



City of San Antonio

Agenda Memorandum

File Number:
{{item.tracking_number}}

Agenda Item Number: {{item.number}}

Agenda Date: January 24, 2024

In Control: Planning Commission Meeting

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Rudy Nino

COUNCIL DISTRICTS IMPACTED: ETJ

SUBJECT:

Release of approximately 925.4 acres from the City of San Antonio's Extraterritorial Jurisdiction (ETJ) as petitioned by the landowner.

SUMMARY:

Resolution recommending approval for the release of approximately 925.4 acres, consisting of one tract of land (Comal County Appraisal District Property ID 79810), generally located northeast of the intersection of FM 3009 and Schoenthal Road N in Comal County, Texas from the City of San Antonio's Extraterritorial Jurisdiction as petitioned by the landowner Heidelberg Materials Southwest Agg 1 LLC.

BACKGROUND INFORMATION:

In the 88th (R) Texas legislative session, Senate Bill (SB) 2038 was passed and is effective as of September 1, 2023. The newly enacted Local Government Code, Chapter 42, Subchapters D and E codified and established a petition process for the release of certain property from a city's ETJ.

This new law does not apply to certain areas in the ETJ, including areas within five miles of an active military base boundary; areas within 15 miles of an active military base in counties with over 2 million in population; and areas within an industrial district, or subject to a strategic partnership agreement.

Heidelberg Materials Southwest Agg 1 LLC (Landowner), owns approximately 925.4 acres, consisting of one tract of land (Comal County Appraisal District Property ID 79810), generally located northeast of the intersection of FM 3009 and Schoenthal Road N in Comal County, Texas within San Antonio's ETJ. The Landowner submitted a petition to the City of San Antonio (City) requesting the release of their properties from San Antonio's ETJ on December 22, 2023. The City verified that the petition complies with the newly enacted Subchapters of Chapter 42 of the Texas Local Government Code.

ISSUE:

This Resolution recommends the release of 925.4 acres from San Antonio's ETJ, as petitioned by the Landowner, Heidelberg Materials Southwest Agg 1 LLC. Below is the public hearing timeline for the proposed ETJ Release:

- January 24, 2024 – City of San Antonio Planning Commission
- February 1, 2024 – City of San Antonio City Council

ALTERNATIVES:

The new State law mandates the City release property within the ETJ if the process and parameters of Local Government Code, Chapter 42, Subchapters D and E, are followed by the Landowners. As staff has verified the process has been correctly followed, there is no alternative action for the City to take.

RECOMMENDATION:

Staff recommends the Approval of a Resolution recommending the release of approximately 925.4 acres, consisting of one tract of land (Comal County Appraisal District Property ID 79810), generally located northeast of the intersection of FM 3009 and Schoenthal Road N in Comal County, Texas from the City of San Antonio's Extraterritorial Jurisdiction as petitioned by the landowner Heidelberg Materials Southwest Agg 1 LLC.