

Hays County, Texas

# Development Regulations Re-Write

Key Concepts Review

September 2, 2025



# Meeting Agenda & Objectives

1. Team Introductions
2. Project Overview and Phasing
3. Stakeholder Outreach
4. Discussion of Preliminary Findings
5. Discussion of Preliminary Concepts and Strategies
6. Public Outreach Plan
7. Next Steps
8. Q&A

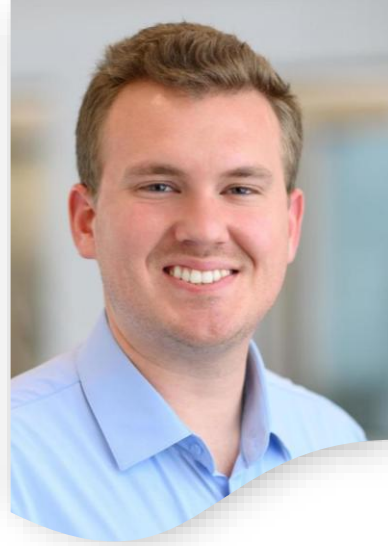
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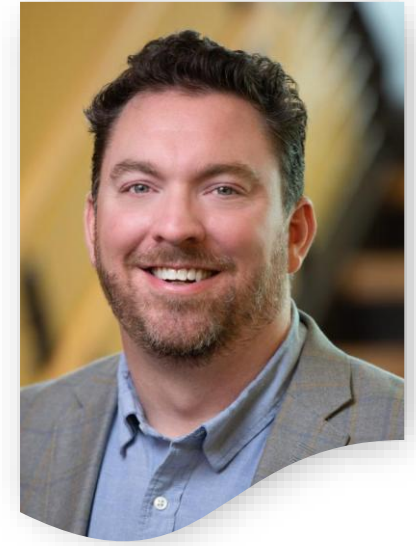
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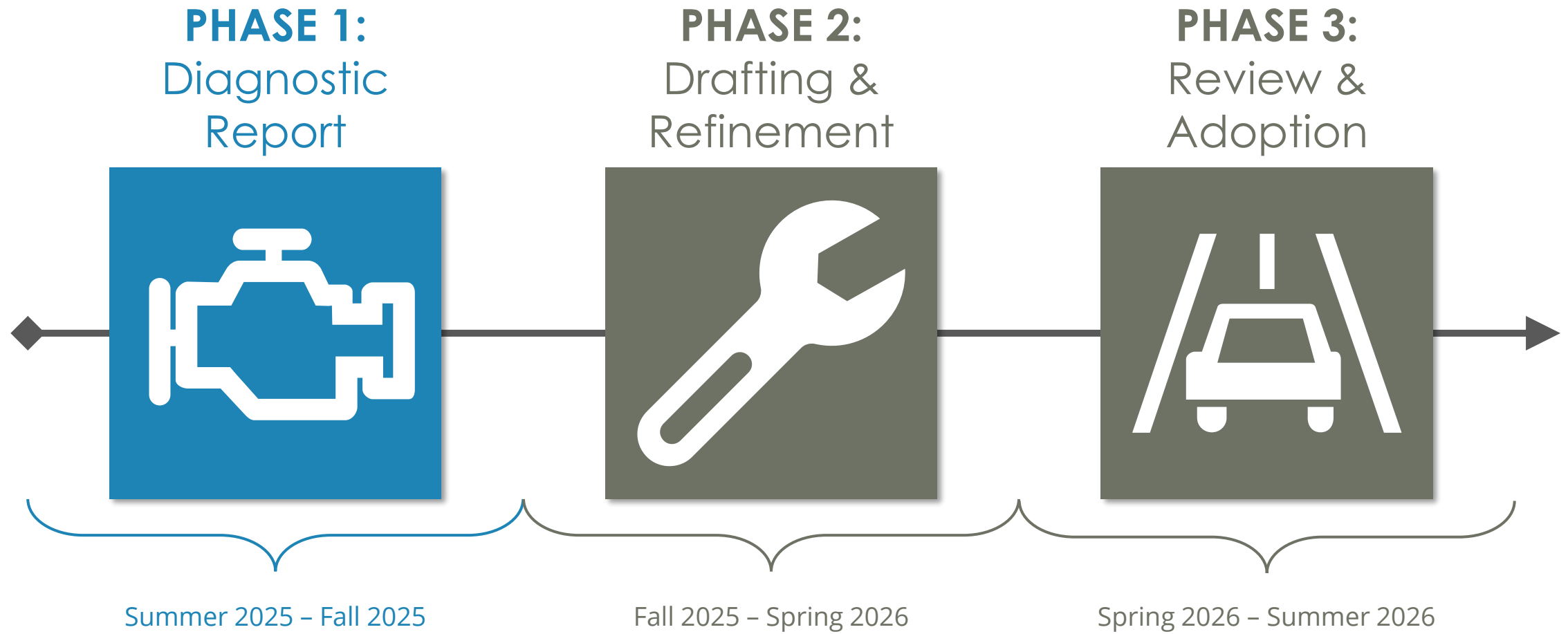


