

By: Troxclair

H.B. No. 3995

A BILL TO BE ENTITLED

AN ACT

relating to the regulatory authority of certain counties to protect the operations of military installations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 231, Local Government Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. DEVELOPMENT REGULATIONS IN CERTAIN COUNTIES WITH WATERSHEDS THAT INCLUDE MILITARY INSTALLATIONS

Sec. 231.301. LEGISLATIVE FINDINGS. The legislature finds that:

(1) the ability of the military to train and prepare for future military operations at Joint Base San Antonio-Camp Bullis is of vital concern to the entire state;

(2) the economy of the entire state is affected by the ability of the military to train and prepare for future military operations at Joint Base San Antonio-Camp Bullis;

(3) the orderly development of the unincorporated areas of a county located in the watershed of Joint Base San Antonio-Camp Bullis will protect the ability of the installation to operate as a military installation; and

(4) without adequate county development regulations, the unincorporated areas will be developed in ways that endanger and interfere with the ability of Joint Base San Antonio-Camp Bullis to operate as a military installation.

1           Sec. 231.302. LAND DEVELOPMENT REGULATIONS IN  
2 UNINCORPORATED AREA. The commissioners court of a county that has  
3 unincorporated area located in the watershed of Joint Base San  
4 Antonio-Camp Bullis by order may adopt for that area:

5           (1) lot size restrictions and well spacing  
6 requirements consistent with:

7                   (A) requirements of a groundwater conservation  
8 district that are applicable to the area; or

9                   (B) best management practices to mitigate  
10 flooding and stormwater impacts and preserve water quality;

11           (2) a requirement that:

12                   (A) the primary supplier of water to a proposed  
13 subdivision be contractually obligated to provide a sufficient  
14 supply of water for a period of at least 50 years; and

15                   (B) a secondary supplier of water be  
16 contractually obligated to adequately serve the residents of the  
17 subdivision during normal and drought conditions to prevent the  
18 depletion of water supplies to military installations;

19           (3) reasonable design standards for roadways to employ  
20 best management practices for managing flood waters and protecting  
21 public safety and operations at the military installation;

22           (4) requirements for a minimum amount of open space or  
23 a limitation on the amount of impervious cover for recharge and  
24 runoff purposes;

25           (5) requirements for local floodplain zones or other  
26 measures to preserve floodways and riparian corridors to minimize  
27 conflicts between incompatible land uses within the watersheds that

1 jeopardize military operations; and

2 (6) other regulations necessary to regulate and manage  
3 land development if deemed critical to military operations.

4 Sec. 231.303. SPECIAL EXCEPTION. (a) A person aggrieved by  
5 a development regulation adopted under this subchapter may appeal  
6 to the commissioners court of the county that adopted the  
7 regulation for a special exception.

8 (b) A person appealing under Subsection (a) must comply with  
9 applicable procedural requirements prescribed by the county before  
10 the county may grant a special exception.

11 (c) The commissioners court of each county that adopts  
12 development regulations under this subchapter shall adopt  
13 procedures governing special exception applications, notice,  
14 hearings, and other requirements.

15 Sec. 231.304. COOPERATION WITH OTHER POLITICAL  
16 SUBDIVISIONS. The commissioners court of a county authorized to  
17 adopt development regulations under this subchapter may enter into  
18 an agreement with a municipality or other governmental entity  
19 located in the county to assist in the implementation and  
20 enforcement of the regulations.

21 Sec. 231.305. LOT SIZE RESTRICTIONS IN CERTAIN AREAS. A  
22 county must adopt and impose a lot size restriction under this  
23 subchapter in accordance with any desired future conditions adopted  
24 under Chapter 36, Water Code, by a groundwater conservation  
25 district in which the subdivision is wholly or partly located for an  
26 area:

27 (1) designed as a priority groundwater management

1 area; and

2 (2) that is served by a public water supply system that  
3 uses water from the Trinity Aquifer.

4 SECTION 2. This Act takes effect September 1, 2023.