

LWV-CA POSITION ON LAND USE
October 2017

The League of Women Voters of Comal Area supports land use decisions undertaken by all levels of local government that conserve the natural and historic resources of Comal County and that include appropriate planning for the impact of growth across the county and across the region to maintain the quality of life in Comal County.

I. Land use decisions by all levels of local government should conserve and protect sufficient water supplies for present and future residents, water quality, and air quality. Decisions should also protect open space for parks and for wildlife habitat and protect against flooding, soil erosion, and light pollution.

II. Comal County land use decisions should include the following:

A. Comal County should have a county-wide comprehensive land-use plan, regardless of enforcement authority, with the following attributes:

1. Identification of the following features for possible protection:
 - a. environmentally sensitive and unique areas;
 - b. riparian areas, flood plains, and areas made subject to downstream flooding by development;
 - c. property of historic value;
 - d. working farms and ranches;
 - e. water sources for human consumption and wildlife needs;
 - f. natural areas for wildlife and for recreation.
2. Identification of areas appropriate for industrial, commercial and residential development, high- and low-density.
3. Planning based on:
 - a. data collected from a variety of sources, such as scientific reports, environmental assessments, and historic and demographic sources;
 - b. identification of current and projected uses of land for residential, commercial, industrial, and agricultural purposes, schools, parks, public recreation, and habitat for wildlife;
 - c. location of current and projected infrastructure, such as public utilities, transportation corridors, and communications technology.
4. The entities that should be involved in land-use planning are:
 - a. Comal County Commissioner's Court;
 - b. Incorporated municipalities, including economic development, park, and planning staff;
 - c. School districts;
 - d. River authorities;
 - e. Groundwater conservation districts;
 - f. Utilities;
 - g. Regional planning authorities (Alamo Area Council of Governments and South Central Texas Regional Water Planning Group: Region L);

- h. Texas Department of Transportation; Alamo Area Metropolitan Planning Organization
 - i. Texas Commission on Environmental Quality;
 - j. Emergency services;
 - k. Agricultural agencies (Texas Cooperative Extension, Farm Bureau);
 - l. Public utility districts and other local taxing bodies;
 - m. Interested organizations, such as civic groups;
 - n. Residents and interested citizens.
 - 5. The planning process should require county citizen input via:
 - a. appointments to planning committees;
 - b. surveys;
 - c. public forums;
 - d. formal hearings.
 - 6. All entities involved in land use planning should work collaboratively to leverage funding to support preservation of land for flood protection, water resources, environmental protection, and open space preservation.
- B. The Commissioners Court of Comal County, with voter approval, should have additional regulatory authority from the state legislature for making land use decisions. Examples include, but are not restricted to:
- 1. implement impact fees on developers of new subdivisions;
 - 2. require minimum fire suppression systems in new subdivisions;
 - 3. require improvements to roadways and drainage systems serving new subdivisions;
 - 4. limit the amount of impervious cover in order to increase recharge and limit runoff in new subdivisions;
 - 5. require subdivision restrictions that promote water-conserving landscapes;
 - 6. require natural areas, or neighborhood parks, in new subdivisions.
- C. The Commissioner's Court of Comal County should protect water resources by:
- 1. Using Low-Impact Development techniques in capital projects;
 - 2. Performing a joint study with the river authorities and groundwater conservation districts to identify sensitive areas for watershed protection;
 - 3. Offering incentives to increase conservation of water (for example, rainwater harvesting, low-flow toilets and showerheads, brush management, use of native plants in landscaping, drip irrigation); and
 - 4. Providing technical assistance to landowners to increase groundwater recharge (for example, xeriscaping) and to Home-Owner Associations' and Property-Owner Associations' Declarations of Conditions, Covenants and Restrictions regarding water-conserving landscapes.
- D. In order to meet the mobility needs of a growing population, the Commissioner's Court of Comal County should develop a comprehensive plan for transportation. The plan should provide for efficient use of

roadways and provide alternative means of transportation, such as, but not limited to, rail, bus, bicycle, and pedestrian means, both within the county and between other counties. Transportation alternatives and coordination should also address reducing air quality concerns.

E. The Commissioner's Court of Comal County should develop a financing, acquisition, and maintenance plan for parks and natural areas in the county to include:

1. large natural preserves;
2. hiking, biking, and walking trails;
3. wildlife habitat and wildlife corridors;
4. and sports fields, playgrounds, and other recreational areas.

F. The Commissioner's Court of Comal County should protect residents from light pollution by:

1. installing appropriately shielded and downward-directed lighting in sports fields under county authority and outdoor security lighting for county-owned buildings; and
2. providing technical assistance to commercial, industrial, and residential property owners regarding light pollution mitigation.

G. Commissioner's Court of Comal County should encourage innovative building practices in subdivision regulations in order to protect natural areas and natural resources, including:

1. encouraging cluster housing that sets aside open space permanently;
2. encouraging mixed-use developments that promote pedestrian use; and
3. providing incentives for landowners to use conservation easements to protect farm or ranch land, wildlife habitat, scenic vistas, or historic buildings.

III. The incorporated cities in Comal County land-use decisions should include the following:

- A. zoning to protect agricultural land;
- B. zoning for high-density development;
- C. incentives for urban infill;
- D. incentives for redevelopment in abandoned areas;
- E. planning to encourage mobility options, such as incentives for transit-oriented development, enforcement of bicycle lanes, infrastructure to encourage pedestrian access in developed areas, and public transportation that is convenient and affordable;
- F. lighting ordinances to reduce glare, light pollution, and wasted resources;
- G. ordinances to set aside and develop land for parks.

IV. Proposed special districts in Comal County (for example, Public Improvement Districts and Municipal Utility Districts) should be carefully evaluated before establishment for the following attributes:

- A. The benefit of the special district to the community/public interest must be clearly demonstrated in a detailed proposal made available to the public.
- B. Decision makers for the district should be democratically elected in a transparent process.
- C. Proposed financing should be adequate to provide proposed services, and fees and/or taxes should be transparently administered.
- D. Protections for natural and historic resources should be clearly demonstrated in the proposed plan.
- E. A method of regular communication by the special district to the public, residents of the district, and local government officials should be clearly demonstrated in the proposed plan.
- F. If an entity seeks a special district in Comal County through the state legislature or Texas Commission on Environmental Quality, during the public comment period the Commissioners' Court should communicate its support or opposition based on the above attributes.