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# Project Phasing



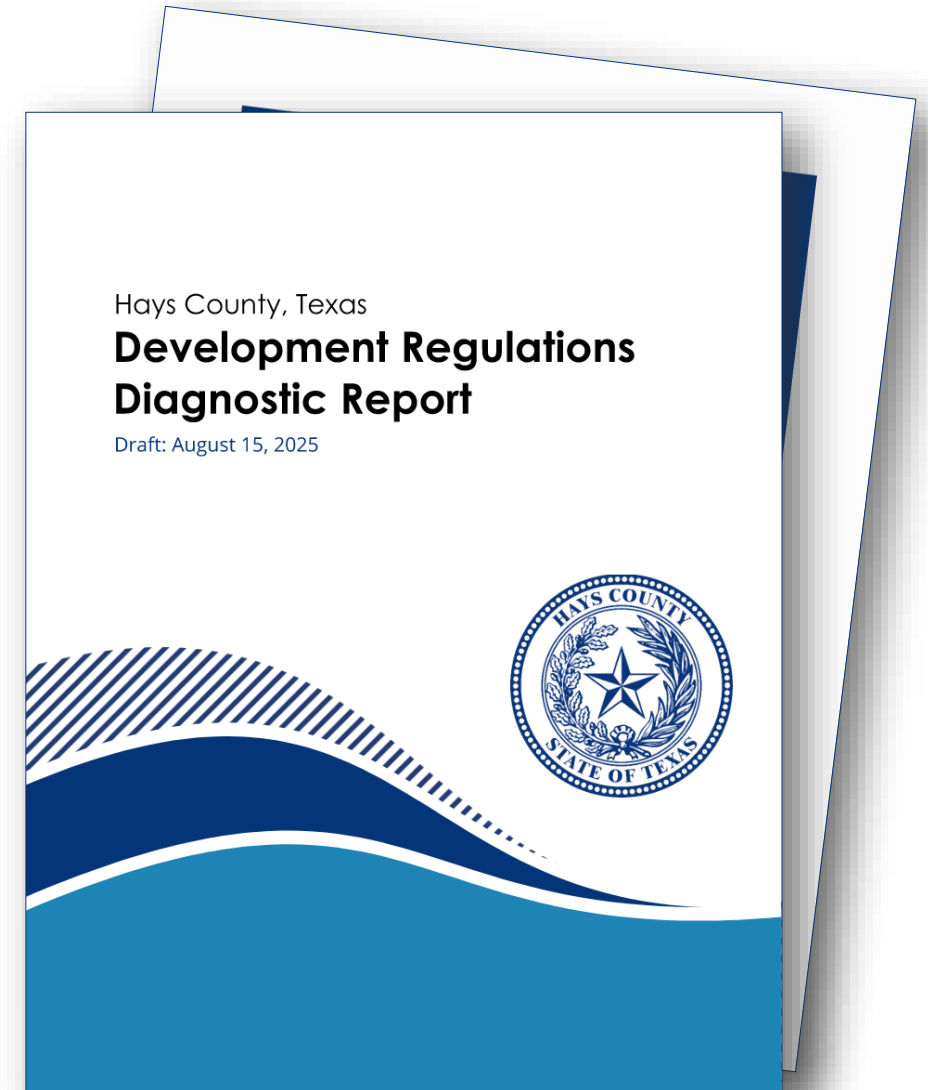
# Project Schedule – Overall



		2025									2026						
		A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J
1	Diagnostic Report																
1	Stakeholder Outreach																
2a	Development Regulations Preliminary Draft																
2a	Development Regulations Revised Draft																
2a	Development Regulations Complete Draft																
2b	Review & Adoption																
All	Public Outreach and Engagement																

# Diagnostic Report Overview

- Informed by interviews with stakeholders and key users of existing Development Regulations
- Informed by FNI's professional review existing Development Regulations
- Documentation of **issues, strategies and priorities** to be addressed with the Development Regulations update



# Diagnostic Report Overview



**The mission of Hays County is to provide and improve services to its residents that impact their health, safety and quality of life. As one of the fastest-growing counties in the nation, Hays County is committed to adapting to this growth while maintaining a deep connection to our rich history and natural resources. We embrace forward-thinking ideas with professionalism and dedication to serving our residents.**

*– Hays County Mission Statement*



**Our vision as Hays County is to be a leader of change and growth; we foster a spirit of creativity while upholding dependability and integrity, celebrating diversity and cultivating a strong sense of community. We will be a reliable partner and steward of our residents' interests and needs. We will develop a welcoming place where everyone thrives and is proud to call Hays County home.**

*– Hays County Vision Statement*

# Diagnostic Report Overview

**T**

**Transparency:** “We are committed to openness in all aspects of our work, fostering trust and accountability within our community.”

**I**

**Integrity:** “We uphold the highest ethical standards, ensuring fairness and honesty without seeking recognition or reward.”

**D**

**Diligence:** “We take pride in our efficiency and reliability, striving to be a trusted partner in every interaction.”

**E**

**Empathy:** “We prioritize understanding and meaningful connections, approaching every decision with compassion and perspective.”



# Diagnostic Report Overview

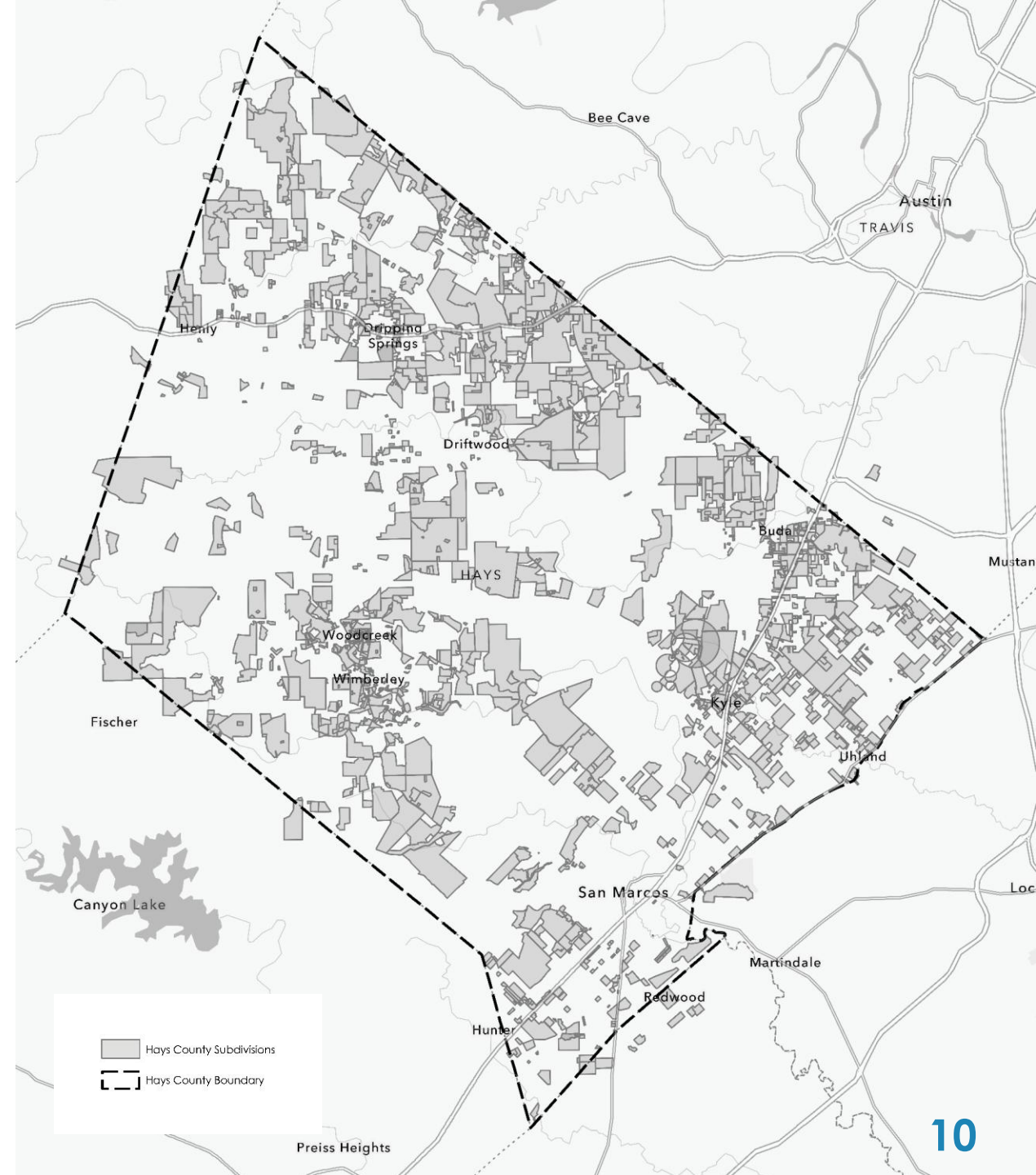
1. Introduction
2. Demographic Snapshot
3. Stakeholder Engagement Strategy
4. Key Concepts for Updated Regulations
5. Section Findings and Recommendations

