



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 15-1127, **Version:** 2

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Consider/Discuss Potential Approach for Orderly Growth and Annexation Planning

**COUNCIL GOAL:** Direction for Strategic Growth

**MEETING DATE:** November 16, 2015

**DEPARTMENT:** Planning Department

**CONTACT:** Jennifer Arnold, Planning Manager  
Brian Lockley, AICP, CPM, Director of Planning  
Michael Quint, Executive Director of Development Services

**RECOMMENDED CITY COUNCIL ACTION:**

- Discuss and provide direction to Staff.

**ITEM SUMMARY:**

- This item is to discuss and provide direction on a potential approach for orderly growth and annexation planning in McKinney.
- The area of McKinney's current city limits is 66.82 square miles. However, the ultimate area of McKinney's city limits is roughly 116 square miles. This means that roughly 50 square miles of unincorporated land currently sits within McKinney's extraterritorial jurisdiction (ETJ).
- While a municipality can plan future development conditions for land within its ETJ, it cannot exercise land use control (i.e. zoning) or taxing authority over those unincorporated areas.
- As such, many Texas cities establish a municipal annexation plan as a means by which to ensure orderly growth, development and fiscal health over the short and long term.
- Given the tremendous amount of growth expected to occur in McKinney over the next several years, Staff strongly recommends that the City Council consider adopting a plan for the systematic annexation of unincorporated land in its ETJ.
- By establishing a new Municipal Annexation Plan, the City will be able to better protect the long term interests of the City in terms of desired growth patterns, development quality, and fiscal stability.
- If the City Council is supportive of this, Staff will begin coordinating with the City Attorney's

Office to draft a Municipal Annexation Plan. Staff anticipates that a Municipal Annexation Plan could be ready for consideration by Council in the Spring of 2016.

## **BACKGROUND INFORMATION:**

- The annexation of land into a municipality's corporate limits is authorized and governed by Chapter 43 of the Texas Local Government Code.
- In accordance with Texas Local Government Code, there are generally three ways that annexations can occur:
  1. Voluntary Annexations  
A private property owner (or owners) may request to be annexed into a City's corporate limits. Historically speaking, the majority of land annexed in McKinney over the last 10 years has been voluntary.
  2. Annexations in accordance with a Municipal Annexation Plan (Involuntary)  
Properties that are to be involuntarily annexed over time are shown on a map that is published publicly. The map must be published for three years before annexation proceedings may occur.
  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 involuntarily annex property that is not shown on a Municipal Annexation Plan. The involuntary annexations that were approved in May 2015 were conducted under these exceptions.
- In 1999, the City of McKinney adopted an Annexation Plan that, in short, stated the City of McKinney did not intend to initiate involuntary annexations based on a municipal annexation plan. The 1999 Annexation Plan did state however, that the City would reserve the right to involuntarily annex certain properties under the exemption clause of Texas Local Government Code.