

RESOLUTION 24-R-41

Accepting a Petition of Annexation- Comal County and Guadalupe County

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SCHIERTZ
COMMUNITY. SERVICE. OPPORTUNITY.

Background

Annexation of land into the City's corporate limits may be voluntary or involuntary. The Texas Local Government Code (LGC) provides requirements and outlines the process based on the annexation type. The proposed annexations are voluntary based on the Delayed Annexation Development Agreements that were originally entered into in 2010 and 2011 and the extensions that were offered in 2020 and 2021 thus Chapter 43, Subchapter C-3 of the Texas Local Government Code applies. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions for processing of voluntary annexation requests.

In 2010 and 2011 the City of Schertz entered into Delayed Annexation Development Agreements with property owners based on Texas Local Government Code Section 43.035 (b)(1) and 212.172 in order to (i) guarantee the continuation of the extraterritorial status of the Land for the term of the agreement and (ii) authorize the enforcement of all regulations and planning authority of the City that did not interfere with the use of the land for agriculture or wildlife manage or as timber land. Per the agreements that were signed and executed in, specifically Section 5. Term; Annexation at End of Term, stipulates that ten (10) years after the effective date of the agreement the property is to be annexed into the City of Schertz.

Background Continued

In 2020 and 2021 the City of Schertz City Council authorized the City Manager and staff to offer Development Agreement Extensions based on the nationwide and statewide declaration of public health emergency in relation to COVID -19 in addition the Development Agreement Extensions would allow City staff to complete the Comprehensive Land Use Plan update which would be utilized when zoning the annexed properties.

These extensions would provide the same rights as previously established in the original agreements but would delay the annexation of the properties to a later date. Specifically, the extension would be in effect until January 1, 2024, at which time the City of Schertz would begin annexation proceedings and conclude them no later than December 31, 2024.

Background Continued

At this time, the first date identified in the agreement (January 1, 2024) has passed and, with the approval of Ordinance 24-S-06, the Comprehensive Land Use Plan has officially been adopted and can be utilized for zoning cases moving forward. Per the Development Agreement Extensions, City staff has started the annexation and zoning process in accordance with the extensions.

Resolution 24-R-41 is the first City Council step in the annexation process for these parcels. Specifically, 24-R-41 would accept a petition for voluntary annexation of 25 properties, approximately 507-acres within Comal County and 14 properties, approximately 387- acres within Guadalupe County.



