



PLANNING AND DEVELOPMENT SERVICES MEMORANDUM

To: City Council

From: Marc S. Mylott, Director of Planning and Development Services
Krista M. Hampton, Planning/Development Administrator

Date: April 22, 2009

CC: Steven A. Gantt, Interim City Manager

Subject: Proposed Annexation Urban Service Area

BACKGROUND

City Council recently reaffirmed its annexation policy first adopted in 1990 and amended in 1992. This policy sets out the goals and parameters for annexing property as well as providing water service. A component of the policy calls for the development of an Urban Service Area that *"identifies those areas it wishes to provide with urban services. Primary emphasis will be given to annexing developed areas adjoining the city limits and "islands" of unincorporated territory surrounded by the city. Primary, secondary, and long-range annexation priorities for specific areas may be identified. Secondary areas may include higher value properties which assist the City in achieving a more balanced economic base."*

This packet constitutes the proposed Urban Service Area requested by City Council during discussion of the policy with the maps serving as its foundation. It delineates the four areas called for by the policy: the "islands" or Donut Holes, Primary, Secondary and Long Range. An explanation of each follows.

Donut Holes are unincorporated areas that are completely surrounded by the City of Columbia and/or another municipality. These areas pose a number of challenges to the City that can be addressed through annexation. They can often cause inefficiencies in the delivery of services due to confusion about jurisdiction. Also, if the land is in a jurisdiction with a different approach to code enforcement, these areas can negatively impact the quality of life for adjacent City residents. Such inefficiencies and the costs to taxpayers are germane to City and County property both, which results in a greater impact to City residents since they pay City and County taxes.

Primary areas are made up of land contiguous to the City where services are available and the infrastructure is generally good. These services include fire, police, sanitation, and utilities. Primary areas are intended to indicate that, barring unanticipated circumstances, annexation is recommended and should be actively pursued.

Secondary areas are those areas where the City determines it logical or advantageous to provide services, but where all services and/or the condition of existing infrastructure may not be at optimal levels for annexation at this time. For instance, it may be that the property is outside of the generally accepted fire response area, or the storm drainage and/or road system is substandard. Annexation in these areas may occur, but a more detailed analysis will be needed to determine the possible impact on revenue. As is stated in the policy, these areas may include "higher value" properties that would prove beneficial to revenues.

Long Range areas include parcels that are anticipated for future growth and urban service expansion, but are currently lacking in basic service availability. The basis for this area is the Water Service Boundary established in the Comprehensive Plan which was then modified for the establishment of an Urban Service Area through a more detailed analysis of existing development and growth of adjacent municipalities. Long Range areas periodically will need to be reviewed to determine whether the status needs revision due to change in conditions.

URBAN SERVICE AREA MAP BOUNDARY DEVELOPMENT

To illustrate the Urban Service Area, the City is divided among three maps with one master for improved viewing; some areas overlap between maps. The boundaries are not parcel specific and when processing annexation of parcels located on or near boundary lines, staff will determine the area to which it most appropriately relates based upon services and conditions.

The Urban Service Area is, as its name denotes, a representation of City services as they relate to the annexation of land. To determine the location of the areas, staff worked in consultation with Utilities and Engineering, Police, Fire, and Public Works. Initial meetings laid out the scope as well as the goals of the project. Each department supplied information on their services and constraints, including fire response areas (see appendix for ISO information), police regions and call volume, solid waste routes and their capacity, and water and sewer lines. Staff utilized existing data where possible, but also created new tools for analysis, such as mapping the fire response area according to actual road miles. The data gathered from departments was overlaid on and analyzed with municipal boundaries, existing conditions, and current development patterns to devise draft boundaries. These were reviewed with departments and revised based upon feedback and additional analysis.

Accompanying the maps is a document that provides specific information on the reasoning behind certain designations. This information generally focuses on Secondary areas as the rationale behind their location is not always as self-explanatory as for the Primary or Long Range areas.

Some general information to aid in understanding the maps includes:

- This analysis does not consider fire service available for the purposes of the Urban Service Area if it is a County controlled station. The Fire Department rightly cautions against a reliance on these stations as they may be relocated without consultation and annexation of the area and the station would incur its cost. For additional information concerning fire coverage, refer to the Appendix item titled "Fire Service Area and the ISO Rating."
- The Water Service Area signifies that water is available for extension in a reasonable manner either by the developer or the City, not necessarily that a water or sewer line extends directly to each lot. Additionally, sewer may be supplied by another provider.
- Solid waste service is represented as satisfactory except within the Monday route, which consistently must use overtime to complete the pick-ups.
- The Police Department characterizes their primary service concern as the South region. The Department indicates the entire region is burdened since overtime is the only way to provide coverage in some areas.

CURRENT CONSTRAINTS

The adoption of an Urban Service Area is a step forward, but it should be noted that a truly rational annexation plan and process remains difficult to achieve given the constraints of state law. There currently are three methods with which to annex property.