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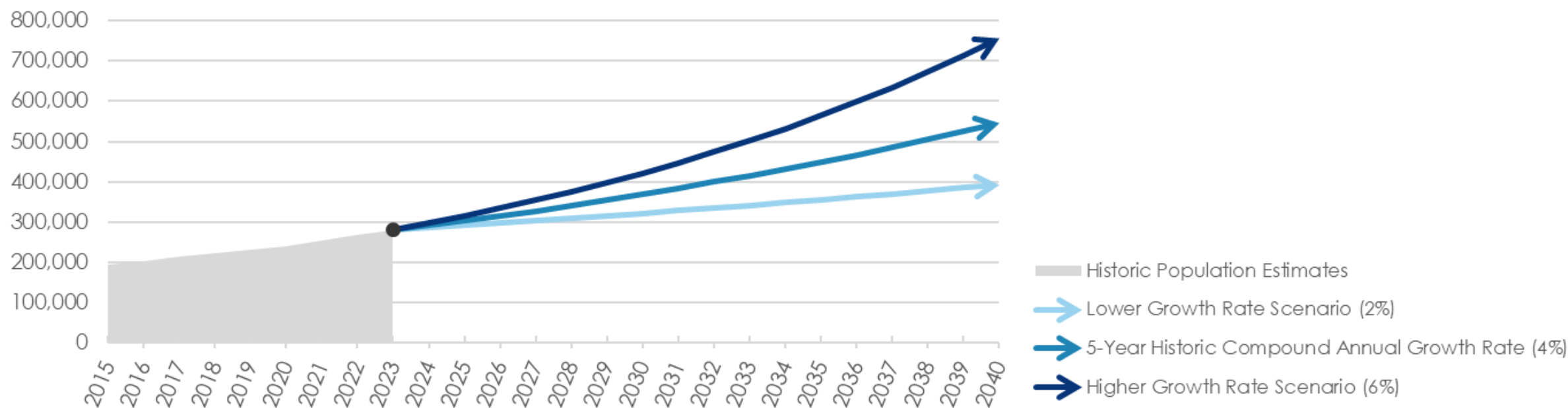
# Demographic Snapshot

- Projected County **population of 550,000** by the year 2040 based on recent trends
- **67.2% single-family** detached housing
- Largest share of housing was built between **2010 to 2019**



# Demographic Snapshot

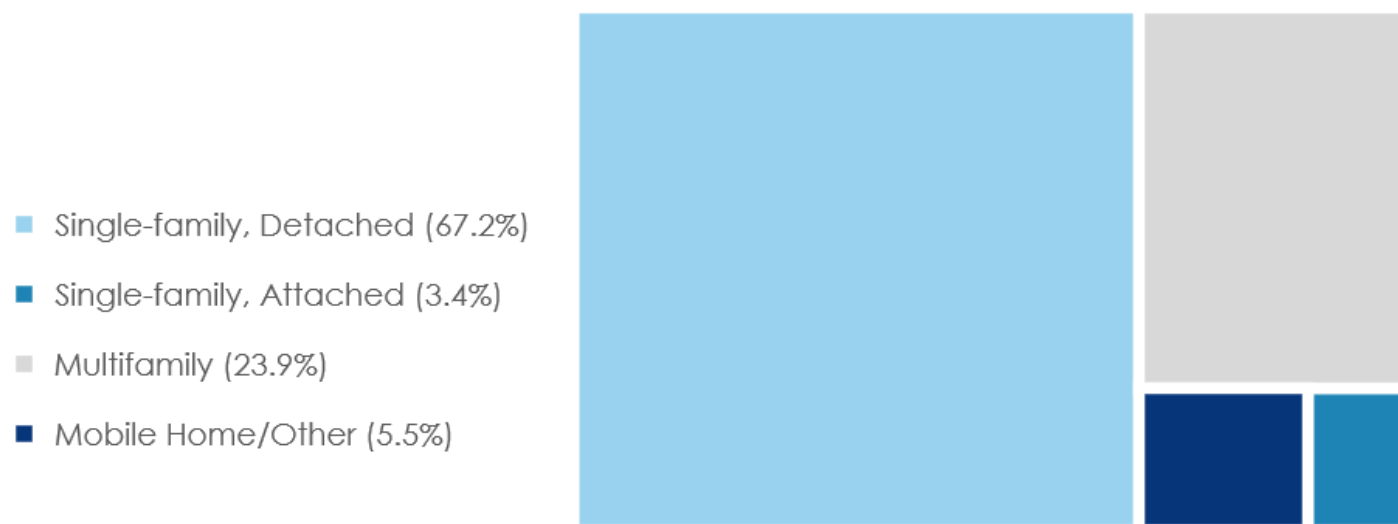
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Historic and Projected Population Growth Rates (ACS 1-year)

