



# Annexation Planning and Possible Options for Annexation

December 11, 2018

Joey Dunn, AICP  
Deputy City Manager

# Background

- City Council has been discussing annexation around the RELLIS campus since August 2016
- Consultant report in September 2018 detailed challenges and opportunities and options for annexation in RELLIS campus area
- Bryan's Comprehensive Plan (BluePrint2040) recommends annexing corridor frontage and key growth areas
- Staff needs direction what, if any, areas the Council wishes to pursue for annexation at this time

# Types of Annexation

- in response to a property owner petition (owner-initiated)
  - City of Bryan received 7 requests for annexation in 2018
- unilateral (city-initiated) annexation
  1. Exempt Annexation - area may have any number of tracts so long as no more than 99 of the tracts contain one or more residential dwellings (often referred to as 100 tract annexation)
  2. Annexation Plan - 3-year process; rarely used

# Annexation Planning

- Why Annex?
  1. Enable regulatory controls/facilitate growth
  2. Enhance or protect the tax base
  3. Provide municipal services to urbanizing area
  - 4. In response to an uncertain legislative environment**
  5. Health/life safety considerations
  6. In response to an undesirable/unregulated land use
- Policy Considerations:
  1. How does annexation support the community's vision?
  2. What goal does annexation accomplish and at what cost?

# Legislative Environment

- The 85<sup>th</sup> Texas Legislature passed Senate Bill 6 in 2017
- Involved significant changes to TLGC Chapter 43.
- Should have minimal effect on the annexation procedures for the City of Bryan.
- Different only if a new procedure in Chapter 43 is invoked to reclassify Brazos County from a “Tier 1” to a “Tier 2” county
- Then, more onerous requirements for City-initiated annexation would apply, including land owner or voter approval.

