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30-1-21 DEFINITIONS

(28) **EXECUTIVE MANAGER** means the **executive manager** of the county's Transportation and Natural Resources Department.

(57) **PLATTING OFFICIAL** means the director or the **executive manager**, as determined by Section [30-1-92](#) (*Discretionary Authority*).

30-1-91 FINAL APPROVAL.

(C) The county's final approval authority is exercised by the **executive manager** or commissioners court in accordance with Section [30-2-84](#) (*Plat Approval Authority And Criteria*).

30-1-92 DISCRETIONARY AUTHORITY.

(C) Except as provided in Subsection (D), discretionary authority is exercised by the platting board or the platting official.

- (1) The platting board is:
 - (a) for the city, the land use commission; and
 - (b) for the county, the commissioners court.
- (2) The platting official is:
 - (a) for the city, the director; and
 - (b) for the county, the **executive manager**.

30-2-4 COUNTY EXCEPTIONS TO PLATTING REQUIREMENT.

(B) If the **executive manager** determines that a division of land is excepted from platting under Subsection (A), the **executive manager** shall, at the request of the land owner, issue a letter to the owner acknowledging the exception. The **executive manager** may require that the owner provide certification or documentation that the requirements of Subsection (A) are satisfied.

30-2-62 EXPIRATION OF APPROVED PRELIMINARY PLAN.

- (A) In this section, the "appropriate official" is:
 - (1) in a near-term annexation area, the director;
 - (2) outside a near-term annexation area:
 - (a) in the desired development zone, the **executive manager**; and

C3
1/2

(b) in the drinking water protection zone, the single office.

30-2-84 PLAT APPROVAL AUTHORITY AND CRITERIA.

(B) This subsection prescribes approval authority and criteria for the county.

(1) The commissioners court may approve a plat, except as provided in Paragraph (2).

(2) The executive manager may approve a plat:

(a) that consists of four or fewer lots fronting on an existing street and does not create a new street, or is an amending plat described in Chapter 212 of the Local Government Code;

(b) for which water and wastewater service for development on the proposed lots is immediately available without a service extension; and

(c) for which a variance is not required.

(3) The commissioners court or executive manager shall approve a plat if it complies with the requirements of this title.

(C) Approval of a plat is conditioned on the applicant's posting the fiscal security required by this title in the amount determined by the single office. After the single office certifies on the plat that the applicant has posted the fiscal security:

(1) for a city approval:

(a) the presiding officer of the land use commission shall endorse the plat to certify the land use commission's approval;

(b) the mayor shall endorse the plat to certify the council's approval; or

(c) the director shall endorse the plat to certify the director's approval; and

(2) for a county approval:

(a) the executive manager shall endorse the plat to certify the executive manager's approval; or

(b) the county clerk shall endorse the plat to certify the commissioners court approval.

(D) Approval of a plat expires on the 90th day after the approval date if the single office has not certified that the applicant has posted fiscal security.

30-2-211 DEFINITIONS.

In this division:

(1) DIRECTOR, when used without a qualifier, means:

C3
/3

(a) if the city is the park service provider, the director of the city's Parks And Recreation Department; or

(b) if the county is the park service provider, the executive manager of the county's Transportation And Natural Resources Department.

(2) PARK SERVICE PROVIDER means the city or the county, as determined by Section 30-2-212 (*Park Service Provider Determination*).

30-3-43 ACTION ON WAIVER.

(A) Not later than the 90th day after the certification under Section 30-3-42 (*Notice Of Waiver Request*), the executive manager, or in a near-term annexation area the city manager, shall determine whether the city or county, as applicable, is able to acquire the reserved right-of-way that is the subject of a waiver request.

30-3-74 PARTIAL CONSTRUCTION OF BOUNDARY STREETS.