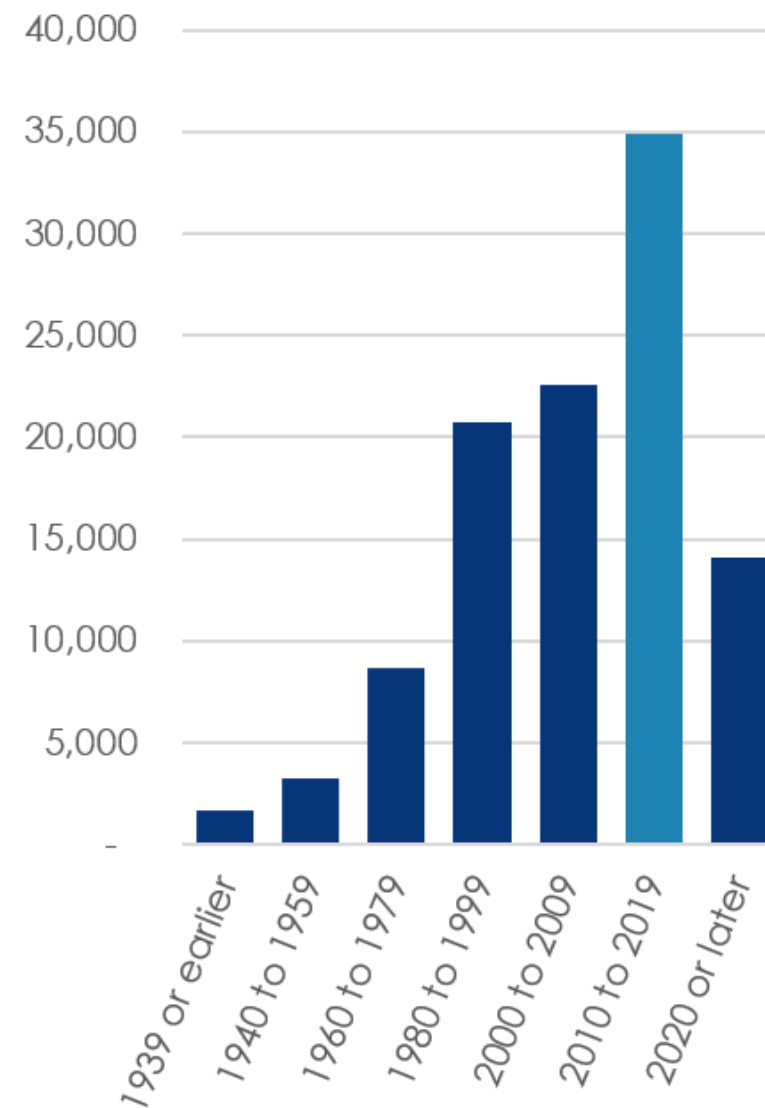
# Demographic Snapshot

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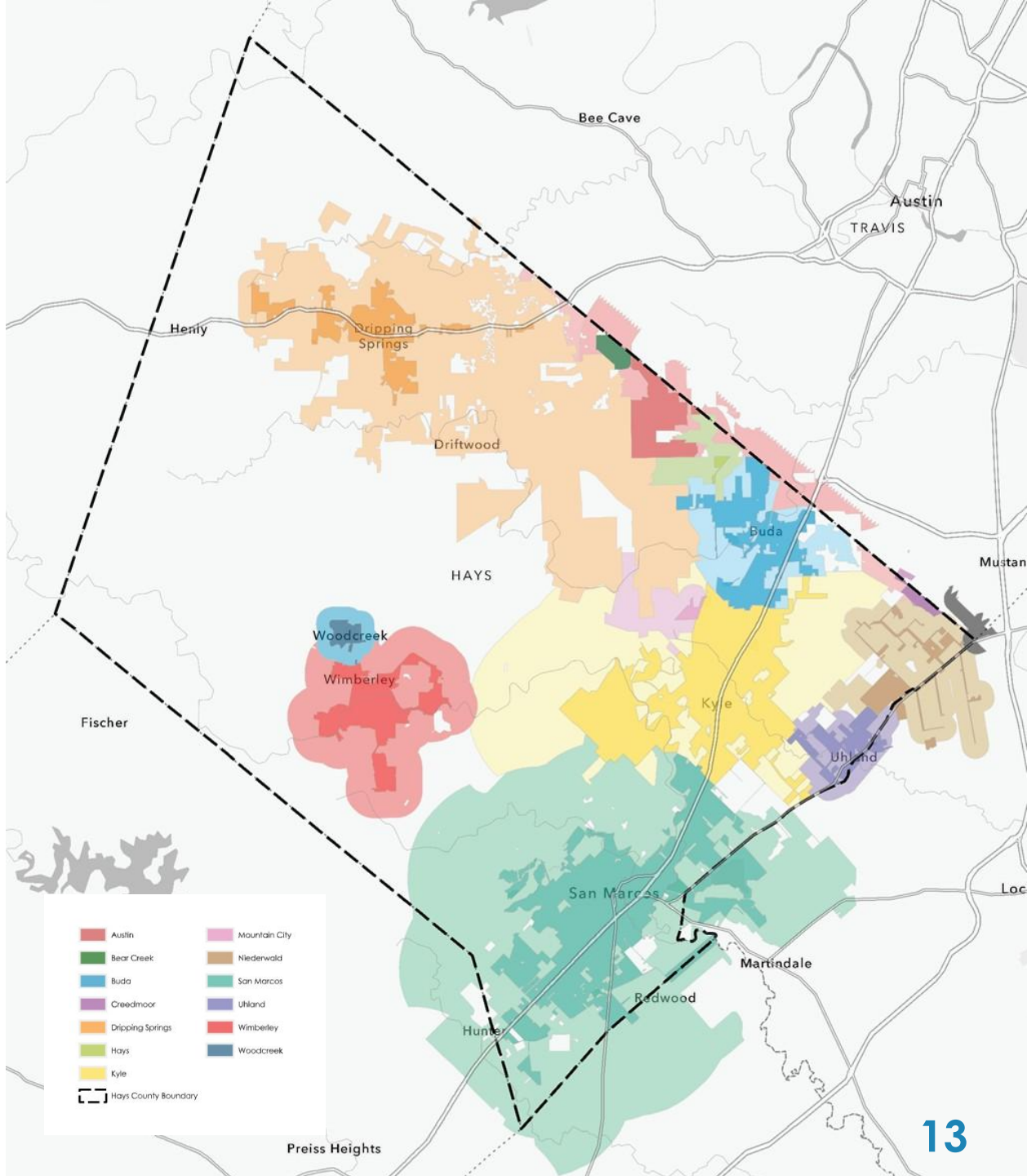
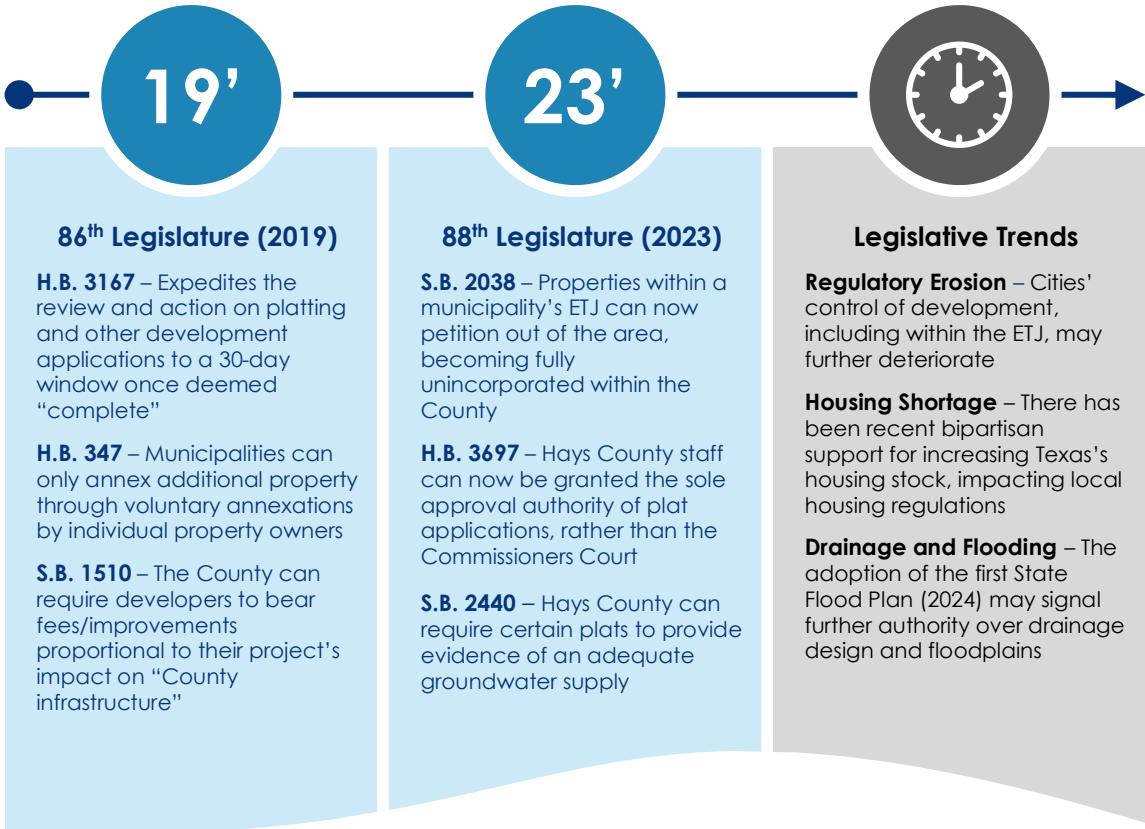
Occupied Housing Type (ACS 1-year)

