

SB 6, Chapter 43 of the LGC & the 2017 Municipal Annexation Plan

December 4, 2017 City Council Work Session



Annexation Process in Texas (before SB 6)

1. Annexations by Petition (Voluntary)

A private property owner (or owners) requests to be annexed into a City's corporate limits.

2. Annexations in Accordance with a Municipal Annexation Plan (Involuntary)

Properties to be annexed are shown on a map that is published publicly. The properties placed in the plan cannot be annexed until the third anniversary of the date that the plan was adopted. Generally speaking, only areas containing 100 separate tracts with one or more residential dwellings on each tract are required to be in a Municipal Annexation Plan.

3. Annexations in Exception to a Municipal Annexation Plan (Involuntary)

Subsection 43.052(h) of the Texas Local Government Code indicates certain conditions and requirements that, if met, authorize a city to involuntary annex property that is not shown on a Municipal Annexation Plan (i.e. if the area contains fewer than 100 separate tracts with residential dwellings).



Annexation Process in Texas (post SB 6)

1. Voluntary Annexation

A private property owner (or owners) requests to be annexed into a City's corporate limits.

2. Involuntary Annexation (Tier 1 Municipality)

Describes annexation procedures for municipalities that sit within a county that has a population of less than 500,000 and does not contain a freshwater fisheries center operated by the TPWD.

3. Involuntary Annexation (Tier 2 Municipality)*

Describes annexation procedures for municipalities that sit within a county that has a population of more than 500,000.

**Collin County is a Tier 2 county, making the City of McKinney a Tier 2 municipality.*



New legislation went into effect on December 1, 2017

New Annexation Process in Texas (*post SB 6*)

[What's Changed... in general]

Involuntary Annexation (Tier 2 Municipality)

to annex areas that have a population less than 200 a municipality must

- Adoption of a resolution stating intent to annex, a detailed description and map of the area, a list and description of each city service to be provided on or after annexation, and a schedule that includes the period within which the city will provide services.
- Provide written notice to each resident and property owner of its intent to annex, which includes notice of public hearing; explanation of 180 day petition period; and a list, description and schedule of services to be provided.
- Gain consent to annex through a **petition** signed by more than 50% of registered voters in the area. If registered voters do not own more than 50% of the land, the petition must be signed by more than 50% of the owners of land in the area.

to annex areas that have a population more than 200 a municipality must

- Adoption of a resolution stating intent to annex, a detailed description and map of the area, a list and description of each service to be provided on or after annexation, and a schedule that includes the period within which the city will provide services.
- Provide written notice to each resident and property owner of its intent to annex, which includes notice of public hearing; explanation of 180 day petition period; and a list, description and schedule of services to be provided.
- Consent to annex through an **election** by qualified voters of the area. If registered voters do not own more than 50% of the land, then a municipality may obtain consent through a petition signed by more than 50% of the owners in the area.

New Annexation Process in Texas (*post SB 6*)

[What's Stayed the Same]

Chapter 43 still states that municipalities must...

- Offer a development agreement to landowner whose property is appraised as agricultural, wildlife management, or timber use by the appraisal district (commonly referred to as Ag-Exemptions).
- Develop a written agreement and/or Service Plan that includes a description, list and schedule of services to be provided in the area on or after annexation.
- Conduct two Public Hearings at which persons interested in the annexation are given the opportunity to be heard.
- Provide written notice to property owners and “public entities” of the proposed annexation.



SB 6: What Does this Mean for McKinney?

2017 Municipal Annexation Policy/Plan

- I. Purpose and Intent
- II. Background
- III. Planning for Annexations
- IV. Evaluation Criteria for Annexations
- V. Annexation Program
 - a) Municipal Annexation Plan (2017)
 - b) Annexations Exempt from Municipal Annexation Plan
 - c) Voluntary Annexations
 - d) Disannexations



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V. Annexation Program

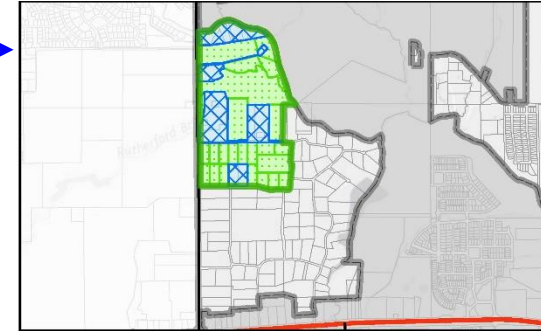
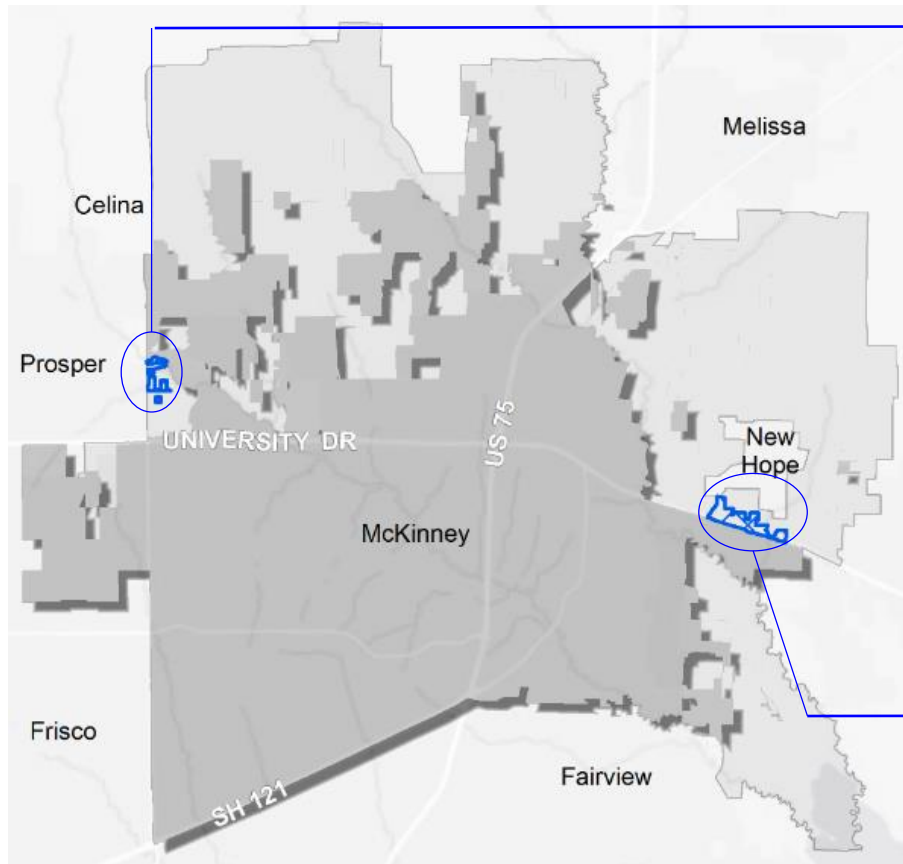
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*Impacted by SB 6
and the new state
law changes*



