

**RESOLUTION NO. 2016-22-R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, ADOPTING A GROWTH MANAGEMENT FRAMEWORK TO GUIDE THE PLANNING AND PROCEDURES FOR THE ANNEXATION OF TERRITORY INTO THE CITY LIMITS AND PROVIDING AN OPEN MEETING CLAUSE.**

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**WHEREAS**, this resolution is established to provide guidance and rationale for the consideration of areas within the City of Belton extraterritorial jurisdiction (ETJ) for annexation; and

**WHEREAS**, the City of Belton, Texas, is committed to preserving and enhancing the quality of life and unique character of Belton, preserving the rich heritage and natural resources, promoting well-planned development, and protecting its citizens, the environment and all other assets; and

**WHEREAS**, Belton's land uses support economic, cultural and social activities for all residents, businesses and organizations; and

**WHEREAS**, Belton's historic and cultural resources need to be preserved, protected and promoted; and

**WHEREAS**, the positive, identifiable image of Belton needs to be enhanced and protected; and

**WHEREAS**, Belton's utility systems must continue to promote the economic health of the community; and

**WHEREAS**, the City Council has considered the matter and deems it in the public interest to authorize this action.

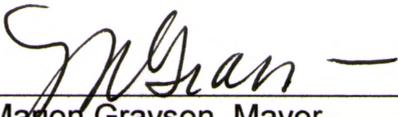
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, THAT:**

**Part 1:** The City Council declares that the statements contained in the preamble of this resolution are true and correct, and are adopted as finding of fact, in accordance with the resolution establishing a Growth Management Framework, attached as Exhibit A, to guide the planning and procedures for the annexation of territory into the City limits.

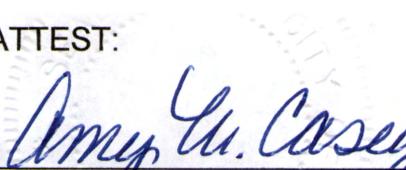
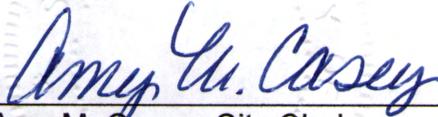
**Part 2:** It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

**PASSED AND APPROVED** this the 28th day of June, 2016.

THE CITY OF BELTON, TEXAS

  
\_\_\_\_\_  
Marion Grayson, Mayor

ATTEST:

  
  
\_\_\_\_\_  
Amy M. Casey, City Clerk

# City of Belton, Texas



## Growth Management Framework

Adopted June 28, 2016

### I. PURPOSE AND INTENT

The purpose of this Growth Management Framework is to provide the guidance and rationale for the consideration of areas within the City of Belton extraterritorial jurisdiction (ETJ) for future growth and development with the potential for annexation. The intent of this Framework is to implement the Comprehensive Plan by providing City Council with specific, objective, and prescriptive guidance for making decisions about growth issues within Belton's extraterritorial jurisdiction (ETJ).

### II. ANNEXATION AUTHORITY

The City of Belton has the authority to annex areas within its extraterritorial jurisdiction (ETJ) that are contiguous to the City limits, and not already part of an agreement with another city. The extraterritorial jurisdiction (ETJ) is a legally designated area of land located a specific distance beyond a city's corporate boundaries that a city has authority to annex. State statute defines the size of the ETJ boundaries according to a city's population. The statute provides a one-mile ETJ for cities 5,000 to 24,999 inhabitants. Belton, with a population of 18,216 (per 2010 U.S. Census), has an one-mile ETJ.

The State of Texas requires all cities to adopt an Annexation Plan on or before December 31, 1999 that specifically identifies major annexations that are proposed for 2002 and beyond. The City Council adopted the Annexation Plan by resolution in 1999 (Exhibit A), and established all future annexations in the ETJ would comply with allowed exceptions, making us exempt from a three year plan. Areas located within the Belton ETJ are exempt from the annexation plan requirements because the Plan indicates no future annexation will contain more than 100 residentially developed tracts.

The Growth Management Framework applies to any annexation Belton may consider. Belton should consider Full Purpose annexation in a manner that is consistent with the strategies and policies contained in this document. Full Purpose annexation requires the City to provide City services in accordance with a Municipal Service Plan. Belton should also consider Voluntary annexation, upon request from property owners, when the request is consistent with this Growth Management Framework.