Occupied Housing Units by Date Constructed (ACS 1-year)



# Regulatory Considerations

- Cities and ETJ





# Regulatory Considerations



## Regulatory Erosion

- **Regulatory Erosion** – Cities' control of development, including within the ETJ, may further deteriorate.



## Housing Shortage

- **Housing Shortage** – There is bipartisan support for increasing Texas' housing stock, impacting local housing regulations

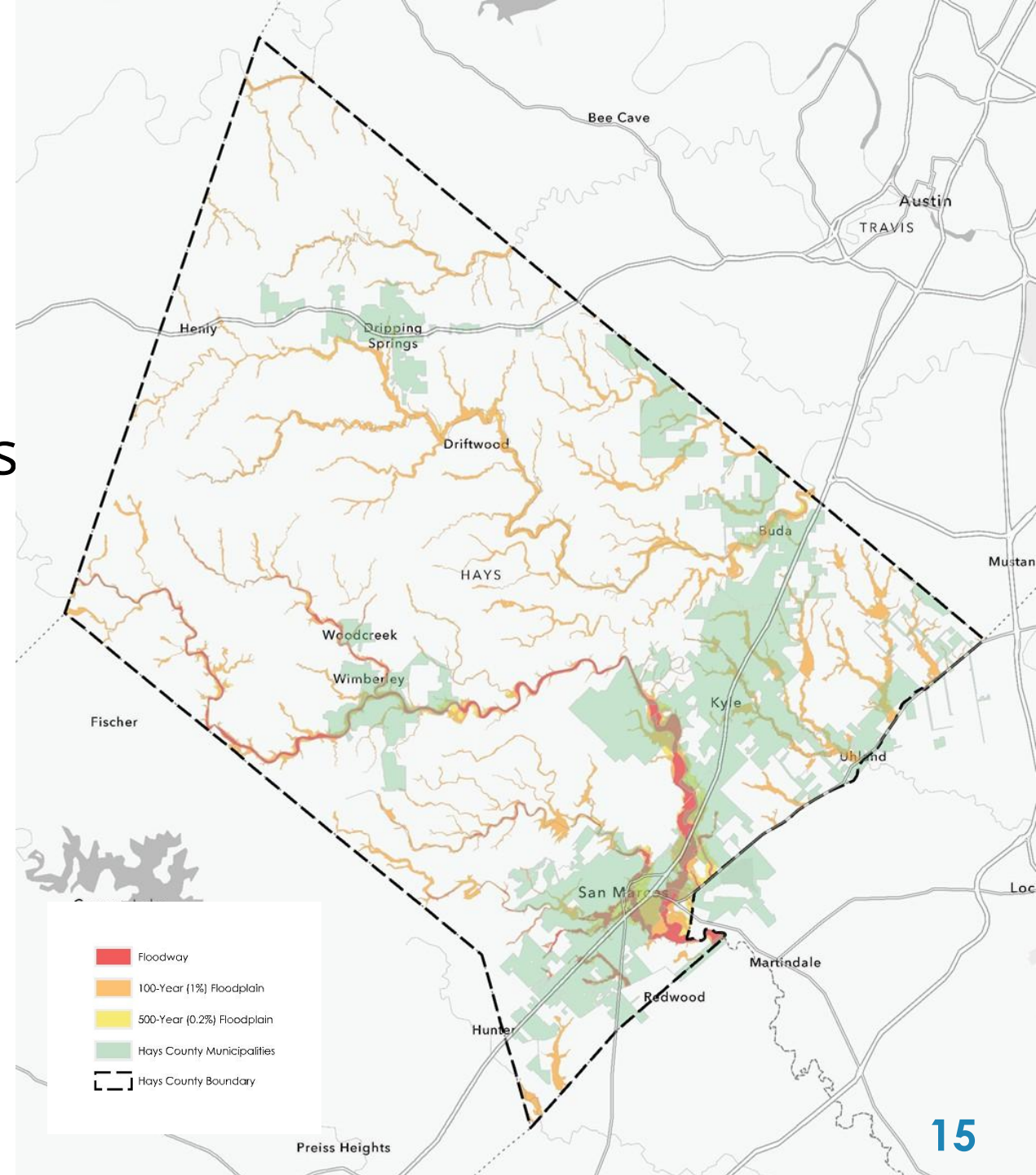


## Drainage and Flooding

- **Drainage and Flooding** – The adoption of the first State Flood Plan (2024) may signal future tools for managing drainage and floodplain

