

MEMORANDUM

To: City of Seguin Mayor and Council Members
Douglas Faseler, City Manager

From: Pamela Centeno, Director of Planning & Codes

Through: Rick Cortes, Assistant City Manager

Subject: Clarification of City Policy regarding minimum lot sizes in the ETJ

Date: June 20, 2017

The Interlocal Agreement between Guadalupe County and the City of Seguin allows the City to enforce its subdivision regulations in the ETJ. While the agreement grants the City the authority to regulate the subdivision of land, it does not grant the City the authority to regulate on-site sewage facilities (septic systems) or floodplain management.

Currently, the County's regulations for septic systems require a minimum lot size of one acre in subdivisions of single family dwellings. The Interlocal Agreement grants the City the right to allow half-acre lots in the ETJ. City staff has found that it is not always in the best interest of the City to allow half-acre lots, particularly in areas where the City sanitary sewer system has been extended to serve new areas of growth. By city ordinance, properties located in the city limits that are within 300' of the City's sewer main are restricted from installing septic systems. These properties are required to tie on to the public sewer system. City staff finds that the ETJ properties within 300' of the sewer main should also be encouraged to tie on to the sewer. Since the City cannot require ETJ properties to tie onto the City's sewer system, staff recommends that ETJ properties within 300' of the City's sewer main shall be required to follow the County's stricter standards of minimum one-acre lots.

As the Interlocal Agreement is currently adopted the City is allowed, but not required, to authorize half-acre lots in subdivision development. The City Attorney has found that a formal amendment to the agreement is not required in order to enforce the County's stricter standards of one-acre lots. In lieu of a formal amendment to the agreement, City staff is recommending that a formal clarification be made to the existing Interlocal Agreement to confirm the ability of the City to require one-acre lots when an ETJ property is located within 300' of the City's sewer main. Attached please find a resolution clarifying the City of Seguin's policy concerning the enforcement of Guadalupe County's regulations for septic systems and minimum lot size requirements in the Seguin ETJ.