



AGENDA MEMORANDUM

First Public Hearing for the City Council Meeting of August 19, 2014
Second Public Hearing for the City Council Meeting of August 26, 2014

DATE: July 23, 2014
TO: Ronald L. Olson, City Manager
FROM: Barney Williams, P.E. Interim Director of Development Services
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Public Hearings for the Southside FM 2444 Annexation

CAPTION:

Local Government Code, Chapter 43.063(a) requires the City to conduct two public hearings prior to First Reading of an Annexation Ordinance for the proposed Southside FM 2444 Annexation area commonly referred to as a portion of the Chapman Ranch / proposed APEX Wind Farm generally located along and on both sides of FM 2444, areas South of FM 2444 and west of County Road 41.

PURPOSE:

The purpose of the two public hearings is to allow property owners to obtain information on the proposed annexation (see Exhibit A: Location Map) and to comment on the proposed Municipal Services Plan. (See Exhibit B)

BACKGROUND AND FINDINGS:

Local Government Code provides that cities with a population of more than 100,000 shall have a growth area reserved for future expansion called the Extraterritorial Jurisdiction (ETJ) which is five miles beyond the existing city limits. The City Council has expressed concern that growth in the ETJ, specifically the proposed Chapman Ranch Windfarm located on the proposed annexation area, could be detrimental to future growth in the area.

The proposed annexation area is located in the City's ETJ with an area of approximately 16.34 square miles, 83 tracts of land owned by 32 owners including 16 dwellings with an estimated population of 44.

The Corpus Christi City Council has identified the need to create consistency and unity in regulation of future land use, platting and the provisions of municipal services as it relates to our growing and changing community. The Council has expressed a strong desire to protect and defend the interests of property owners – and to effectively manage growth and development in the areas commonly recognized as part of the Corpus Christi community. The application of City zoning, building, and land development regulations to any neighboring properties that are annexed as part of this process will, over the long term, help protect property values.

ALTERNATIVES:

1. Per state law, the City has contacted each property (See Exhibit C) with an invitation to consider opting out of the annexation by signing a development agreement. The agreement would allow for the continuation of existing uses on the property (except for a wind turbine not allowed by the Unified Development Code) provided that the owner does not initiate development of the property, including development of a wind farm and, that the property meets the tax exemption in state law commonly referred to as an agricultural exemption. This agreement would allow the city to extend its land use controls (zoning, building, etc.) to the subject property but would not allow or cause the City to levy property tax on the subject property.

2. Approval of a development agreement for a portion of the wind farm in the City's Extraterritorial Jurisdiction by determining the development agreement conditions that would be agreeable to the City.

OTHER CONSIDERATIONS:

Not applicable.

CONFORMITY TO CITY POLICY:

- a. Pursue a policy of annexation of lands at the periphery of the City to achieve orderly growth.

- b. Pursue a policy of annexation adjacent to the City's growth areas in order to extend zoning ordinance control consistent with adopted land use plans.

EMERGENCY / NON-EMERGENCY:

Non-Emergency – action not required.

DEPARTMENTAL CLEARANCES:

Not applicable.

FINANCIAL IMPACT:

Operating Revenue Capital X Not applicable

Fiscal Year: 2013-2014	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: All City services shall be provided according to the Municipal Services Plan. Access to infrastructure by properties within the annexed areas shall be allowed in accordance with City policy, including, but not limited to the Unified Development Code.

RECOMMENDATION:

Receive public comments.

LIST OF SUPPORTING DOCUMENTS:

Exhibit A: Location Map

Exhibit B: Municipal Services Plan

Exhibit C: Property Owner Letter and Development Agreement