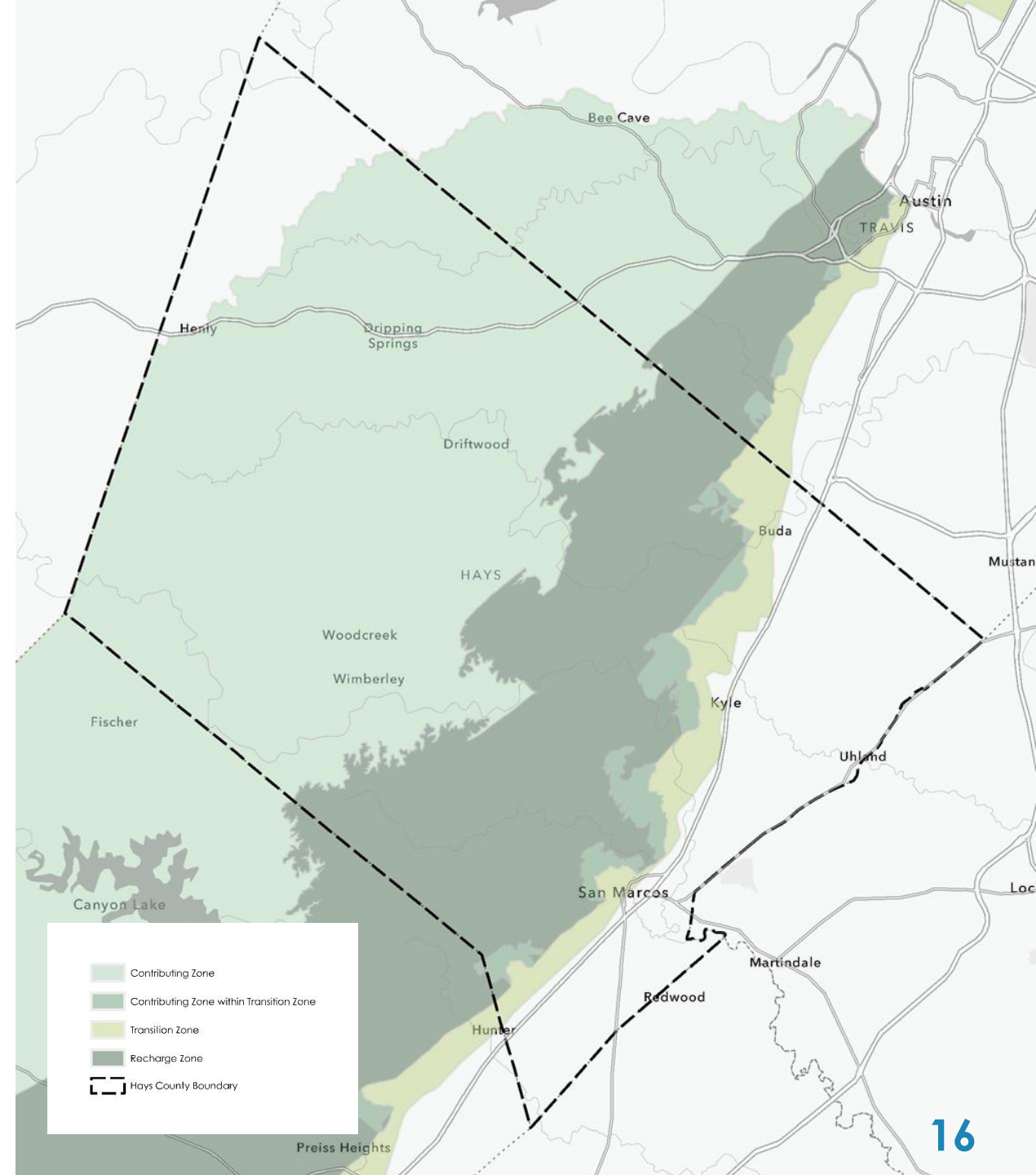
# Physical and Natural Considerations

- Natural elements: Blanco River, Onion Creek, and Jacob's Well
- Access to **recreation** and serve as critical **stormwater infrastructure**
- County-maintained features:
  1. Gay Ruby Dahlstrom Natural Preserve
  2. Five-Mile Dam Park
  3. Jacob's Well Natural Area
  4. Sentinel Peak Preserve
  5. Winter's Mill Trail



# Physical and Natural Considerations

- The majority of Hays County covers at least one of the **Edwards Aquifer's three zones**
  - Contributing
  - Recharge
  - Transition
- Consideration of development impacts on EA zones
- The aquifer provides natural water for approx. **2.5 million people** across south-central TX

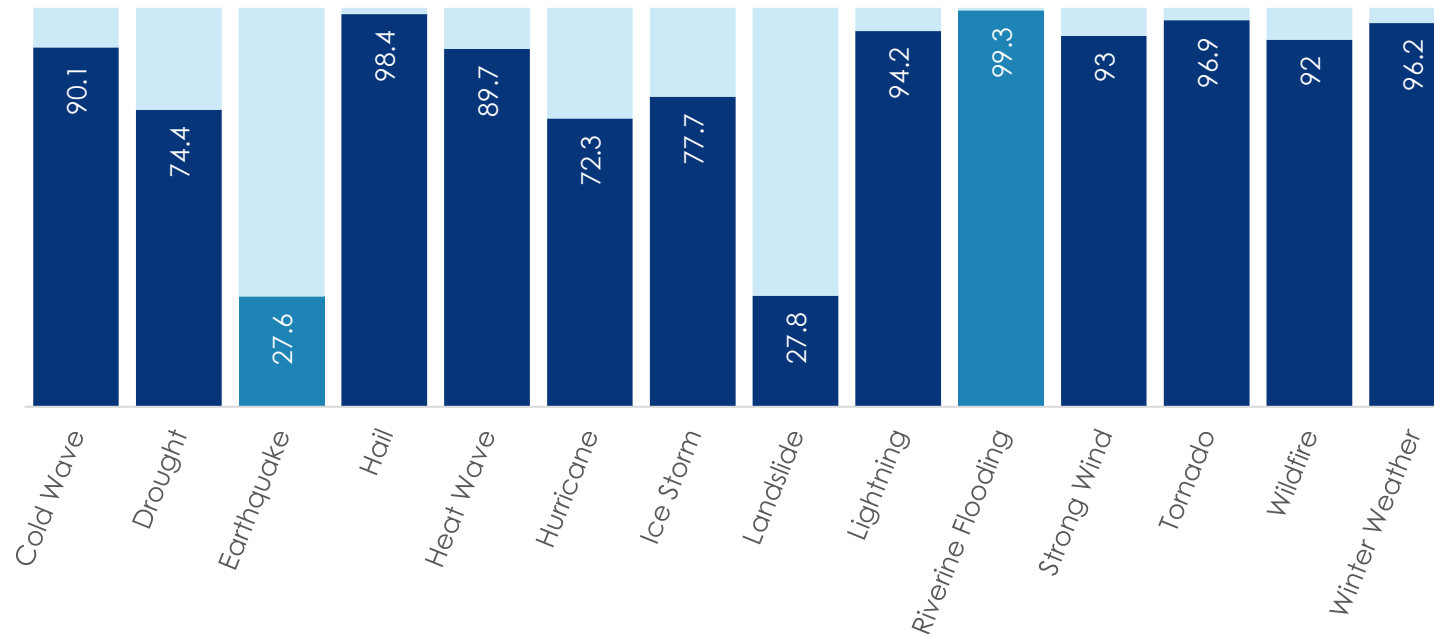




# Physical and Natural Considerations

- According to the FEMA National Risk Index, Hays County's risk rating is **“Relatively Moderate”**
  - Highest Applicable Risk: **Riverine Flooding**
  - Lowest Applicable Risk: **Earthquake**

