

August 7, 2014

Sally Ellertson
Public Information Officer
141 West Renfro
Burleson, Texas 76028-4261
817-426-9622
F: 817-426-9390
sellertson@burlesontx.com
www.burlesontx.com

The City hopes that owners of agricultural property in Burleson's extraterritorial jurisdiction (ETJ) will sign on the dotted line by Sept. 15, 2014, in a joint effort to protect the current use of the land that is outside the city limits, and to ensure how that land will be developed in the future. Development agreement letters, in lieu of annexation, will be in the mail Monday, Aug. 11. The City is offering "immunity from annexation" for 10 years, subject to the conditions of the agreement.

Eight areas totaling more than 7,500 acres and affecting more than 300 property owners have been identified for potential annexation. These areas are primarily located near and/or along the Chisholm Trail Parkway (121 Tollway), the future Alsbury Boulevard extension to 121, and I-35W south of Bethesda Road. Burleson has a 2-mile ETJ surrounding the city's current 26 square miles. There are 38,000 acres in Burleson's ETJ.

Bradley Ford, director of development services, said development agreements are essentially "delayed annexation" agreements in which a property owner can choose to delay annexation and Burleson property taxes for an agreed upon number of years unless the owner subdivides or otherwise changes the use of the property. The law requires that the City offer development agreements to property with an agricultural, wildlife management or timber exemption prior to instituting annexation proceedings for property. Eighty-five percent of the property owners in the eight areas have an agricultural exemption.

As long as the property remains as is, owners in the affected areas will not pay City property taxes or receive any City services since the property will remain outside the city limits. Once the agreement comes to an end or the use of the property changes, the property owners will pay property taxes and receive City services.

The City is offering three options to owners: accept the agreement as written, sign it, and send it back to city hall; negotiate; or decline the offer. If the agreements are signed, the property owner can continue the land's current use for the duration of the agreement. Barns, sheds, garages, corrals and more can be built. Owners can even build a house on the property if it is occupied by the property owner or a close family member.

If the property owner receives the letter and refuses to sign the development agreement or if the use of that property is changed, annexation proceedings will commence.

Cities have a number of tools for land development, including development agreements, involuntary annexation, and voluntary annexation. Burleson has completed approximately 10 developer agreements, mostly along I-35W. Ford said that Cleburne negotiated approximately 50 such agreements in 2012. Burleson negotiated three development agreements on I-35W in 2007. The most recent involuntary annexation was in 2008 in the I-35W corridor. The most recent voluntary annexation was the LKQ property on I-35W in 2013.

“The market is talking to us,” Ford said. “Developers are requesting information for urban developments within our ETJ. Our infrastructure – roads, water and wastewater – will have to be updated. The goal of this process is to implement the goals of the City’s comprehensive plan in the least impactful way for property owners in the ETJ. This process also creates predictability about what takes place on properties in the ETJ, as well as their future development.”

The members of the development agreement team are meeting with the Johnson County Appraisal District, county commissioners, the county’s public works director, and realtor groups to explain the goal of the development agreements.

For more information about the development agreements go to the City of Burleson website, www.burlesontx.com/developmentagreement. That page includes the PowerPoint presentation made to city council on July 21, frequently asked questions, the draft agreement and the letter that is being mailed to property owners. Maps of the affected areas are included in the July 21 presentation to council.