

Frequently Asked Questions about Annexation (September 2017)

(for informational purposes only. The information contained in this FAQs document is for reference only. In case of any conflict between this document and State Law and/or adopted City Code, the provisions in State Law and adopted City Code shall control)

1. Why is the City pursuing annexation?

The two main reasons Texas cities annex are to (a) exercise land use authority and (b) exercise taxing authority. A city's land use authority allows the city to better protect its long term interests regarding potentially incompatible land uses and to ensure safer more enduring development projects. Taxing authority is a necessary tool for a city to be able to provide important public services (i.e. police, fire, and infrastructure) to its residents.

2. What do I gain from being annexed into the City of McKinney?

- a. Police protection
- b. Fire protection & fire prevention
- c. Emergency medical services (ambulance)
- d. Street maintenance
- e. Parks and recreation facilities accessibility
- f. Voting rights and representation on the City's governing body and various boards and commissions
- g. Maintenance of public infrastructure
- h. Consistent enforcement of Code and Ordinances making the community safe and comfortable for all residents. These include, but are not limited to, planning and zoning, environmental health, and code enforcement services
- i. Protection of natural resources from uncontrolled growth and development; regulation of development in the floodplain, and the effects of development on downstream flooding
- j. Extension of City water and sewer infrastructure as development occurs

3. Will being in the city limits affect my property value? Will properties have to be reappraised?

Annexation may affect property values, but specific questions regarding the appraised value of your property should be addressed to the Collin Central Appraisal District at 469.742.9200.

4. My property is currently classified as Agricultural, Timber Harvest, or Wildlife Management for appraisal purposes per the Collin Central Appraisal District, will I lose this classification because of annexation?

No. Current appraisals recognizing an Agricultural, Timber Harvest, or Wildlife Management exemption will continue after annexation as long as the land continues to be used for the Agricultural, Timber Harvest, or Wildlife Management purposes and such use is not changed by the property owner per the Collin Central Appraisal District. Please note, however, that the classification of land for agricultural purposes is not a function of the City. Specific questions regarding the classification of your property should be directed to the Appraisal District.

5. How will annexation affect my taxes?

A resident living outside the city limits currently pays county tax, school district taxes, and an emergency services district tax, in some cases. Upon annexation, a city property tax would apply as well. The current City tax rate (as of 2016) is \$0.573 per \$100 valuation. However, McKinney City Council will consider a new tax rate of \$0.540199 at their September 19, 2017 meeting. The

Collin Central Appraisal District administers and evaluates property values for taxing purposes. Questions regarding taxing and appraisal values should be directed to the Collin Central Appraisal District at 469-742-9200.

6. Is there a legal time limit within which a city is required to provide services to annexed areas?

Yes, under Chapter 43.056 of the Texas Local Government Code, the City is required to provide most city services (police protection, fire protection, solid waste collection, operation and maintenance of roads and streets, and access to city-owned recreation facilities and parks) immediately upon annexation. The City is also required to prepare a service plan to provide for the extension of municipal services to the area being annexed. The City will strive to provide services at a level of service similar to that which the City currently extends to any other similarly situated areas already within the City (based generally on characteristics of topography, land use, and population density). In instances where services are deemed to be below an acceptable level of service (“*below acceptable*” being less than the level of services currently provided to any other similarly situated area already within the city), those services should be provided by the City within 2 ½ years after the effective annexation date, unless it is determined that 2 ½ years is not a reasonable period of time to provide services. If services cannot reasonably be provided within 2 ½ years, the City must prepare a plan to provide such services within 4 ½ years with any capital improvements being “substantially complete” by the end of that 4 ½ year time frame.

7. How soon after annexation would solid waste collection service be provided?

The city is required to provide solid waste collection immediately upon annexation. However, if a private waste-collection company presently serves an annexed area, the private service may continue for a period of up to two years after annexation. In order to secure solid waste collection service following annexation, a utility account must be established with the City of McKinney. Cost for solid waste collection is billed on a monthly basis for both residential and commercial customers. Questions regarding solid waste collection should be directed to Utility Billing at 972.547.7550.

8. When would residents see improvement in roads that are annexed? Are all roads, in or adjacent to an area, annexed into the City or are some left in the County?

Right-of-Way maintenance priorities are determined on a city-wide basis taking into consideration factors such as street width, volume of traffic, street conditions, and public safety hazards. Roads and streets are annexed if they fall within the area to be annexed. Roads and streets running along the perimeter of an annexation area are generally annexed.

9. Will I be able to continue the use of my property after annexation? Will my property be "grandfathered"?

As a general rule, any use that lawfully existed prior to annexation can continue after annexation. However, there are a few exceptions for uses such as sexually-oriented businesses, storage of hazardous substances, and the sale of fireworks. Following annexation, a lawful nonconforming (grandfathered) use may not expand without permission from the City. A change of ownership does not affect a grandfathered status.