1. **100% freeholder petition and ordinance method:** Using the 100 percent petition method, any contiguous area may be annexed by filing a petition signed by all property owners. The annexation is complete once council adopts an annexation ordinance. (This is the method used in almost every instance in Columbia, usually as a condition for the provision of services).
2. **75% freeholder petition and ordinance method:** Under the 75 percent petition method, any contiguous area may be annexed by filing a petition, meeting certain specified requirements, signed by at least 75 percent of the freeholders who own at least 75 percent of the assessed valuation of the real property in the area requesting annexation. The annexation is complete if the council enacts an ordinance declaring the area annexed to the municipality. No election is needed.
3. **25% elector petition and elector method:** A petition of 25 percent of the electors living in the area proposed to be annexed triggers the petition/election method. The election is held only in the area proposed to be annexed

The bottom-line is that a municipal council cannot initiate annexations except for property it owns. Council may require a petition as a condition of service such as water, but this tool does not permit a rational, planned approach to incorporating land into the City for several reasons. A major reason is that it is not always feasible to approve an annexation presented when the property becomes contiguous and/or requires service. An example is a property that needs a sewer line extended, which must be paid for by the City if the property is annexed. If the development is such that revenues will not off-set costs in a reasonable timeframe and other objectives are not met by the annexation, it would not be wise to bring it into the City. The unfortunate consequence of not bringing the parcel in would be the creation of yet another donut hole that would be nearly impossible to correct at a future date.

The overall effect of these constraints is that the realization of the goals of the policy: a logical boundary that allows for the efficient provision of services will be slow in coming. It should remain a legislative priority to amend or adopt new laws that would permit the orderly growth of municipalities in South Carolina.

APPENDIX

Supplementary information is located in the appendix. This information includes the following:

- The 1990 annexation policy with amendments;
- Specific service area maps for Fire, Police, Utilities and Solid Waste;
- Information on the ISO PPC rating that is the major component in determining the fire service area;
- A letter created for Richland County to distribute to applicants wishing to develop property adjacent to the City;
- An annexation brochure developed to assist in discussions of annexation with property owners.

CONCLUSION

Adoption of an Urban Service Area will allow for a more coordinated annexation process. If adopted by City Council, the next step will be for staff to propose an amendment to the Comprehensive Plan to include the Urban Service Area as a part of the Future Land Use Section. Following this, staff will propose a prioritization of Donut Holes and Primary Areas for proactive annexation.

PROPOSED URBAN SERVICE AREA MAP INFORMATION

This explanatory information is intended to accompany the maps titled Urban Service Area (Main, North, South, Northeast).

NORTH MAP

Piney Grove/I-26

The Secondary areas are such because they are outside of the fire service area, but are located along an urbanized, commercial route (I-26).

St. Andrews

The Secondary area is outside of the service limits for a City-controlled fire station, but is along the urbanized route of I-26 as well as I-20.

Eau Claire/I-20

Secondary areas west of Monticello Road are outside of the fire service area as are those straddling I-20. The Secondary areas to the east and west of Monticello have significant infrastructure issues including water runoff, storm drain and ditch problems.

Greenview to Prescott

Secondary area status is due to significant infrastructure issues to include road conditions, storm drain and ditch issues.

Cushman Road

Secondary area status is due to significant infrastructure issues to include road conditions, storm drain and ditch issues.

Hard Scrabble/Killian

Secondary area is a quickly urbanizing section, but is outside of the fire service area controlled by the City.

SOUTH MAP

Broad River/Bush River

The Secondary area is outside of the service limits for a City-controlled fire station, but is along the urbanized route of I-26 as well as I-20. The Primary area at Bush River anticipates a new City fire station on Broad River Road, although infrastructure issues in the residential areas place them as Secondary.

Arthurtown

The Long Range area is outside of the fire service area and located in an overburdened solid waste collection route (Monday) and police region (South). There are also significant road and drainage issues.

Shop/Atlas

Secondary status area is out of fire service area and has infrastructure issues with roads and storm drainage.

Capital View/Hallbrook - Trotter

The Primary area, although lacking some service availability is essentially an extended donut hole. The Secondary area is located in an overburdened solid waste collection route (Monday) and police region (South).

Beltline Boulevard

The area to the south of Beltline Boulevard and north the Railroad is classified as Long Range due to substantial flooding and drainage issues posed by Gills Creek and its watershed.

NORTHEAST MAP

Alpine Road

This Secondary area is out of the fire service area and is in an overburdened police region (South). This distinction will eventually allow the City eventually to fill in an area where long ago, parcel by parcel annexation was initiated.

Sparkleberry/Clemson

The Secondary areas are outside of the fire service area and are in an overburdened police region (South). The Primary areas, while in the South region, are high-value urbanizing properties that are served by a City fire station.