

GILLESPIE COUNTY, TEXAS

PUBLIC NOTICE REGARDING: APPROVAL OF TAKINGS IMPACT ASSESSMENT FOR PROPOSED SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS FOR GILLESPIE COUNTY, TEXAS; AND MEETING SCHEDULED TO CONSIDER APPROVAL, ADOPTION, AND ENACTMENT OF THOSE REGULATIONS

Gillespie County, Texas ("County") gives notice pursuant to Chapter 2007 of the Texas Government Code ("Chapter 2007") and other authority that a takings impact assessment ("TIA") was approved on November 14, 2022 by the Gillespie County Commissioners Court at its public meeting regarding the following proposed governmental action: the proposed enactment of the Subdivision and Manufactured Home Rental Community Regulations for Gillespie County, Texas ("Regulations").

The County gives notice of its intent to consider the approval and adoption of the proposed Regulations at the public meeting of the Gillespie County Commissioners Court on December 19, 2022, said meeting to begin at 9:00 a.m. in the Gillespie County Courthouse at 101 West Main Street, Fredericksburg, Texas 78624-3700.

The TIA and proposed Regulations may be: (1) reviewed and copied during regular business hours at the office of the Hon. Mark Stroehrer, the County Judge of Gillespie County, Texas, in the Gillespie County Courthouse at 101 West Main Street, Mail Unit 9, Room 101, Fredericksburg, Texas 78624-3700 (telephone 830-997-7502); or (2) reviewed and downloaded at the County's internet website at www.gillespiecounty.org.

Please note the following summary regarding the contents of the proposed Regulations and determinations made by the County in the TIA:

- (1) The Regulations are authorized to be enacted by the County pursuant to the authority described in the TIA and Regulations. The Regulations are designed, among other things, to govern plats, subdivisions of land, and manufactured home rental community ("MHRC") development in the unincorporated area of Gillespie County, Texas to: promote the health, safety, morals, and general welfare of the county and the safe, orderly, and healthful development of the unincorporated area of the county, and further, to prevent colonias or other substandard development in said area; and ensure that adequate plats, plans, design and planning procedure, water, sewer, septic, and OSSF facilities, and utility, drainage, and transportation infrastructure are provided in said area.
- (2) The Regulations contain standards, requirements, and procedure for subdivision plats and MHRCs in the unincorporated area of the county relating, among other things, to: required compliance with federal law, state law, and County regulations; accomplishment of all public purposes described in the Regulations;

definitions, an interpretation guide, establishment of an effective date, compliance with the Texas Open Meetings Act, application of certain legal authority, and other administrative provisions; development, design, and construction standards regarding land development in the unincorporated area; subdivision plat procedure and review, including requirements for recordation, exceptions or exemptions, variances, revision, vacation, amendment, dormant plats, subdivision regulation in the extraterritorial jurisdiction of an incorporated municipality, and other procedural matters; MHRC infrastructure development plan standards, requirements, and procedure, including restrictions on MHRC construction and occupancy unless first approved by the County; bond or other financial security requirements; a fee schedule and related procedure; subdivision plat and MHRC infrastructure plan requirements relating to formatting, form, scope, content, disclosure, signature, and certification; division of land standards; survey, topographical data, lot/block, monumentation, and other data and disclosure requirements; water, sewer, septic, and OSSF facilities and service requirements, including compliance with minimum state and County standards; for certain subdivisions, compliance with the model subdivision rules described or referenced by Chapter 232 of the Texas Local Government Code (including sections 232.023, 232.032, 232.101, and 232.107-.108 of said code), Section 16.343 of the Texas Water Code, Sections 364.1 through 364.72 of Title 31 of the Texas Administrative Code, and other authority; engineer, surveyor, and/or geoscientist review, analysis, and disclosure requirements; utility standards, service, and connection requirements, including compliance with minimum state and County standards and disclosure requirements; floodplain identification/management and drainage requirements, including descriptions, plans, and disclosure; requirements for road access, lay-out, design, construction, and safety; requirements for road/driveway crossings, design, construction, and safety; requirements for drainage plans and related drainage facilities and infrastructure; requirements for lot frontages and building and set-back lines; purchase contract disclosure requirements and procedure related to water availability; groundwater and surface water availability, sufficiency, and disclosure requirements pursuant to Section 232.0032 of the Texas Local Government Code, Section 35.019 of the Texas Water Code, Sections 364.1 through 364.72 of Title 31 of the Texas Administrative Code, Sections 230.1 through 230.11 of Title 30 of the Texas Administrative Code, and other authority; requirements regarding fire safety and fire suppression systems and disclosure; lienholder identification and lien subordination requirements; developer participation contract requirements; access for emergency vehicle requirements; future transportation corridor requirements; limitations and restrictions regarding subdivision plat or MHRC approval by the County; site inspection authority; and enforcement remedies and penalties, both civil and criminal in nature.

- (3) The County is a covered governmental entity pursuant to Chapter 2007 and the Texas Attorney General guidelines (“Guidelines”) for TIA analysis; however, the Regulations are exempt from coverage under Chapter 2007 and no covered governmental action has been identified pursuant to the TIA analysis.
- (4) Pursuant to Chapter 2007 and the Guidelines, the County determined in the TIA that: (a) the proposed action of the County (i.e., enactment of the Regulations) has been fully assessed for its potential impact on private real property rights; (b) the proposed action of the County is exempt from coverage under or application to Chapter 2007; (c) no new public interests are purported to be created, established, or transferred to the County by the Regulations; (d) no or minimal new burdens or restrictions are imposed or created by the Regulations with respect to any private real property; (e) no taking of private real property or rights in private real property will occur as a result of the enactment of the Regulations; and (f) a No Private Real Property Impact Determination was made by the County regarding its proposed action regarding the Regulations.

Should you have questions regarding this matter, please contact during regular business hours the County Judge of Gillespie County, Texas at his office address and telephone number described in this notice.