

AGENDA ITEM SUMMARY FORM

MEETING DATE: March 26, 2024

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Discussion and possible action to approve the Angleton 300 Res Dev

LP, and Angleton Stasny Land LP, Petition for Release of an Area from a Municipality's Extraterritorial Jurisdiction (ETJ), being a tract containing 303.96 acres of land located in the Andrew Roberts Labor, in Brazoria County, Texas. Pursuant to the provisions of Subchapter

D, Chapter 42 of the Texas Local Government Code.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: None FUNDS REQUESTED: None

FUND: None

EXECUTIVE SUMMARY:

EXECUTIVE SUMMARY. This is a request for approval of a petition filed originally on November 15, 2023, requesting release of approximately 303.96 acres of land from the extraterritorial jurisdiction (ETJ) of the City of Angleton enabled by new legislation known as Senate Bill 2038. The request is from the owners of the land known by council as Stasny Ranch and the petition is brought by the owners of the property; Angleton 300 Res Dev LP, and Angleton Stasny Land LP.

A Certificate of Insufficiency was provided to the petitioner by the City Secretary following an examination of the petition due to the lack of compliance with the Election Code requirements as set out in the new law found in the Texas Local Government Code Chapter 42. A second petition for removal from the ETJ was received by the City Secretary on November 29, 2023 and it was determined to comply with the requirements of Chapter 42- Subchapter D of the Texas Local Government Code and Chapter 277 of the Texas Election Code with the exception of the most recent insufficiency certificate provided to the petition regarding an insufficient boundary map exhibit, not satisfying Sec. 42.104 of the Texas Local Government Code.

Previously, on June 27, 2023, City Council conducted discussions and received an update on the Stasny Ranch Development involving the same development group that filed the Petition for Removal from the ETJ, for a proposed 331-acre residential development, including (79) ½-acre lots and (157) 1-Acre Lots located at the north of intersection of SH 288 and SH 35, west of SH 288.

The other discussion topics on 6/27/2023 included:

- ETJ Per SB 3083 and upon closing on the land: A request for removal of the property from the city's ETJ to take effect on September 1, 2023.
- City Limits Upon closing of the land, the developer will request that the strip of land approximately 260' wide west of and parallel to Hwy. 288, be de-annexed from the city limits, for the following reasons:
- Jurisdictional oversight city vs. county.
- City services (water/sewer/police/fire/library, etc.) for portions of lots in the city.
- Calls for responses by police and fire for portions of lots.
- County Review The developer has discussed this development with the Brazoria County and the commissioner. Brazoria County is prepared to assume development review and eventually accept and maintain the public streets.

Recommendation. Council should review and consider approval of the petition requesting removal from the Extraterritorial Jurisdiction of the City of Angleton, Texas for property totaling approximately 303.96 acres of land located north of the intersection of SH35 and SH288.