

**Annexation Policy
For The
City of Auburn, Alabama**

1. PREREQUISITES FOR ANNEXATION

The following requirements must be fulfilled for a petition to be considered by the Planning Commission.

Ownership

The petitioner must be the owner of the property, and must submit an accurate description of the property proposed for annexation. This requirement can be met by submitting a survey and/or a legal description prepared and signed by a surveyor registered in the State of Alabama; or a legally recorded subdivision plat showing the property in question.

Contiguity

The property to be annexed must be contiguous to the existing corporate boundary of the City of Auburn. For this purpose the term "contiguous" means either:

- a. A boundary of the property proposed for annexation adjoins the existing corporate boundary of the City of Auburn for a distance of at least one (1) foot; or,
- b. At least one (1) foot of the boundary of the property proposed for annexation is directly across the right-of-way of a publicly dedicated street, or a railroad, or across from a creek or river, a utility right-of-way, or similar natural boundary from the existing corporate boundary of the City of Auburn.
- c. A strip of land at least sixty (60) feet wide and no more than 750 feet in length connects the property proposed for annexation to the corporate boundary of the City of Auburn; and the connecting strip is included in the annexation petition.

Review of Petitions

Each annexation petition will be submitted to the appropriate City department heads for review and comment. All such comments will be presented to the Planning Commission and City Council for consideration in making a decision.

The Planning Department shall provide analysis related to the following:

- a. Description of the neighborhood
- b. Has there been subdivision activity during the past two years for the proposed annexation area?
- c. Does the subject property represent a logical extension of the corporate boundary and how is it rated according to the 2030 Optimal Boundary, as set forth in *CompPlan 2030*?

- d. What is the future land use classification of the subject property and what zoning designations might be appropriate in either the short-term or long-term?
- e. What existing land uses are present and to what extent are those land uses consistent with the future land use plan?
- f. Parks and Recreation Master Plan (impacts to LOS/location of nearest park facility)
- g. Elimination of enclaves
- h. And, any additional information deemed necessary at the discretion of the Planning Director.

The Public Works Department shall provide a statement to discuss the following issues:

- a. Staff will examine the proximity of request to nearest arterial roadway based on the Master Street Plan.
- b. Trips Generation Analysis based on proposed use and assumptions made by staff if not known
- c. Does the proposed annexation have road frontage on a county or state road? If the petition for annexation is on a county road, staff shall discuss the cost of maintenance and potential future expansion.
- d. Are there any drainage issues in this area?
- e. Apply waiting period for properties subdivided in Planning Jurisdiction with infrastructure being installed.

The Water Resource Management Department shall provide a statement to discuss the following issues:

- a. Ability to provide services
- b. Is the annexation in an area serviced by municipal water and sewer?
- c. Is the annexation in an area budgeted for future expansion?
- d. What are the estimated costs associated with expansion to this area?
- e. Any environmental concerns

Environmental Services shall provide a statement addressing the fiscal impacts of the petition on staff's ability to provide solid waste and animal control services to the area, including but not limited to personnel, equipment and scheduling.

The City of Auburn Public Schools shall provide a statement addressing the schools ability to accommodate and transport school-aged children from the area in question to the nearest city school as well as any associated fiscal impacts.

The Public Safety Department shall provide a statement to address their ability to provide Fire, and Police protection for the proposed annexation as well as code enforcement services. Any code enforcement issues that might be present immediately upon annexation should be identified and assessed.

Each annexation petition will be presented to the Water Works Board of the City of Auburn for review and comment. The petitioner should indicate the source of water supply to the property; and whether or not City water service is desired. The Board's comments will be presented to the Planning Commission and City Council for consideration in making a decision.

If the property for which annexation is being requested contains dwelling units, or could potentially be developed for dwelling units, the request will be submitted to the Auburn School Board for review and comment. The Board's comments will be presented to the Planning Commission and City Council for consideration in making a decision.

Provision of Services

The petitioner(s) must, as a condition of annexation, agree to connect to the system of the Water Works Board of the City of Auburn when the Board's facilities become accessible. Accessibility will be determined by the City Engineer. At the time of such connection, the property owner will be required to pay all current connection, frontage, and other fees and charges.

The petitioner(s) must, as a condition of annexation, agree to connect to the sewer system of the City of Auburn when the City's facilities become accessible. Accessibility will be determined by the City Engineer. At the time of such connection, the property owner will be required to pay all current connection, frontage, and other fees and charges. If the property is served by a septic tank approved by the Lee County Health Department, connection to the City's sewer system will be at the option of the owner; however, current availability fees shall be paid if public sewers are installed.

If the property being annexed lies within the territory of a fire district and a tax is being collected, the property owner shall be responsible for the payment of any amounts which may be due in accordance with Section 8 of Act No. 89-390 of the Alabama Legislature.

2. RECOMMENDATION OF THE PLANNING COMMISSION

The City Council shall have 60 days after receiving the Planning Commission's recommendation to take action on the petition, or the petition shall fail. The City Council may elect to grant an extension for good cause.

3. GUIDELINES

The following guidelines will be used by the Planning Commission in reviewing petitions for annexation.

General Location

The property proposed for annexation should be located within the optimal boundary defined as appropriate for annexation in *CompPlan 2030*.

Minimum Area

If the property for which annexation is being requested is less than three (3) acres in area, consideration should only be given to annexation of the entire parcel.

If the property for which annexation is being requested is more than three (3) acres in area, preference will be given to annexing the property in its entirety. However, consideration will be given to annexing a portion of said property in which case neither the portion recommended for annexation, nor the portion remaining unincorporated, should be less than three (3) acres; nor should the annexation of such portion make it unduly difficult for other property owners in the vicinity to achieve the degree of contiguity necessary to make their property eligible for annexation.

Public Access

The property for which annexation is being requested should have direct access to a public right-of-way. For this purpose the term "direct access" means fronting on a dedicated public right-of-way; or having an unrestricted connection to a public right-of-way, capable of providing safe and ready access for public service vehicles, and approved by the Planning Commission.

Street Improvements

Any streets, or parts thereof, within and/or serving the property for which annexation is being requested will be evaluated by the City Engineer to determine whether or not they conform to current City design and improvement standards. The results of this evaluation will be presented to and considered by the Planning Commission and the City Council.

If any streets do not meet current City standards the petitioner(s) shall be put on notice that at some point in the future the City may require that they be brought up to standard. Bringing streets into conformity may include, as appropriate: the dedication of sufficient land by the petitioners to provide their proportionate share of the right-of-way for any public street; and/or the payment of their proportionate share of any costs of required improvements.

In situations in which scattered lots in a subdivision are annexed but others remain unincorporated, property owners requesting annexation will be advised that no street improvements will be made until all the lots contiguous to one another and forming a street segment appropriate for improvement are annexed.

If the area to be annexed contains public roads which are currently maintained by Lee County, the City will perform no maintenance on or improvements to such roads until such time as an agreement between the City and the County in accordance with Sections 11-49-80 and 11-49-81 of the Code of Alabama, 1975, has been executed.