



## **AGENDA ITEM REPORT**

**Meeting:** Commissioners Court - August 24, 2026

**Department:** County Commissioners

**Staff Contact:** Butch Carmack, Commissioner Precinct 1

**Presented By:** Commissioner Carmack

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**Item: A RESOLUTION OF THE COMMISSIONERS COURT OF BASTROP COUNTY, TEXAS, DECLARING STATUTORY LIMITATIONS ON COUNTY REGULATORY AUTHORITY OVER DEVELOPMENT, OUTLINING THE ENVIRONMENTAL RISKS OF UNREGULATED LARGE-SCALE INDUSTRIAL PROJECTS, AND PETITIONING THE TEXAS LEGISLATURE FOR EXPANDED REGULATORY POWERS FOR TEXAS COUNTIES**

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**Back-up Information/Attachments:**

[A Resolution of the Commissioners Court of Bastrop County, Texas.](#)

**A RESOLUTION OF THE COMMISSIONERS COURT OF BASTROP COUNTY, TEXAS, DECLARING STATUTORY LIMITATIONS ON COUNTY REGULATORY AUTHORITY OVER DEVELOPMENT, OUTLINING THE ENVIRONMENTAL RISKS OF UNREGULATED LARGE-SCALE INDUSTRIAL PROJECTS, AND PETITIONING THE TEXAS LEGISLATURE FOR EXPANDED REGULATORY POWERS FOR TEXAS COUNTIES.**

**WHEREAS**, Bastrop County is experiencing rapid economic growth and a significant increase in inquiries and proposals for large-scale industrial developments; and

**WHEREAS**, under the Texas Constitution and existing state statutes, Texas counties are not general-purpose governments and completely lack the broad "home rule" zoning and land-use regulatory authority granted to incorporated municipalities; and

**WHEREAS**, Bastrop County has little legal authority to stop, prohibit, or ban developments of any kind, provided the developer complies with basic, narrowly tailored state-mandated rules regarding floodplains, standard driveway access, and basic infrastructure platting; and

**WHEREAS**, the primary mechanism for a Texas county to influence the design, scope, or operations of a major commercial project is limited to negotiations tied to Chapter 312 or Chapter 381 tax incentives; and

**WHEREAS**, the lack of robust county-level regulatory oversight leaves unincorporated areas vulnerable to the compounding impacts of rapid industrialization without localized protections for the County or its residents; and

**WHEREAS**, large-scale industrial developments pose immediate and long-term environmental concerns to the ecology and residents of Bastrop County, including:

- **Aquifer Depletion:** Excessive groundwater pumping that threatens the Carrizo-Wilcox and Simsboro aquifers.
- **Surface Water Contamination:** Toxic runoff and industrial wastewater discharges into the Lower Colorado River watershed.
- **Air Quality Degradation:** Increased emissions of particulate matter, volatile organic compounds (VOCs), and hazardous air pollutants from heavy machinery and manufacturing facilities.
- **Habitat Fragmentation:** Destruction of critical ecosystems and damage to wildlife habitat.
- **Light and Noise Pollution:** Continuous, 24/7 industrial operations disrupting local wildlife patterns and the rural quality of life for neighboring homeowners.
- **Stormwater Runoff:** Massive increases in impervious cover leading to severe localized flooding and soil erosion during heavy Central Texas rain events.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF BASTROP COUNTY, TEXAS THAT:**

**SECTION 1.** The Commissioners Court declares that Bastrop County lacks the needed statutory authority to effectively deny or halt land development that is not in the best interest of the County and its constituents, and that its regulatory leverage is largely restricted to legislatively authorized tax incentive negotiations.

**SECTION 2.** Bastrop County respectfully requests that the Texas Legislature enact legislation during the next regular legislative session to grant Texas counties expanded regulatory and zoning authority to manage, restrict, or condition large-scale industrial developments in unincorporated areas to protect local natural resources and public health; and, respectfully requests Governor Greg Abbott convene a special legislative session prior to the regular session, the County hereby requests that these regulatory expansion actions be included on the official governor's call for immediate legislative consideration.

**SECTION 3.** The County Clerk is directed to forward official copies of this Resolution to Bastrop County's state legislative delegation, the Governor of Texas, the Lieutenant Governor, and the Speaker of the House of Representatives.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026.

BASTROP COUNTY COMMISSIONERS COURT

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*Gregory Klaus, County Judge*

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*Charles Carmack*

*Commissioner, Precinct 1*

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*Clara Beckett*

*Commissioner, Precinct 2*

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Mark Meuth

Commissioner, Precinct 3

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David Glass

Commissioner, Precinct 4