The executive manager, or in a near-term annexation area the city manager, may allow a person to construct one-half of a divided arterial roadway adjoining a subdivision after determining that:

- (1) the pavement width of the proposed roadway is at least 24 feet; and
- (2) the roadway can safely be used as a two-way street until construction of the entire divided roadway is completed.

30-3-92 STREETS IN A CRITICAL WATER QUALITY ZONE OR WATER QUALITY BUFFER ZONE.

(B) A street in a critical water quality zone or a water quality buffer zone other than a street described in Subsection (A) may comply with the alternative geometric design criteria in the Transportation Criteria Manual if the executive manager, or in a near-term annexation area the city manager, determines that the design is consistent with transportation principles.

(C) A street in an upland zone may be designed to comply with the alternative geometric design criteria in the Transportation Criteria Manual if the executive manager, or in a near-term annexation area the city manager, determines that the design is consistent with transportation principles.

30-3-94 COLLECTOR AND LOCAL STREETS.

The executive manager, or in a near-term annexation area the city manager, may modify a curb and gutter requirement or the minimum width of a right-of-way prescribed in the Transportation Criteria Manual for a local or collector street after considering:

- (1) a report from the single office that assesses the adequacy with which a proposed alternative design deals with storm water drainage, traffic safety, and general public welfare;

C3
/4

- (2) the applicant's written statement in support of the modification; and
- (3) the applicant's preliminary plan for street construction under the proposed modification.

30-3-94 COLLECTOR AND LOCAL STREETS.

The **executive manager**, or in a near-term annexation area the city **manager**, may modify a curb and gutter requirement or the minimum width of a right-of-way prescribed in the Transportation Criteria Manual for a local or collector street after considering:

- (1) a report from the single office that assesses the adequacy with which a proposed alternative design deals with storm water drainage, traffic safety, and general public welfare;
- (2) the applicant's written statement in support of the modification; and
- (3) the applicant's preliminary plan for street construction under the proposed modification.

§ 30-4-153 MAINTENANCE AND INSPECTION.

(D) Alternative maintenance arrangements are authorized as follows:

(1) The director may authorize an alternative arrangement for maintenance of a commercial basin in accordance with the DCM standards. If an alternative arrangement is approved by the director, the city attorney shall determine whether an agreement is necessary; the agreement must be approved by the city attorney and filed of record.

(2) The **executive manager** of the Travis County Transportation and Natural Resources Department may authorize an alternative arrangement for maintenance of a residential basin in accordance with the DCM standards. If an alternative arrangement is approved by the **executive manager**, the county attorney shall determine whether an agreement is necessary; the agreement must be approved by the county attorney and filed of record.

(F) The record owner of a residential development shall maintain the residential basin serving the residential development in accordance with the DCM standards, whether or not the residential basin is located on the same property as the residential development. The record owner may assign maintenance responsibility to a duly established Homeowner's Association upon written approval by the **executive manager** of the Travis County Transportation and Natural Resources Department.

C3/5

PROPOSED AMENDMENT TO TITLE 30 RELATED TO COUNTY EXECUTIVE

DRAFT 5-17-11

ARTICLE 4. ADMINISTRATIVE RULES.

§ 30-1-61 ADMINISTRATIVE RULES.

(A) Except as provided in Subsection (B), an administrative rule to implement, administer, enforce, or comply with the title, including a standard form, is not valid unless adopted by both the city and the county.

(B) Administrative rules that relate to the subject matter of this title and that are in effect on January 1, 2004 govern this title until amended or repealed in accordance with this section.

(C) The city may adopt an administrative rule in accordance with City Code Chapter 1-2 (*Adoption of Rules*).

(D) The county may adopt an administrative rule by action of the County Executive, (E) After the city and county have both adopted an administrative rule, the managing officials shall certify that the administrative rule applies to this title.

Deleted: commissioners court.

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Source: City/County subdivision agreement; Ord. 031211-11; Ord. 031211-42.

Change other references in Title 30 from "Executive Manager" to "County Executive" (see attached references).