



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 16, 2022

Re: REPORT - Annexations

## Executive Summary

During the past decade, the City of Columbia has enlarged its territory by almost four square miles through the voluntary annexation of territory. In anticipation of future discussions, staff has compiled some background information on annexation policy, procedures, patterns and activity. This summary is intended to inform public discussion. No action by Council is required at this time.

## Discussion

### Introduction

Annexation is the process by which cities expand their territory. The customary reasons for annexation are the provision of municipal services to persons that need them; extension of municipal ordinances over contiguous territory; fair share of the costs of operating the city (since persons living near cities and businesses operating near cities benefit from some of the municipal services provided); and securing land for future growth, including economic and community development activities. Most property owners that annex are seeking municipal sewer and other services, either to ameliorate an existing condition (e.g., a failing on-site wastewater system) or to enable development of the property. The Boone County Resource Management department in recent years has sought to push urban development to the city limits rather than encourage development of unincorporated neighborhoods. That said, for many years a large number of subdivisions and some small commercial enclaves have developed outside the city limits. Several of these areas now exist as unincorporated "islands" partly or completely surrounded by the city limits.

### Policy and Procedure

The City of Columbia follows the annexation procedures in the Missouri State Statutes. There is no local ordinance that describes the process of annexation. As enabled by the statutes, annexations may be voluntary, in which the owner of contiguous territory submits a petition requesting annexation, or they may be city-initiated annexations. Because of the complexity of city-initiated annexations, in which a public hearing, court approval of an annexation proposition, and dual majority election (i.e, majorities of both the municipal voters and voters within the area to be annexed) must occur, the city in recent decades has only used voluntary annexation.

A voluntary annexation requires:

1. Verified petition signed by all owners of property;
2. Public hearing within 60 days of the filing of the petition and not less than 14 days after receipt (seven day notice of public hearing);



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3. Fourteen days between the hearing and action on an ordinance by the municipality. The fourteen days allows for written objections (a legal objection must be signed by five percent of registered voters within the municipality or two registered voters with the annexation area).
4. Annexation is approved if determined reasonable and necessary to the proper development of the city and the city has the ability to furnish normal municipal services within a reasonable time.
5. Assignment of permanent zoning occurs at the same as annexation, with the Planning and Zoning Commission conducting a public hearing on zoning and providing a recommendation on the zoning (and in some cases concurrent subdivisions or planned district site plans) for Council consideration.

City annexation policy emphasizes the city's wastewater collection and treatment system. PR 115-97A, *a policy resolution establishing a policy for the extension of City sewer service in areas outside the city limits*, provides that city sewer service may be provided to contiguous areas only after annexation, and makes further provision that city sewer service may be provided to non-contiguous areas only after property owners have entered into annexation agreements, unless the annexation agreement requirement is waived by the City Council. When the policy resolution was adopted in August of 1997 – almost 25 years ago – it appears there was some expectation that city-initiated annexations would continue. They have not, and as a result the city limits have a characteristically irregular shape.

## **Annexation Data**

The city limits are codified in Section 1-11 of the City Code. Beginning in November 2011 and continuing to the present the city has approved 73 voluntary annexations adding a cumulative 3.82 square miles of territory to the city.

The shift from city-initiated to voluntary annexations may be seen in the annexation history map (attached). Through the 1980s the city limits grew in a ring pattern; thereafter annexations were more fragmented, if at times large in scale (Thornbrook, South Farm, Philips Farm, Old Hawthorne/Vineyards were hundreds of acres each).

In addition to the annexations of contiguous territory, the city has entered a total of 46 annexation agreements with owners of territory that has not been annexed. The amount of territory under the agreements is substantial: approximately 1,132 acres (1.7 square miles). Ten of the agreements are in locations where annexation could be initiated; the remainder are not contiguous to the city limits. Many of the annexation agreements have been subdivided into multiple lots and owners while others have changed hands since the annexation agreements were approved.

## **For Further Discussion**

This review brings up several questions for further discussion:

- Is it time to review and revise the 1997 sewer/annexation policy?
  - Criteria for waivers and exceptions
  - Other considerations besides sewer?



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- How should annexation of areas subject to existing annexation agreements be approached, in particular where a subdivision with new residents has replaced the owner that signed the annexation agreement?
  - Public information; discussions of annexation with new residents
  - Conditions for starting a voluntary annexation process once contiguous
- Should there be priority annexation areas?
  - Unincorporated islands and gaps in the city boundary
  - Areas with existing sewer and plans for services
- How should the terms of City-Sewer district cooperative agreements be weighed in annexation and annexation agreement proposals?

## Fiscal Impact

Short-Term Impact: Enter the cost of proposed legislation to the city for the next **two** years.  
 Long-Term Impact: Enter the cost of proposed legislation to the city for years **beyond two**.

## Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

Primary Impact: Resilient Economy, Secondary Impact: Reliable Infrastructure, Tertiary Impact: Not Applicable

[Comprehensive Plan Impacts:](#)

Primary Impact: Land Use & Growth Management, Secondary Impact: Inter-Governmental Cooperation, Tertiary Impact: Infrastructure

## Legislative History

| Date | Action |
|------|--------|
|      |        |

## Suggested Council Action

This report is provided for information purposes.