THE CITY OF BURLESON TEXAS

Department Memo

City Council Regular Meeting

DEPARTMENT: **Development Services**

FROM: **Tony D. McIlwain, Development Services Director**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a 3rd amendment to the 1445 Agreement (i.e. subdivision platting ILA) with Johnson County (CSO# 6135-05-2026) for platting authority within the city's extraterritorial jurisdiction (ETJ). *(Staff Contact: Tony D. McIlwain, AICP, CFM, Development Services Director) (No Planning and Zoning Commission action was required for this item)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

The City adopted an interlocal agreement (ILA) with Johnson County on April 1, 2002. That ILA contained three (3) provisions for development in the ETJ:

- City has authority for subdivision platting and applying its subdivision regulations;
- County has authority for on-site sewage system permitting and floodplain regulations;
- County has responsibility for road maintenance.

An amendment was done to the ILA in November 2019, which added City floodplain management authority within Joshua Farms MMD No. 2 (Silo Mills), and clarified the platting requirement for manufactured home rental communities in the ETJ.

Most recently, a second amendment was approved to provide the City exclusive jurisdiction over the platting and permitting of the TallGrass municipal management district (MMD).

The current ILA amendment proposes the following:

- City and County agree that City shall retain exclusive jurisdiction to regulate all subdivision plats involving ETJ properties covered under an approved Development Agreement entered into by the City, provided City exercises the right to enforce the Development Agreement.
- If City chooses not to enforce the Development Agreement, platting and permitting authority would be under the exclusive jurisdiction of County.
- The City shall make the determination on the Development Agreement within three (3) business days following an alert from Johnson County that an application for platting has been submitted.
- If the City fails to notify County of its determination within three (3) business days following an alert from Johnson County that an application for platting has been submitted, it shall be deemed that City has chosen not to enforce the Development Agreement.

This amendment does not alter the previously approved ILA language relating to TallGrass.

RECOMMENDATION:

Staff recommends approval of the third amendment to the 1445 Agreement with Johnson County.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

April 1, 2002: City Council approved the 1445 Agreement with Johnson County.

November 11, 2019: City Council approved the first amendment to the 1445 Agreement with Johnson County (CSO# 1189-11-2019).

May 18, 2026: City Council approved a 2nd amendment to the 1445 Agreement (CSO# 6135-05-2026).

REFERENCE:

CSO# 6135-05-2026

FISCAL IMPACT:

Proposed Expenditure/Revenue: n/a
Account Number(s): n/a
Fund: n/a
Account Description: n/a
Procurement Method: n/a

STAFF CONTACT:

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