

AN ORDINANCE      2013 - 05 - 09 - 0318

**CONSIDERING THE RELEASE OF APPROXIMATELY 8 SQUARE MILES (APPROXIMATELY 5,645 ACRES) OF THE EXTRATERRITORIAL JURISDICTION (ETJ) FROM THE CITY OF SAN ANTONIO TO THE CITY OF HELOTES WITH SUBJECT PROPERTY LOCATED NORTHWEST OF THE CITY OF HELOTES AND BISECTED BY BANDERA ROAD (STATE HIGHWAY 16); GENERALLY WEST OF THE INTERSECTION OF BANDERA ROAD AND LOOP 1604; SOUTH OF THE CITY OF HELOTES AND BOUNDED ON THE SOUTHWEST BY GALM ROAD AND SHAENFIELD ROAD; AND EAST OF GOVERNMENT CANYON STATE NATURAL AREA, IN NORTHWEST BEXAR COUNTY.**

\* \* \* \* \*

**WHEREAS**, the City of Helotes has requested the release of approximately 8 square miles from the extraterritorial jurisdiction (ETJ) of the City of San Antonio; and

**WHEREAS**, it is the desire of Helotes to gain this area of ETJ; and establish a one-mile perimeter around Helotes' city limits, to the south, and approximately 2 miles to the north along both sides of Highway 16; and

**WHEREAS**, the request excludes areas further northwest near Highway 211, north of Government Canyon State Natural Area, and adds territory south of the Helotes city limits to Galm Road, but does not include the new school or tracts abutting or just east of Government Canyon State Natural Area on the north side of Galm Road; and

**WHEREAS**, Texas Local Government Code Chapter 42 provides that a municipality the size of Helotes may have a one mile ETJ; and

**WHEREAS**, there is no anticipated general fund revenue loss for the City of San Antonio associated with this release; and

**WHEREAS**, if subject area is placed in Helotes' ETJ, the City of Helotes would provide future municipal services to residents whom incorporate into the City of Helotes; and

**WHEREAS**, the Planning Commission of the City of San Antonio has considered the proposed release of the property from the San Antonio ETJ and has recommended approval, and

**WHEREAS**, the San Antonio City Council has considered the request from the City of Helotes to release approximately 8 square miles from the San Antonio ETJ; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The property being approximately 8 square miles (approximately 5,645 acres) as described in **ATTACHMENT 1**, attached hereto and incorporated herein for all purposes, is hereby released from the Extraterritorial Jurisdiction of the City of San Antonio in accordance with the provisions of the Texas Local Government Code Chapter 42.

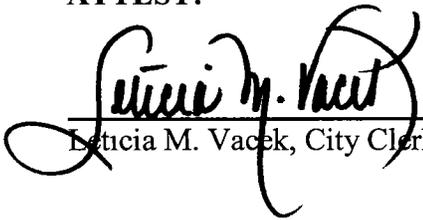
**SECTION 2.** Said release of the City of San Antonio's Extraterritorial Jurisdiction shall not be construed to automatically extend Helotes' Extraterritorial Jurisdiction if and when its city limit boundaries expand. Any further request for release of the City of San Antonio's Extraterritorial Jurisdiction shall be reviewed upon its own merits and must be approved by the City Council of the City of San Antonio in accordance with Texas Local Government Code Chapter 42.

**SECTION 3.** This ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

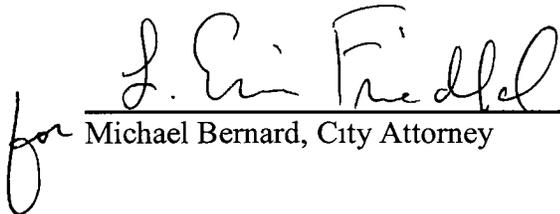
**PASSED AND APPROVED** on this 9<sup>th</sup> day of May, 2013.

  
M A Y O R  
Julián Castro

**ATTEST:**

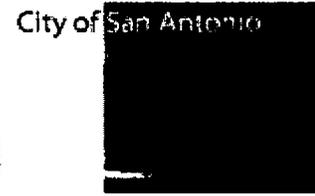
  
\_\_\_\_\_  
Leticia M. Vack, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
for Michael Bernard, City Attorney



Request for  
**COUNCIL  
ACTION**



**Agenda Voting Results - 5**

<b>Name:</b>	5						
<b>Date:</b>	05/09/2013						
<b>Time:</b>	10:36:24 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance considering of the release of approximately 8 square miles (4,995 acres) of the Extraterritorial Jurisdiction (ETJ) from the City of San Antonio to the City of Helotes with subject property located northwest of the City of Helotes and bisected by Bandera Road; west of the intersection of Bandera Road and Loop 1604; south of the City of Helotes and bounded on the southwest by Galm Road and Shaenfield Road; and east of Government Canyon State Natural Area, in northwest Bexar County. [David Ellison, Assistant City Manager; John Dugan, Director, Planning and Community Development]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4	x					
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x			x	
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				x