## **HISTORY**

The City of Belton was established as a city in 1850. The map below contains City of Belton annexation history dating from the 1960's to current (Exhibit B). The current City limits contain 20.06 square miles.

### **III. STRATEGIES**

Belton should demonstrate how a Growth Management Framework can be administered as a positive tool for guiding development in its ETJ and implementing its Comprehensive Plan. The strategies listed below will help the City achieve its goal of promoting orderly and sustainable growth.

#### **A. PROMOTE ECONOMIC DEVELOPMENT**

Belton should use its Growth Management Framework, where appropriate, as a tool to facilitate public-private partnerships intended to stimulate local and regional economic growth and implement sound capital improvement programming.

1. The City should use its ETJ area as a planning tool in developing its Growth Management Framework. Such areas would primarily consist of raw land, and be accessible to public utilities and services provided by Belton.
2. The development review process will be important in revealing growth pressures, interests and opportunities.

#### **B. FACILITATE LONG RANGE PLANNING**

Belton should use its Growth Management Framework to manage development on the fringe of the City in accordance with the Comprehensive Plan.

1. As unincorporated areas become more densely developed, the Comprehensive Plan should identify additional growth centers in the ETJ which should be considered for annexation.
2. The Comprehensive Plan should address linkages to future growth centers in the ETJ. Consideration should be given to existing and planned thoroughfares and their impact on new development patterns as they extend into the ETJ.
3. A Growth Management Framework provides for the more efficient provision of public services and infrastructure necessary to develop land in a logical manner.

**C. PROTECT FUTURE DEVELOPMENT**

Belton should use its Growth Management Framework as a means of acknowledging the need to extend the City's land use standards and building codes to protect future development from inadequate design and construction that may proliferate in unincorporated areas.

1. Planning, zoning, building inspections, code compliance, and other enforcement jurisdictions of the City of Belton are extended to annexed territories on the effective date of the annexation ordinance.
2. Through subsequent application of City zoning standards, annexation prevents the establishment of incompatible development patterns, while protecting existing and future land uses. Annexation, therefore, can be used as a growth management tool by promoting orderly development patterns which serve to maintain and possibly enhance property values.
3. As part of a Growth Management Framework, the Planning Department should make available the Comprehensive Plan to any interested person.

**D. FOSTER INTERGOVERNMENTAL COOPERATION**

Belton should use its Growth Management Framework as an approach for alleviating jurisdictional conflicts with abutting municipal and county governments, and for coordinating service delivery arrangements with emergency response providers.

Belton should consider boundary adjustments with adjacent municipalities where an exchange of ETJ could occur between the cities in the mutual interest of both cities and the citizens served by each jurisdiction. The requesting municipality should have adequate land use standards to maintain development standards equivalent to those of the City of Belton.

**V. POLICY STATEMENTS**

The following policy statements comprise City of Belton's Growth Management Framework. Both City-initiated and Property Owner-initiated annexations are subject to these policy statements.

**A. EVALUATION OF AREAS FOR ANNEXATION BASED ON EXISTING OR PLANNED LEVEL OF DEVELOPMENT**

The City of Belton should consider annexation of:

1. Undeveloped areas.

2. Areas for which dense development activity is anticipated.
3. Areas planned or designated in the Comprehensive Plan as Mixed Use or Regional Growth Centers.
4. Areas that have become developed.

**B. EVALUATION OF AREAS FOR ANNEXATION BASED ON SERVICE DELIVERY NEEDS**

The City of Belton should consider annexation to provide municipal services to:

1. Residential, commercial and industrial land uses that would benefit from a level of service anticipated for a city rather than an unincorporated area.
2. Territories that do not adversely impact services to areas already within the City limits.
3. Territories that establish contiguity required for strategic expansion of the City and its services.

**C. EVALUATION OF AREAS FOR ANNEXATION BASED ON NEED TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE**

The City of Belton should consider annexation to:

1. Provide zoning, land use, building codes, and other municipal development standards to promote and maintain safe living and working conditions and sustainable development.
2. Extend municipal standards before development occurs, on undeveloped land, where growth is anticipated.
3. Areas that, without such standards, could have an adverse impact on adjacent areas within the City.
4. Areas where unregulated development could have an adverse environmental impact.
5. Areas where unregulated development could have an adverse impact on Military missions/operations.