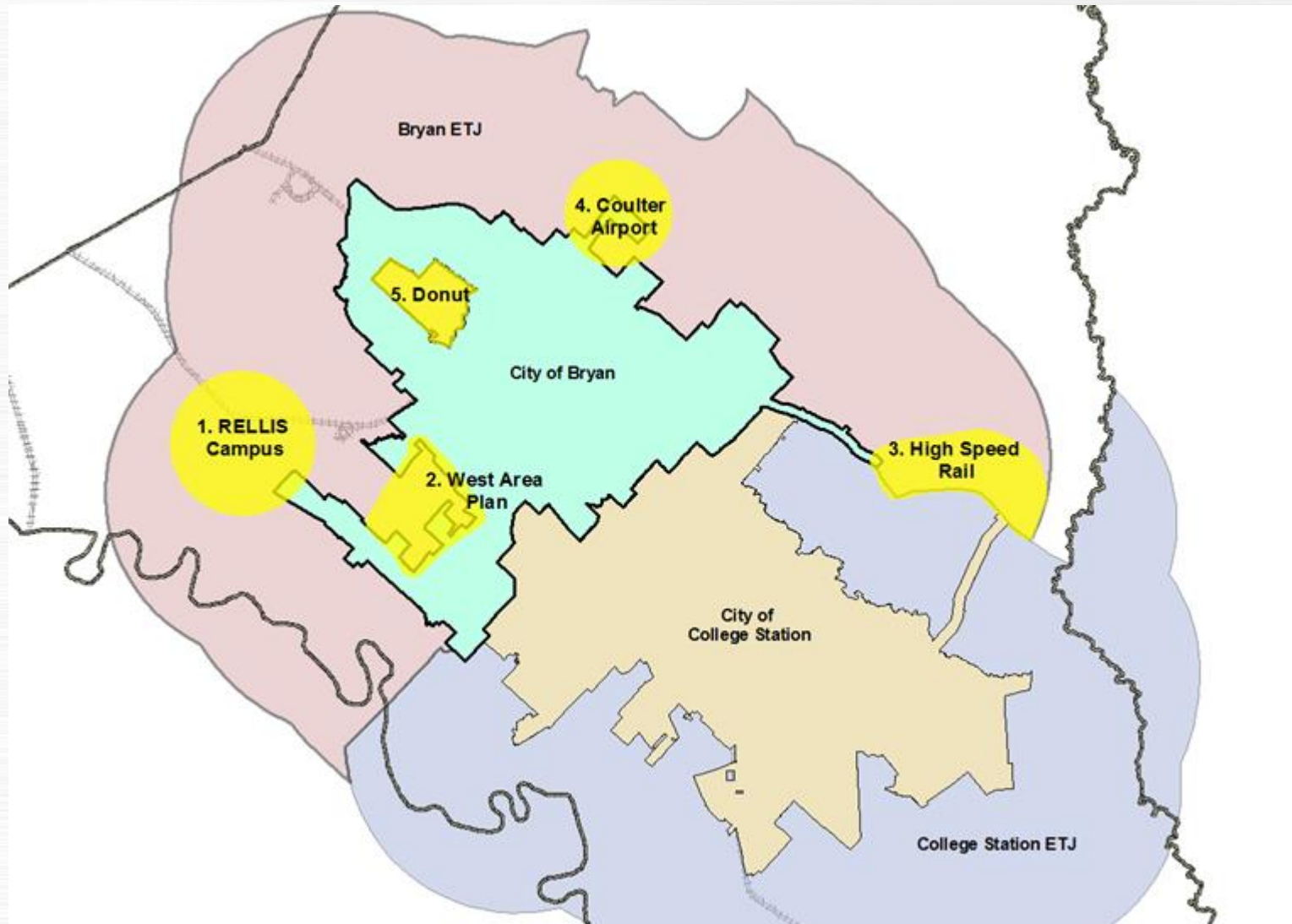


# Legislative Environment



- We may see proposed legislation in 86<sup>th</sup> Legislature that would allow County residents to vote on annexation, regardless of a county's population size.
- Legislative session: January 8 – May 27, 2019.
- Last day governor may sign or veto bills from regular session: June 16, 2019.
- Date that bills without specific dates become law: August 26, 2019.

# Comprehensive Plan (BluePrint 2040)



Recommended Areas for Expansion:

12,000+ acres

should be programmed for consideration in a 5-year period.

- Area 1: RELLIS Campus Area
- Area 2: West Area Plan
- Area 3: High Speed Rail/SH 30 Corridor
- Area 4: Coulter Airport Area
- Area 5: “Donut Hole” – South of N. Texas Ave. and North of SH21

# RELLIS Campus Area Annexation Feasibility and Strategy Study

Map 18D

Recommended and Alternative  
Annexation Scenarios

Alternative 2  
7.1 Square Miles

Recommended  
Annexation Area  
2.2 Square Miles

RELLIS  
Campus  
Parcel  
2.9 Square Miles

Alternative 1  
1.6 Square Miles

**Timing:** 5-7 months via exempt annexation (same for Alternatives 1 and 2), and depending on City and A&M coordination for annexing RELLIS Campus.  
**Sequencing:** Either later rounds of separate exempt annexations for balance of study area, or include in three-year Municipal Annexation Plan (and potential for interim owner petitions and/or development agreements).  
**Development Outcomes:**  
 • Sub-area 4 develops per the West Area Plan.  
 • Locations within Sub-area 3 develop per Bryan's Future Land Use Plan if not in the Western Gateway designation.  
 • Within Sub-area 1 and the rest of 3, the most significant development is assumed for the starred locations under the Residential, Employment and Hospitality scenarios.  
**Public Services:**  
 • Basic services immediately in all scenarios.  
 • Full services in 2.5 years (or else within 4.5 years).  
 • See Roadway Infrastructure and Water/Wastewater Infrastructure exhibits in supplemental Infrastructure Assessment Report for locations of capital projects.

SOURCES: City of Bryan, 2018; KKC, 2018; BCAD, 2018; ESRI Aerial Imagery, 2018.

-  Refined Annexation Study Area
-  Annexation Study Sub-Areas
-  Parcel Boundary
-  FEMA Flood Zones
-  Bryan City Limits
-  Bryan Extraterritorial Jurisdiction
-  Significant Development Location
- Potential Initial Annexations**
-  Alternative Scenario 1
-  Alternative Scenario 2
-  Recommended Annexation Area