*Hays County Risk Index Scores (FEMA 2025)*



# Stakeholder Engagement

- Conducted between May 12 and June 27, 2025
- In-person and virtual interviews approx. 1 hour in length
- Included Stakeholders both internal and external to the County
  - Judge and County Commissioners
  - County development staff
  - Representatives of the cities of San Marcos, Kyle, Wimberley, Dripping Springs, and Umland
  - Guadalupe-Blanco River Authority
  - The Watershed Association
  - San Marcos River Foundation
  - Members of the development community
- Focused conversations to identify and inform major issues and key concepts within the County

# Key Concepts



Water Availability



Water Quality and  
Erosion Control



Floodplain  
Management and  
Environmental  
Protection



Wastewater  
Infrastructure and On-  
Site Sewer Facilities  
(OSSF)



Variances and  
Regulatory  
Consistency



Condominium  
Development

# Key Concepts



Transportation Infrastructure  
and Road Standards



Processes, Timelines and  
Interdepartmental  
Cooperation



Development Agreements  
and Strategic Planning



Urbanizing Areas and  
ETJ Coordination



# 01. Water Availability

## Recommended Solution(s)

1. Revise the Subdivision Regulations to reflect updated State statute and require availability studies for new potable wells
2. Establish standards and required findings, such as minimal water usage or reliance on non-potable water, for variances
3. Support variance approval only in exceptional circumstances except for defined low-water users.



# 02. Water Quality and Erosion Control

## Recommended Solution(s)

1. Use Tex. Water Code to guide water pollution abatement standards as enabled by the State of Texas.
2. Incentivize the use of BMPs and impervious coverage limits through the platting and development permit process.  
(cont.)



## 02. Water Quality and Erosion Control

### Recommended Solution(s) (cont.)

3. Require erosion control for plats, and potentially for land clearance pre-platting or outside of the subdivision process, and enforce drainage standards.
4. Mandate that Stormwater Pollution Prevention Plan (SWPPP) inspection reports are provided to the County weekly for review during construction.





# 03. Floodplain Management and Environmental Protection

## Recommended Solution(s)

1. Codify minimum riparian buffer standards and restrict 100-year floodplain development.
2. Implement comprehensive drainage criteria, including the requirement that reports include 2-year (for water quality), 10-, 25- and 100-year storm events (for flood conveyance) using the best available data.
3. Develop incentives and codify conservation subdivisions, “One Water” strategies, and rainwater harvesting.





# 04. Wastewater Infrastructure and On-Site Sewer Facilities (OSSF)

## Recommended Solution(s)

1. Under Tex. Health & Safety Code Ch. 366, Hays County can enforce stricter standards.
2. Require reserve areas, pre-approval of lot suitability, and larger minimum lot sizes in sensitive areas. (cont.)