Annexation Process and Tentative Calendar

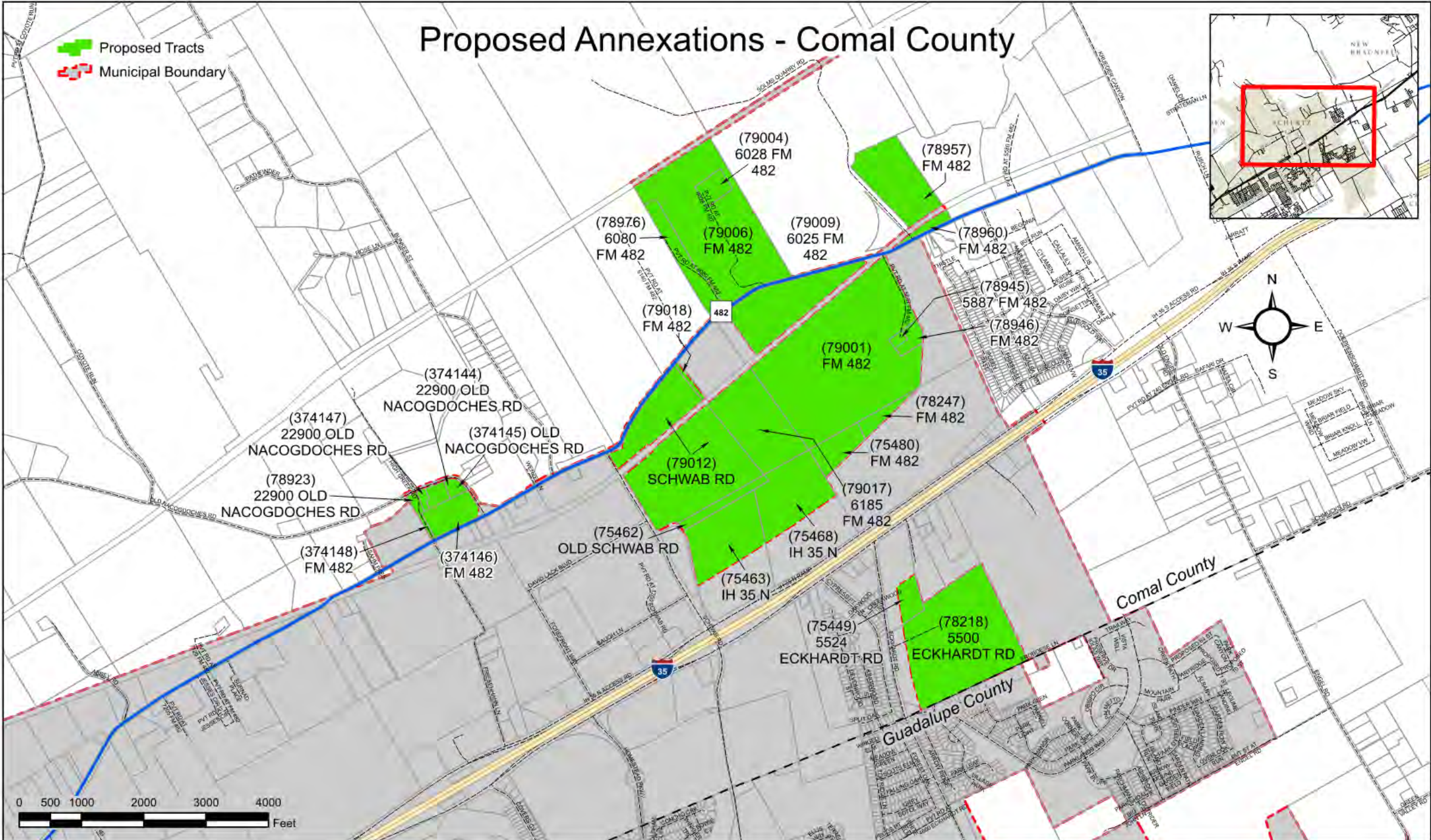
In an effort to provide the property owners within the annexation areas with information about this process, a letter was mailed to each property owner providing the below tentative calendar for the annexation and zoning process. In addition to the calendar, staff also provided information on the history of the original agreements, the extensions, and what staff will be proposing for the zoning designation for the property, which will be based on the newly adopted Comprehensive Land Use Plan designations.