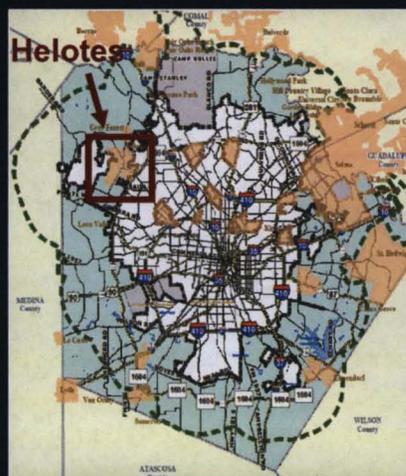
# The City of Helotes Request for Extraterritorial Jurisdiction Release



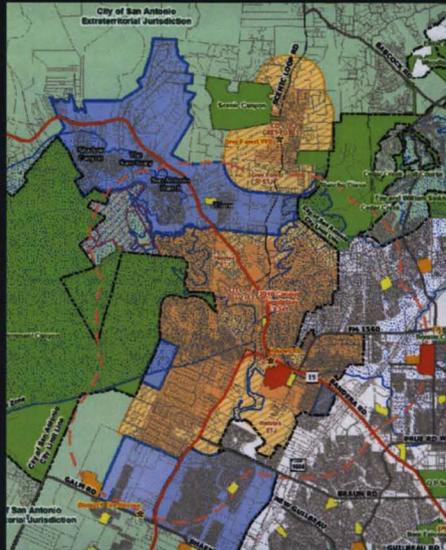
City Council  
May 9, 2013  
Agenda Item #5

## City of Helotes

- Located in northwest Bexar County along State Hwy 16 (Bandera Rd) outside of Loop 1604
- In 1981 Helotes incorporated as a General Law Type A city (2.7 square miles) with permission from the City of San Antonio
- In 1988, San Antonio released approximately 5.5 square miles so Helotes could establish its ETJ
- In 2002 San Antonio released approximately 710 acres to Helotes
- In 2006, San Antonio released 397.86 acres (Los Reyes Canyon Subdivision) to Helotes
- Over 7,000 people (2010 Census)
- City limits - approximately 6.7 square miles



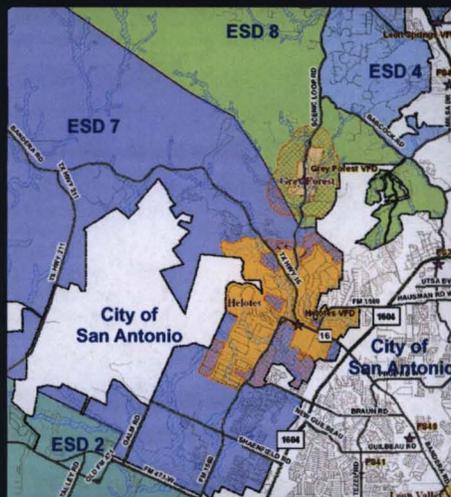
## Helotes' Request for ETJ Release



- Approximately 2 miles NW of Helotes along both sides of Hwy 16
- Two pockets east and west of Helotes
- South of Helotes and north of Shaenfield and Galm Roads
- Approximately 8 square miles
- Excludes Mabe-Canyon Ranch Tract and other tracts purchased by San Antonio for Government Canyon

3

## Policy and Service Review

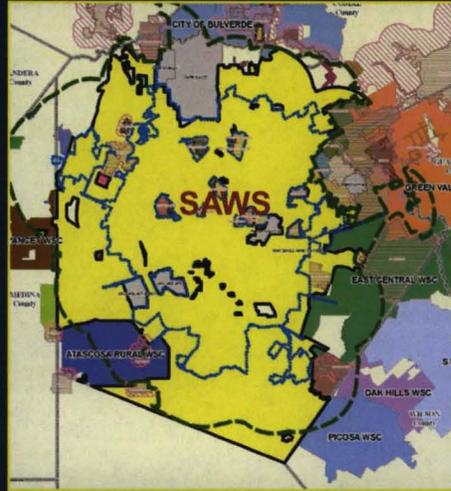


- Existing Services
  - SAWS water and waste water services
  - CPS Energy Utility Services
  - Bexar County Sheriff Dept.
  - Emergency Service District (ESD) 7/ Helotes Fire Dept
  - Acadian Ambulance Service (Bexar County Contractor)
- Land use
  - More than 50% developed with dense single-family housing
  - No zoning in the ETJ
  - If annexed by Helotes, they would provide services and apply their codes

4

# Policy and Service Review

- No municipal property or sales taxes collected in unincorporated ETJ
- CoSA Development Services fees would not be assessed
- SAWS fees continue to apply
- CPS Energy fees continue to apply



5

# Policy and Service Review



- **Logical planning boundaries**
  - Area is concentrated around the existing city limits of Helotes
  - Closely identifies with Helotes
  - Can be serviced by Helotes
- **Economic Development**
  - No current or foreseeable projects
  - Area remains fast growing residential region of the county
- **Environmental regulations**
  - Comparable tree preservation
  - Drought management, and aquifer protection
- **Effects of cumulative ETJ releases**
  - Protect Government Canyon Natural Area
  - Consider San Antonio's future strategic growth in the west

6

## Recommendation

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Planning Commission: 05/08/13

The Department of Planning and  
Community Development  
recommends Approval of this  
release of ETJ to the City of  
Helotes.