

MEMORANDUM

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

From: Pamela Centeno, Director of Planning & Codes

Subject: **Acceptance of the Interlocal Cooperation Agreement between
Guadalupe County and the City of Seguin**

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. With the expiration of the existing agreement, representatives from the City and the County have met to discuss the terms of the new agreement that will allow the City to continue enforcing its subdivision regulations in the ETJ. The new agreement specifies that the County will continue to enforce their floodplain, on-site sewage (septic), and driveway regulations in the ETJ.

In the previous agreement, the City enforced its subdivision regulations in the ETJ when lot sizes were less than five (5) acres in size. The agreement also called for the City to inspect the streets that were built in accordance with the County's street standards. The new agreement has been amended to state that only subdivisions with lots less than three (3) acres in size will be developed in accordance with the City's subdivision regulations, but with streets built to the City's street standards instead of the County's. Subdivisions in which all lots are three (3) acres and above will be regulated by the County.

Another significant change in the agreement is the lot size requirements for on-site sewage. The previous agreement granted the City the right to allow half-acre lots in the ETJ. The agreement allowed the City to determine if it would enforce the county's stricter standards of one-acre or allow half-acre lots. The new agreement is more specific, stating that half-acre lots are only allowed in subdivisions with four (4) or fewer buildable lots. All other subdivisions will be required to meet the one-acre minimum lot size.

In order to ensure proper spacing for driveways, which are regulated by the County, the City will require that lots in the ETJ have a minimum of 100' of road frontage. This requirement was previously adopted in the Unified Development Code (UDC) and enforced as part of the City's subdivision regulations. Since the City does not enforce zoning in the County, the proper place for the road frontage requirement is in the Interlocal Agreement.

The City will also require that all subdivision improvements including streets, drainage facilities, water facilities, hydrants, and fire suppression facilities be constructed and accepted before a plat can be recorded. This is to ensure that lots are not sold before improvements are constructed. Previously, the County accepted a bond.

Other amendments to the agreement include an automatic renewal after three years and changes to the administrative processes for staff. The agreement, as attached, has been reviewed by City and County staff and is recommended for approval. It shall be effective immediately upon the formal signature and execution by both the City of Seguin and Guadalupe County.