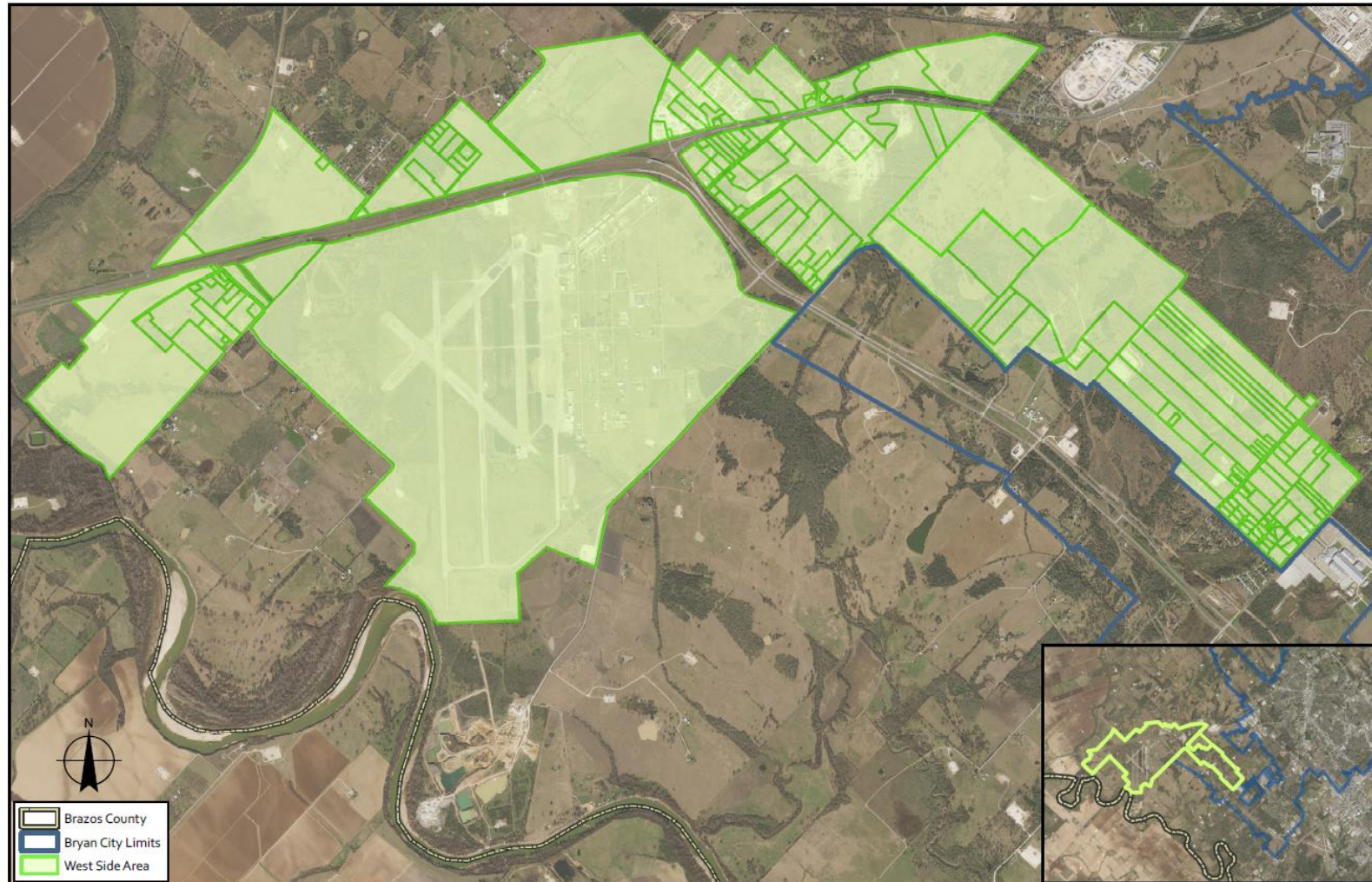


# Consultant Recommendation

Annex area around RELLIS Campus in near term?

- Possible burden on Bryan Fire Department
- Possible, but maybe not prudent
- However, annexation could be considered for *strategic reasons* (see “Why Annex?”)

# Strategic Annexation – RELLIS Campus Area



## “Alternative 2”:

- 5,914 acres
- RELLIS Campus: 1,991 acres
- 212 Parcels: 4,111 acres
- enable regulatory controls
- facilitate orderly growth
- enhance the tax base

# Strategic Annexation - Texas Triangle Park Area



- 1,468 acres
- AXIS Pipe and Tube: 182 acres
- 39 parcels
- enable regulatory controls
- facilitate orderly growth
- enhance the tax base

# General Requirements for Home Rule Cities

- Texas Local Government Code Chapter 43:
  - Minimum 1,000 foot width requirement (or touch existing city limits on 2 sides)
  - Must offer non-annexation (development) agreements when land is appraised for ad valorem tax purposes (ex. agriculture, wildlife, timber)
  - Cannot annex more than 10% of incorporated area per year – Bryan has not unilaterally annexed in more than 3 years (= 30%)
- Current Bryan city limits = approximately 29,000+ acres (45.3 sq. mi.)
- City could initiate annexation of up to 8,650 acres (13.5 sq. mi) due to 3-year carry-over
- State-owned property may be annexed without acreage counting against the 10% per year requirement

# Exempt Annexation Process

1. define boundaries and direct staff to initiate annexation (by Council Resolution)
2. notification of property owners within proposed annexation area
3. offer non-annexation (development) agreements where applicable
  - RELLIS Area: approx. 61 properties (2,770 acres – 47 % of possible area)
  - TTP Area: approx. 6 properties (698 acres – 48 % of possible area)
  - Texas Municipal League sample form (10 year term; max. 45 years)
  - 30-day return/response to agreement offer
4. preparation of annexation service plan
5. Planning and Zoning Commission recommendation
6. 2 public hearings before the City Council (3 if annexation is protested)
7. Council approves annexation ordinance

Est. timeframe to completion: 6-8 months from initiation

# Annexation Cost Estimates

- 6,102 acres (RELLIS) + 1,468 acres (TTP) = 7,570 acres (11.5 sq. mi.)
- Emergency Services District Reimbursement (est. ~\$50/acre); ~ \$378,500
- Land boundary survey (~ \$5/acre); ~ \$37,850
- Required newspaper publications: ~\$1,500 - \$2,000
- Certified mailings: ~\$ 1,000
- Staff time, consultant assistance?

# Questions and Direction to Staff

- What, if any, areas does the Council wish to pursue for annexation at this time?
  - Define area(s) now, and direct staff to proceed with exempt annexation process, or explore other alternatives
- What should the term be for Chapter 43 development (non-annexation) agreements for qualifying properties?
  - May be up to 45 years
  - Staff recommends 10 years
- How long should owners of qualifying properties have to respond to Chapter 43 development (non-annexation) agreements
  - Staff recommends 30 calendar days