



# City of Grand Island

Tuesday, March 15, 2011

Study Session

## Item X1

**Presentation and Discussion Concerning Annexation**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Chad Nabity, AICP  
**Meeting:** March 15, 2011  
**Subject:** Annexation  
**Item #'s:** 1  
**Presenter(s):** Chad Nabity, AICP

## Background

Cities were created to facilitate the infrastructure necessary (streets, sewer, water...) for people to live together in close proximity. Annexation is the way cities grow. Grand Island has annexed suburban development numerous times over its history including areas such as Parkview and Capital Heights. The City of Grand Island has been involved in numerous lawsuits over annexation but has ultimately continued to grow into the City it is today because of annexation. It is appropriate for the Grand Island City Council to consider suburban development and decide if Council wishes to begin the process of annexing any of the property adjacent to the City limits that is eligible for annexation. The annexation policy of the City is set by the City Council. Staff works to implement that policy.

## Discussion

Nebraska Statutes allow cities of the First Class to annex property that is adjacent to and contiguous with the municipal limits of the city and that is not agricultural land that is rural in nature. Agricultural land with adjacent municipal services and greater value as developed land than as farm ground has been found by Nebraska courts to be suburban in nature rather than rural in nature and therefore eligible for annexation. City staff has identified 14 areas around the City of Grand Island that appear to meet the qualification of being adjacent and contiguous and not agricultural land that is rural in nature.

Council's decision to consider an area for annexation should be based on the number of people, houses, and businesses in each area, the ability (or responsibility) of the city to provide city services to each area, the need for city services in each area and the potential revenue for the city through property and sales taxes in each. Basic information on each of these characteristics will be provided for each of the 14 areas for discussion at the study session. Six of those areas will be presented as recommended areas to consider for

annexation in the near future. Any of the other eight could also be considered for annexation and Council will be provided with the same information for all 14 areas.

This same basic information that is provided for the 14 potential annexation areas will also be provided to Council for the County Industrial Tracts that are located within the City of Grand Island. The City does not have any authority to annex these properties but can request that Hall County review the uses in the County Industrial Tracts to confirm that they are still consistent with the intent of the law. State Statutes allow the County to conduct the review of their own volition or at the request of the City in March of even numbered years. If the County finds that the uses are not consistent they are required to remove the County Industrial Tract designation and the property becomes eligible for annexation. If the City makes this request the County is required to conduct the review in March of 2012. The City could make this request of the County by passing a resolution with that request.

Council will have the opportunity at a future regular council meeting to direct staff to proceed with preparing annexation plans (as required and defined by statute) and forwarding those plans to the Regional Planning Commission for review for any of the 14 areas that Council is interested in considering for annexation. Staff will prepare a resolution directing that annexation plans are to be prepared and submitted to the Regional Planning Commission for review. Council will also have the opportunity to consider a resolution requesting that the County review the uses at the County Industrial Tracts adjacent to Grand Island.

### **Conclusion**

This item is presented to the City Council in a Study Session to allow for any questions to be answered and to create a greater understanding of the issue at hand.

It is the intent of City Administration to bring this issue to a future council meeting for the Council to identify which if any areas should receive further consideration for annexation.