10. What zoning is placed on my property upon annexation? How does the city rezone property?

As a general rule, when property is annexed into the city through a city-initiated annexation, properties are typically zoned into the AG - Agricultural zoning district. However, the

determination of zoning district for involuntarily annexed properties may change over time. After annexation, a property owner may request a rezoning of their property. Additional information concerning the rezoning process is available from the Planning Department at 972.547.2000.

11. Will I be able to continue to keep the animals and livestock that I presently have?

Yes. Generally speaking, any lawful pre-existing use of your property for grazing livestock can continue. (See *also* the answer to Paragraph No. 9, above.) The AG - Agricultural zoning district allows for barns and stables and for keeping private animal stock as well as land for pasturage. Questions regarding animals and livestock should be directed to the Code Enforcement office at 972.547.7440.

12. Will I still be able to burn on my property after annexation?

The City regulates open burning within the city's corporate limits and the regulations for open burning are found in section 42-56 through 42-68 of the McKinney Code. Any questions regarding open burning should be directed to the McKinney Fire Marshal's office at 972.547.2850.

13. Will I still be able to hunt on my property after annexation? How will annexation affect my use of firearms?

The discharge of a weapon is governed by Texas [Local Government Code 229.003](#), which generally states that a firearm may be discharged if the following requirements are met:

The discharge of a shotgun, air rifle or pistol, BB gun, or bow and arrow is permissible on a tract of land that is:

- 1) 10 acres or more in size
- 2) Annexed after September 1, 1981
- 3) More than 1,000 feet from a public tract of land accessible by the public, a school, hospital, or commercial day-care facility
- 4) More than 600 feet from a residential subdivision or multifamily residential complex
- 5) More than 150 feet from a residence or occupied building located on another property

The discharge of a center fire or rim fire rifle or pistol of any caliber is permissible on a tract of land that is:

- 1) 50 acres or more in size
- 2) Annexed after September 1, 1981
- 3) More than 1,000 feet from a public tract of land accessible by the public, a school, hospital, or commercial day-care facility
- 4) More than 600 feet from a residential subdivision or multifamily residential complex
- 5) More than 300 feet from a residence or occupied building located on another property

Furthermore, hunting is not an allowed use in the City of McKinney. See Section F-4, "Schedule of Uses" in Appendix F to Chapter 146, Zoning Regulations, to the McKinney Code.

It is always best to contact the City of McKinney Police Department at 972.547.2700 to seek clarification on the issue of discharging firearms within the City limits.

14. What about fireworks?

Use of fireworks will not be permitted, as per the City's Code of Ordinances.

15. The city has many ordinances - is it possible to get copies of these and a list of services provided by the city?

The city's website, www.mckinneytexas.org, provides a wealth of information regarding city services and regulations. The city's code of ordinances is also available on municode at the following link:

https://www2.municode.com/library/tx/mckinney/codes/code_of_ordinances?nodeId=14250

16. Do I need a building permit to build on my property or to make repairs to existing structures?

As with other cities, McKinney requires permitting and inspection of construction in order to protect consumers from potential poor construction practices and the health and safety hazards as well as financial issues that could result from substandard construction. In newly annexed areas, minor building maintenance does not require building permits, but new items like re-roofs and new buildings do require permits to ensure the quality of work. No permit is required for fence repair but is required for a new fence. Questions regarding building permits should be directed to the Building Inspections office at 972.547.7400.

17. Would annexation affect existing easements along public roads?

No. Easements acquired by the county and/or the state will remain in effect.

18. Does annexation affect deed restrictions?

No, deed restrictions are not impacted by annexation and would continue to apply in the same manner as they currently apply to property. The city typically does not generally have the authority enforce deed restrictions unless the city owns property that is subject to the same deed restrictions.

19. Would annexation affect common area ownership? Would private areas remain private after annexation?

Private roads, lakes, and designated HOA common areas would remain private after annexation.

20. Helpful Phone Numbers

The following are some phone numbers that might be needed:

Police Department (non-emergency)	972.547.2700
Fire Department (non-emergency)	972.547.2850
Building Department (permits, inspections)	972.547.7400
Planning Department (zoning, platting)	972.547.2000
Engineering Department (streets, drainage)	972.547.7475
Utility Billing	972.547.7550
Code Enforcement	972.547.7440
Animal Control	972.547.7445

21. Where can I find out more about the Local Government Code and Annexations?

More information about the Local Government Code and annexations can be found at the following link: <http://www.statutes.legis.state.tx.us/?link=LG>