#### RESOLUTION NO. 2007- 146 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, ADOPTING A POLICY FOR SUBDIVISION AND PLATTING REVIEW IN THE CITY'S EXPANDED EXTRATERRITORIAL JURISDICTION; AND DECLARING AN EFFECTIVE DATE.

#### **RECITALS:**

- 1. On July 17, 2007, the City Council of the City of San Marcos adopted a resolution declaring that the population of San Marcos had exceeded 50,000 persons. As a result of this declaration the City's extraterritorial jurisdiction expanded by 1.5 miles.
- 2. The City of San Marcos has Interlocal Agreements with the surrounding counties wherein the parties have agreed that the City's subdivision standards and platting processes apply to all property within the City's extraterritorial jurisdiction.
- 3. In order to alleviate surprise and unfairness that might result due to the expansion of the City's extraterritorial jurisdiction, the City has developed a policy that provides for a transition period that will, until June 30, 2008, give developers in the expanded extraterritorial jurisdiction a choice between following the City or County rules governing subdivision and platting review.

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

**PART 1.** The attached Policy on Expanded Extraterritorial Jurisdiction Subdivision and Platting Review for the City of San Marcos, Texas is approved and adopted.

**PART 2.** This resolution shall be full force and effect from and after its passage.

Adopted on the 21st day of August

2007.

Susan Narvai:

Mayo

ATTEST:

Shelley Goodwin

Interim City Clerk

## Policy on Expanded Extraterritorial Jurisdiction Subdivision and Platting Review Adopted by City Council August 21, 2007

The City Council of San Marcos declared its population to be over 50,000 people effective July 17, 2007. This extended the City's Extraterritorial Jurisdiction (ETJ) an extra 1.5 miles from its current 2 miles from the city limits.

The City of San Marco's subdivision standards and platting process will apply to all property in the ETJ as per current Interlocal Agreements, executed in 2002, with all four counties in which the City has jurisdiction. These agreements are to be reauthorized effective January 1, 2008. Discussions are currently in progress with these Counties to facilitate this action.

A number of property owners who had projects underway or were contemplating projects may have been taken by surprise. To minimize any hardships which may have been created by the expansion of the ETJ, staff is proposing a transition period for municipal review. This transition period will also provide time for collaboration with the affected counties so that changes can be made in an orderly and consistent manner.

## Summary for land within the expanded ETJ – who reviews what and when (See attached map)

- 1. Active subdivisions already in the county review process remain with county until acceptance.
- 2. Any final plat prepared after July 17, 2007 and submitted by the end of 2007 will be reviewed and acted on by the County according to county standards.
- 3. All preliminary plats approved by the County as of December 31, 2007 are vested under County standards unless the plat expires.
- 4. From January 1, 2008 through June 30, 2008, all preliminary plats to be submitted to either the City or the County, according to the decision of the property owners. If submitted to county, would be under county standards. If submitted to city, would be under city subdivision standards.
- 5. After June 30, 2008, all subdivisions in the expanded ETJ will be reviewed and approved through the City under city standards.

# Illustrated Timeline for Implementation of Municipal Platting and Subdivision Standards for Expanded ETJ

	07	07						08						
	7/17	Aug.	Sept	Oct	Nov	Dec.	Jan.	Feb.	Mar	April	May	June	Jul.	
Submit to County														
Vest under County	Yes	yes	yes	yes	yes	yes								
Submit to City or County														
Vest under city if submitted to City						yes	yes	yes	yes	yes	yes			
Vest under county if submitted to County							yes	yes	yes	yes	yes	yes		
Submit to City only														

## More Detailed Procedure for Subdivision and Platting Review of Land in the Expanded ETJ

To assure an orderly and consistent transition for property owners affected by the expanded ETJ, the City Council approves the following interim development policy for property within this area.

- 1. All projects with an active subdivision application in process with a County as of June 30, 2007 shall be subject to the County's subdivision regulations and approval process until approved or denied by the Commissioner's Court consistent with State law.
- 2. Any final plat submitted to the County prior to June 30, 2008 shall be subject to County development standards and process consistent with State law.
- 3. From January 1, 2008 through June 30, 2008, all development submittals, not addressed above may be submitted to either the City of San Marcos and processed as per the Interlocal Agreement with the County then in effect, or submitted to the County for review, approval and vesting under County standards consistent with State law.
- 4. Subsequent to June 30, 2008 all development submittals, not addressed above, shall be submitted to the City of San Marcos and processed as per the Interlocal Agreement with the county then in effect consistent with State law.

This action is effective immediately. Staff will consult with the counties regarding the policy to be implemented through revisions to the 242 agreements.

c/barrett/development process/interim policy on expanded extraterritorial Jurisdiction rev