**D. EVALUATION OF AREAS FOR ANNEXATION BASED ON INTERGOVERNMENTAL RELATIONS**

The City of Belton should:

1. Protect its ability to expand its City limits.
2. Consider annexation to preclude the creation of other competing political jurisdictions.
3. Consider the impact on the City's ability to expand in the future, and potential for economic development.
4. Consider the impact on the City-owned utilities when evaluating requests for Utility Districts or other Special Districts in the ETJ.
5. Seek to ensure that Special Districts in the ETJ do not establish regulations that would be contrary to the best interests of the City.
6. Consider the following factors prior to releasing any portion of its corporate limits or ETJ to another jurisdiction, or accepting territory from another jurisdiction:
  - a. Adequate land use standards are in place in the other municipality (as determined by the City) to protect the subject property and surrounding area;
  - b. The existence of clear and logical planning boundaries are in place that define the current or proposed City limits and ETJ;
  - c. Significant negative fiscal impacts on the City's budget will not result if an area is released or accepted;
  - d. The need for City protection of environmental or other resources has been addressed;
  - e. The long-term effects of cumulative ETJ releases to other jurisdictions have been reviewed.

E. EVALUATION OF AREAS FOR ANNEXATION BASED ON FISCAL CONSIDERATIONS

The City of Belton should consider:

1. Extension of city limits ensure that areas benefitting from proximity to a urban City are contributing revenue to offset the cost of providing services within an urban environment.
2. Opportunities for agreements with other municipalities or regional/area service providers to assist with provision of services.
3. Fiscal impact to extend police, fire, street maintenance, city code enforcement, building inspection.

4. Transportation impacts of major roads to the City - IH 35, IH 14/US 190, FM 93, SH 439, TX 317, FM 436, Lake to Lake Road, Loop 121 – on its Regional Thoroughfare Plans and the City's Thoroughfare Plan.

F. CONSIDERATIONS FOR THE ISSUANCE OF NON-ANNEXATION AGREEMENTS

Non-Annexation Agreements:

1. Shall be offered to property owners, within a proposed Municipal Annexation Plan, that have Agricultural Exemptions, in accordance with state law.
2. Issued for Special Districts shall include a statement that the property owner consents to future voluntary annexation and a negotiated annexation schedule shall be included.
3. Should consider services in lieu of annexation to extend City regulations and requirements in anticipation of annexation at some point in the future.
4. Should consider revenue sharing options in exchange for the agreement, in areas that have taxing authority.
5. Shall be reviewed by the Planning Department for adherence to these policies.

# Exhibit "A"

RESOLUTION NO. 99-20

**A RESOLUTION ADOPTING AN ANNEXATION PLAN FOR THE CITY OF BELTON; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the 76th Texas Legislature, 1999, adopted S.B. 89, extensively amending the Texas Annexation Act, Chapter 43, Local Government Code; and

**WHEREAS**, Section 17(b) of S.B. 89, 76th Texas Legislature, 1999, requires that each city adopt an annexation plan on or before December 31, 1999, that includes territory the city plans to annex three years from the date the territory is placed in the plan in accordance with Section 43.052, Local Government Code; and

**WHEREAS**, there are a number of exceptions that authorize annexation of territory without the territory having been placed in an annexation plan and for the foreseeable future annexations of territory contemplated by the city fit into one of these exceptions.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELTON THAT:**

## SECTION 1.

For the purposes of Section 17(b) of S.B. 89, adopted by the 76th Texas Legislature, 1999, and Section 43.052, Local Government Code, the City Council adopts the following annexation plan:

### CITY OF BELTON ANNEXATION PLAN

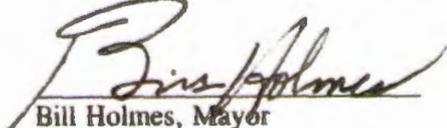
The City Council has reviewed the future expansion needs of the City and the prospects of development within the City's extraterritorial jurisdiction. After studying the effects of amendments to the Texas Annexation Act enacted by S.B. 89, 76th Texas Legislature, 1999, the City Council has determined that at this time, the City does not intend to annex any territory that in order to be annexed, is required to be in an annexation plan.

The City Council reserves the right to amend this annexation plan in the future to add territory for annexation should circumstances change.

## SECTION 2.

This resolution shall take effect from and after its passage, and it is accordingly so resolved.

Passed this the 23rd day of November, 1999 by the City Council of Belton, Texas.

  
Bill Holmes, Mayor

ATTEST:

  
Connie Torres, City Clerk