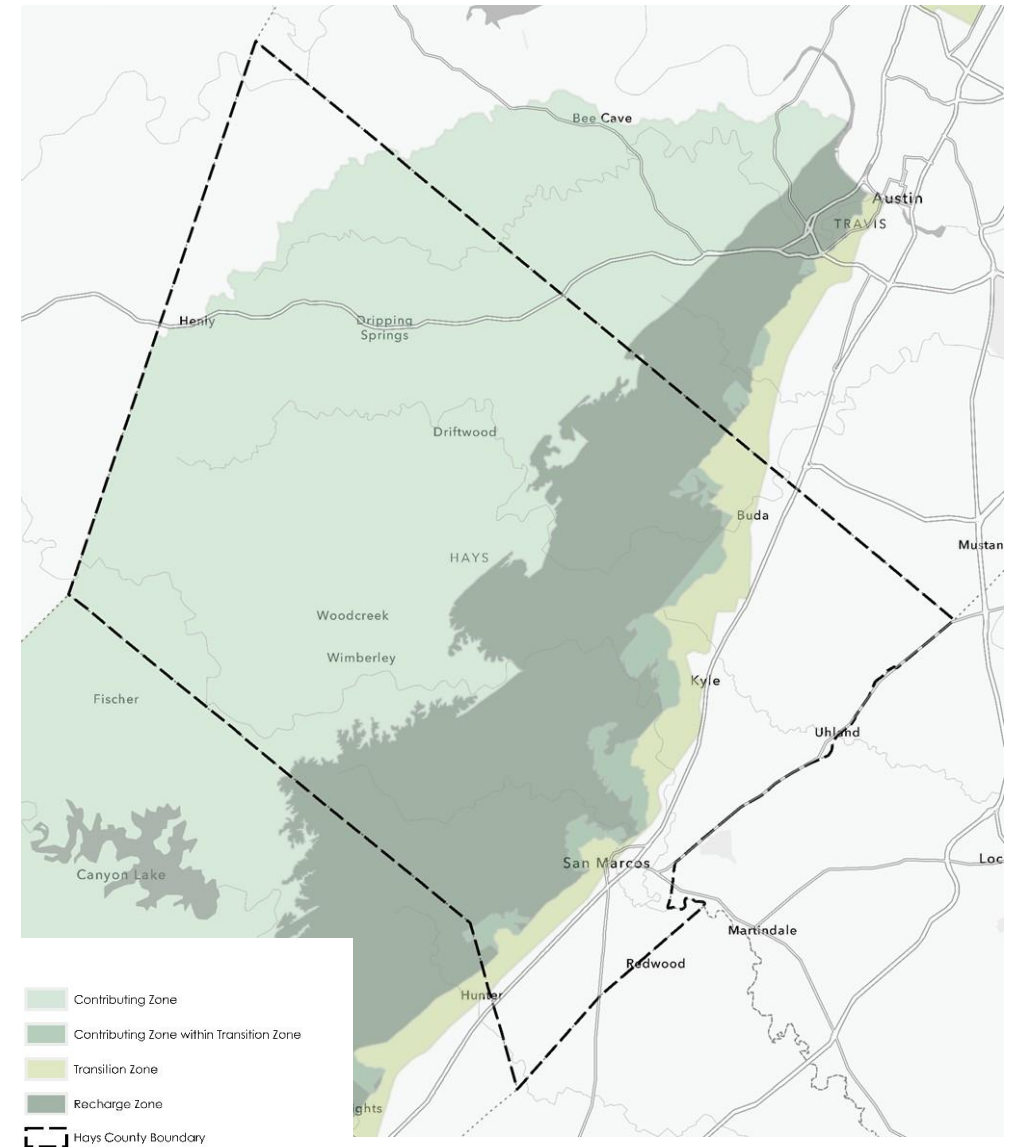


# 04. Wastewater Infrastructure and On-Site Sewer Facilities (OSSF)

## Recommended Solution(s) (cont.)

3. Follow models used by LCRA and Comal County, such as:

- Requiring TCEQ approval of Contributing Zone Plans over the CZ (light green area);
- Modifying minimum land area for non-residential uses; and
- Increasing setbacks between surface application areas and property lines.



# 05. Variances and Regulatory Consistency

## Recommended Solution(s)

1. Develop uniform criteria for variances and a public-facing variance approval checklist.
2. Eliminate or discourage groundwater-related variances and require a sustainability demonstration.
3. Define and regulate flag lots and shared drives; align with Fire Code for safety. (cont.)



# 05. Variances and Regulatory Consistency

## Recommended Solution(s) (cont.)

4. Use minor plat pathways for small-scale, low-impact subdivisions.
5. Maximize efficient regulatory approval pathways available under the 2023 revisions to Local Government Code Chapter 232 for fully compliant subdivisions.





# 06. Transportation Infrastructure

## Recommended Solution(s)

1. Require full right-of-way dedication with plats and clarify design standards.
2. Consider revising the “urbanized local roadway” right-of-way width to 50 feet to align with best practices
3. Mandate full-service secondary access points for subdivisions of 50 or more lots with single entry points. (cont.)



# 06. Transportation Infrastructure

## Recommended Solution(s) (cont.)

4. Codify driveway spacing, offsets, and rear access lanes on narrow lots.
5. Include regulations for on-street parking
6. Update standards for roadway widths and cul-de-sac radii to comply with Fire Code updates (cont.)

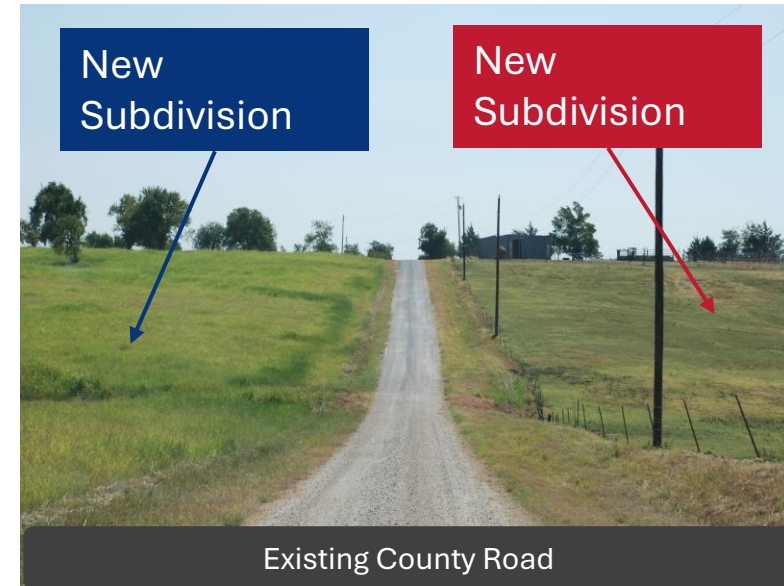




# 06. Transportation Infrastructure

## Recommended Solution(s) (cont.)

7. Implement rough proportionality standards related to roadway and other infrastructure improvements authorized by TLGC Sec. 232.110
8. Tie proportionality standards to supporting studies (e.g., TIA, drainage studies)



# 07. Processes, Timelines and Interdepartmental Cooperation

## Recommended Solution(s)

1. Establish a centralized Development Coordination Team for interdepartmental review to facilitate touchpoints with other departments, agencies and cities when there is jurisdictional overlap.
2. Clarify what triggers a 10-day statutory review, a 30-day statutory review, and a discretionary review. (cont.)





# 07. Processes, Timelines and Interdepartmental Cooperation

## Recommended Solution(s) (cont.)

4. Update digital submittal standards and GIS compatibility requirements.
5. Publish a standardized application checklist as required by LGC §232.0025.
6. Implement pre-application meetings.
7. Align ILA rules with city standards, like Austin-Travis County Title 30. Consider shared review systems to streamline interjurisdictional reviews.



# 08. Development Agreements and Strategic Planning

## Recommended Solution(s)

1. Clearly outline the intended purposes and outcomes of Development Agreements as well as their applicability and relationship to development incentives.
2. Create a model Development Agreement template and require its use.
3. Require compliance with Texas Water Code §26.177 as condition of approval (cont.)



# 08. Development Agreements and Strategic Planning

## Recommended Solution(s) (cont.)

4. Create a clear and transparent menu of tools and options that create an administrative track (using development incentives to achieve stronger standards voluntarily) and a discretionary track (using development agreements).
5. Align tracks with incentives or through negotiation at the Commissioner Court level.



# 09. Urbanizing Areas and ETJ Coordination

## Recommended Solution(s)

1. Strengthen County regulations to match or exceed typical ETJ standards.
2. Standardize sidewalks, trail dedications, and drainage across the County and cities to reduce disjointed regulations or gaps in otherwise similar geographic areas. (cont.)





# 09. Urbanizing Areas and ETJ Coordination

## Recommended Solution(s) (cont.)

3. Clarify maintenance responsibility of new improvements
4. Rewrite the ILAs to clearly define the platting authority and standards hierarchy and to reflect the reality of frequent ETJ opt-outs and greater County responsibility for long-term infrastructure maintenance in the ETJ.



# 10. Condominium Development

## Recommended Solution(s)

1. Update regulations to clearly define and distinguish between a subdivision plat and a condominium plat
2. Clearly outline the conditions under which a condominium plat and declaration should be provided to the County for verification that shared facilities are being created and will be community-owned and maintained (cont.)



# 10. Condominium Development

## Recommended Solution(s) (cont.)

3. Clearly distinguish between residential types such as “single-family” and “multi-family” for the purposes of permitting and inspecting a condominium development





# Next Steps



		2025									2026						
		A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J
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Questions?

# Thank You!

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