SB 6: What Does this Mean for McKinney?

2017 Municipal Annexation Policy: Annexation Plan



 *executed development agreement*



2017 Municipal Annexation Policy: Annexation Plan

2017

2020

- [2017] Draft/adopt Municipal Annexation Plan
- [2017] Notify property owners included in the Municipal Annexation Plan
- [2017] Collect inventory of public services and publish findings for inspection
- [2017] Create Service Plan
- [2017] Conduct public hearings for persons interested in the annexation
- [2020] Complete annexation proceedings within 30 days of the third anniversary of the adopted/amended Municipal Annexation Plan

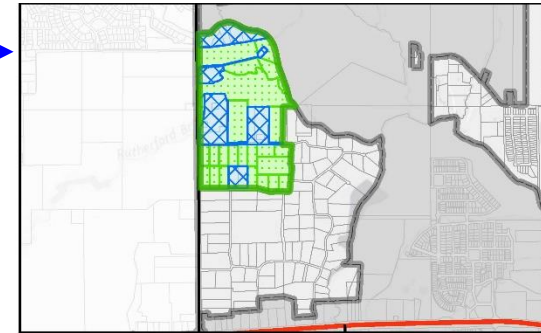
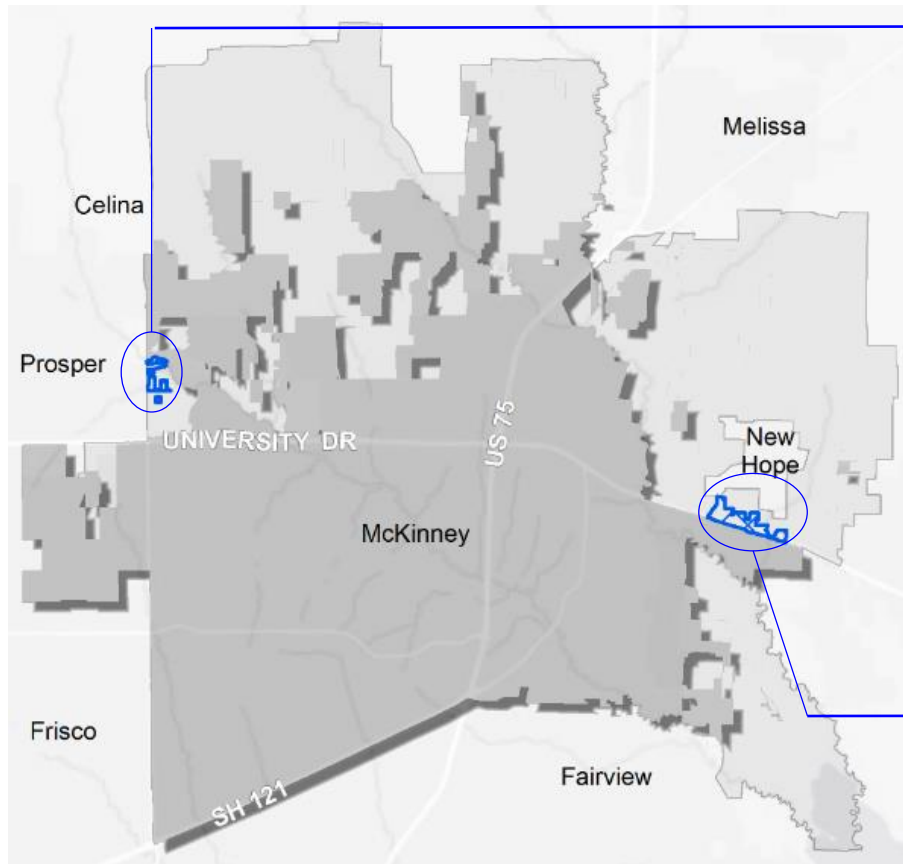
What happens during the 3 years before annexation?

During the three years prior to annexation, properties identified in the annexation plan are still considered part of the ETJ and may continue to legally operate as they currently do.



SB 6: What Does this Mean for McKinney?

2017 Municipal Annexation Policy: Annexation Plan



 *executed development agreement*



SB 6: What Does this Mean for McKinney?

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