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## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

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AGENDA TOPIC: Consideration and possible action approving the first reading of an ordinance of the City Council of the City of Fair Oaks Ranch, Texas providing for the extension of the Fair Oaks Ranch city limits by the annexation of a +/- 346 acre tract of land within Comal and Kendall County, Texas generally located south and west of Ammann Road and east of the Stone Creek Ranch subdivision; and providing for an effective date

DATE: June 19, 2025

DEPARTMENT: Administration

PRESENTED BY: Carole Vanzant, CPM, Assistant City Manager

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#### **INTRODUCTION/BACKGROUND:**

Texas Local Government Code ("LGC") Chapter 43 Municipal Annexation, Subchapter C-3 Annexation of Area on Request of Owners authorizes the City of Fair Oaks Ranch, a Home-Rule city, the annexation of territory, subject to the laws of this state. Section 2.02 of the Fair Oaks Ranch City Charter authorizes the City Council to annex territory, to extend and enlarge the city boundaries.

On December 12, 2024, the City of Fair Oaks Ranch received a voluntary annexation petition from BRMK Boerne Ranch, LLC. The petition requests the annexation of approximately 344.6 acres of undeveloped land ("Property") located within the City's extraterritorial jurisdiction. The Property is situated along Ammann Road to the south and west. Staff reviewed the petition and deemed it complete. This voluntary annexation petition is for a residential development to be known as Post Oak Subdivision. A concept of the development can be found in the attached ordinance under **Exhibit A**.

On May 20, 2025, the City Council adopted a resolution accepting the annexation petition, authorizing the City Manager to negotiate a written services agreement with the landowner for the extension of municipal services to the Property, and setting a public hearing for June 19 for the public to be heard on the proposed annexation.

All notification requirements for the public hearing were performed in accordance with LGC Chapter 43, Subchapters C and Z and the City's Unified Development Code Section 3.6. The City posted the notice of the hearing on the City's website, published notice of the hearing in a newspaper in the of general circulation in the City, and mailed a notice of the hearing to each school district in the area, and to each public entity that is located in or provides services to the area proposed for annexation. The notices were:

- a. mailed and published at least on or after the 20th day but before the 10th day before the date of the hearing; and

- b. posted on the City's website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing.

Additionally, a posted sign of the public hearing was placed on the subject property not less than 15 days prior to the public hearing date.

On June 19, the City Council conducted a public hearing at which persons interested in the annexation were given an opportunity to be heard. Additionally, in accordance with LGC Section 43.0672 the City Council adopted a resolution approving a services agreement for the provisions of city services for the Property and authorized the City Manager to execute said with the landowner.

After the City Council's approval of the final reading of the annexation ordinance on July 3, next steps include:

- August 14 – The Planning and Zoning Commission will hold a public hearing on Future Land Use Map amendment and Zone Designation ordinances and make a recommendation to the City Council.
- August 21 – The City Council will hold a public hearing on Future Land Use Map amendment and Zone Designation ordinances and consider and act on the first reading of the ordinances.
- September 4 – The City Council will consider and act on the final reading of the ordinances.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

1. Complies with Texas Local Government Code Chapter 43 Municipal Annexation, Subchapter C-3 Annexation of Area on Request by Owners, Section 43.0671-43.0673 and Subchapter Z Miscellaneous Provisions, Sections 43.905 and 43.9051.
2. Complies with the authority provided to City Council in Section 2.02 of the Fair Oaks Ranch City Charter in extending the City's boundary.
3. Complies with the City's Unified Development Code, Chapter 3 Applications and Permits
4. Supports Strategic Action Plan Pillar 2 Responsible Growth Management.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

Property owners contribute to municipal services through property taxes and user fees.

**LEGAL ANALYSIS:**

Approved as to form by City Attorney.

**RECOMMENDATION/PROPOSED MOTION:**

I move to approve the first reading of an ordinance providing for the extension of Fair Oaks Ranch city limits by the annexation of approximately 346 acres of land within Comal and Kendall County, Texas generally located south and west of Ammann Road and east of the Stone Creek Ranch subdivision.