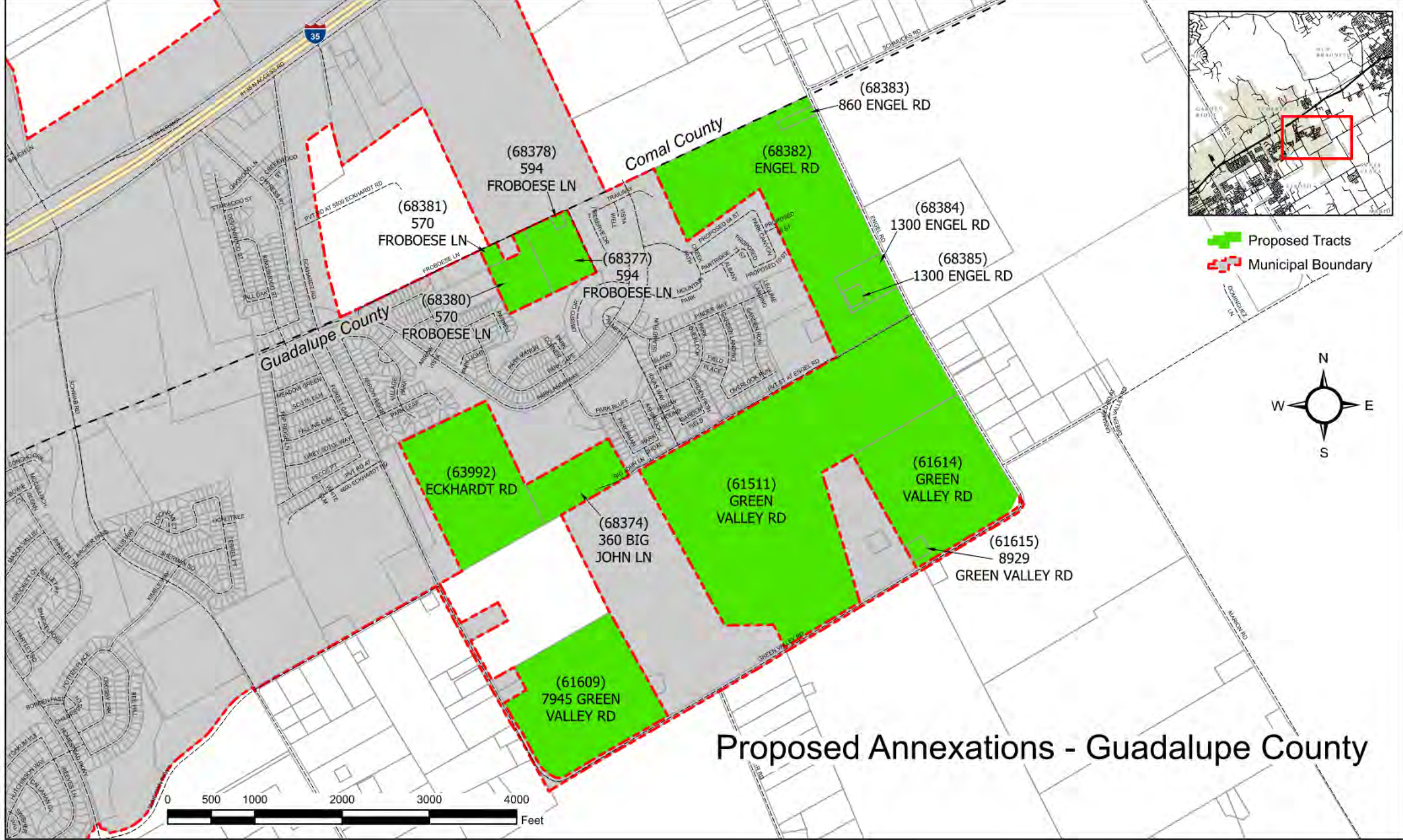
Upon City Council accepting Resolution 24-R-41, the petition for voluntary annexation, the process to annex and zone the properties would begin. The adoption of resolution 24-R-41 does not annex the subject properties but allows City Council to annex the properties by ordinance in the future.

An ordinance for annexation of the subject properties must be approved by City Council to annex the properties, which is tentatively scheduled for the June 4, 2024, City Council meeting. The zoning application to accompany the annexation is tentatively scheduled for the May 8, 2024 Planning and Zoning Commission meeting.

Proposed Annexations - Comal County

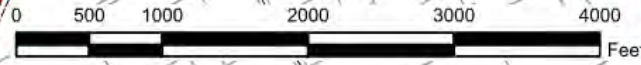
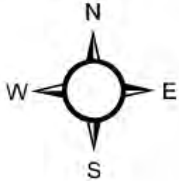
-  Proposed Tracts
-  Municipal Boundary





Proposed Annexations - Guadalupe County

- Proposed Tracts
- - - Municipal Boundary





Recommendation

Staff recommends approval of Resolution 24-R-41, accepting a petition for voluntary annexation for approximately 507-acres within Comal County and approximately 387-acres within Guadalupe County.

COMMENTS AND QUESTIONS