,501</b>	<b>2,624,930</b>	<b>3,291,864</b>	<b>25.41%</b>	<b>5,339,518</b>	<b>62.20%</b>

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2000 Population:	<b>2,624,930</b>
2010 Population:	<b>3,291,864</b>
2050 Population:	<b>5,339,518</b>
2010-50 Increase:	<b>62.20%</b>

The Hill Country Alliance (HCA) mission is to *bring together an ever-expanding alliance of groups throughout a multi-county region of Central Texas with the long-term objective of preserving open spaces, water supply, water quality, and the unique character of the Texas Hill Country.*

We have assembled working teams of experts including elected officials, scientists, landowners and community leaders who guide HCA's activities and are available to serve as resources on all issues related to growth in the Hill Country region.

HCA provides assistance to a group of Hill Country county judges, commissioners and attorneys known as the Hill Country County Coalition (HCCC) that was formed in 2007 and reaches 15 Hill Country counties. HCCC has supported legislation in 2007, 2009 and 2011 providing necessary and reasonable county authority tools including:

- ✓ Hill Country counties need **limited, targeted** authority to protect property rights, protect limited groundwater resources, and keep up with the cost of transportation infrastructure needed to support new growth.
- ✓ **Density rules:** Where water resources are limited and fragile, counties must have the ability to establish density limits and averages. This would allow developers the flexibility to condense development, or use a large lot plan depending on what is more feasible and appropriate.
- ✓ **Setbacks between incompatible land uses:** In order to protect property values, counties would be able to provide some distance between existing neighborhoods or ranches and newly proposed industrial uses.
- ✓ **Infrastructure cost recovery fees:** As new development reaches further out into the Hill Country, counties struggle to upgrade state and county roads. Counties would be able to collect reasonable fees from new development to help offset the costs of improving roads associated with that development only.

Learn more about this issue:  
<http://www.hillcountryalliance.org/HCA/CountyAuthority>

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