RESOLUTION NO. R-18-09-06-10A

A RESOLUTION APPROVING THE MUNICIPAL ANNEXATION PLAN FOR THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, Chapter 43 of the Local Government Code of the State of Texas provides that each municipality shall adopt a municipal annexation plan to include land the city plans to annex three years from the date of inclusion in said plan; and,

WHEREAS, Chapter 43 of the Local Government Code provides several exceptions that authorize cities to annex land without placing the land in an annexation plan; and,

WHEREAS, annexation contemplated by the City of Hutto is within one or more of the provided exceptions; and,

WHEREAS, annexation by the City of Hutto shall be in accordance with the provisions of this plan as adopted or as it may be hereafter amended, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council does not intend to annex territory that is required to be in an annexation plan in order to be annexed; and the Hutto City Council reserves the right to amend the annexation plan in the future to add territory for annexation; and this annexation plan, a copy of same being attached hereto as “Exhibit A” is incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the 6th day of September, 2018.

THE CITY OF HUTTO, TEXAS

[Signature]
Doug Gaul, Mayor

ATTEST:

[Signature]
Lisa L. Brown, City Secretary
AGENDA ITEM NO.: 10A.  AGENDA DATE: September 06, 2018

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Business and Development Services

ITEM: Consideration and possible action on a resolution approving the proposed Hutto Annexation Policy and Program Plan 2018-2020. (Ashley Lumpkin)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:
Annexation is the process of adding land within the extra-territorial jurisdiction to the corporate city limits. It allows the annexed areas to receive municipal service such as police service, water service and sewer service. Annexation also extends city regulations, voting privileges and taxing authority to the newly annexed properties. Annexation also helps ensure those in the region benefitting from the city's facilities and services share in the tax burden associated with the costs of constructing and maintaining those facilities and services.

Because Hutto is a home rule City with a population of more than 5,000 people, Hutto has the authority to annex property contiguous to and within one mile of the current city limits following the requirements of Chapter 43 of the Texas Local Government Code and the City Charter. Currently, Annexation is an important tool for economic development and ensuring implementation of the Comprehensive Plan. The purpose of the proposed Annexation Policy is to provide guidelines when considering future annexations.

BUDGETARY AND FINANCIAL SUMMARY:
Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:
The Planning and Zoning Commission recommended approval to City Council on September 4, 2018.
CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the resolution.

SUPPORTING MATERIAL:

RESOLUTION NO.

A RESOLUTION APPROVING THE MUNICIPAL ANNEXATION PLAN FOR THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, Chapter 43 of the Local Government Code of the State of Texas provides that each municipality shall adopt a municipal annexation plan to include land the city plans to annex three years from the date of inclusion in said plan; and,

WHEREAS, Chapter 43 of the Local Government Code provides several exceptions that authorize cities to annex land without placing the land in an annexation plan; and,

WHEREAS, annexation contemplated by the City of Hutto is within one or more of the provided exceptions; and,

WHEREAS, annexation by the City of Hutto shall be in accordance with the provisions of this plan as adopted or as it may be hereafter amended, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council does not intend to annex territory that is required to be in an annexation plan in order to be annexed; and the Hutto City Council reserves the right to amend the annexation plan in the future to add territory for annexation; and this annexation plan, a copy of same being attached hereto as “Exhibit A” is incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the 6th day of the month September, 2018.

THE CITY OF HUTTO, TEXAS

________________________________________
Doug Gaul, Mayor

ATTEST:

____________________________________
Lisa L. Brown, City Secretary
City of Hutto Annexation Plan 2018-2020

Annexation is process of incorporating land into the City limits. Cities annex property to provide growing areas municipal services and exercise additional development regulations to protect public health and safety. In addition, to extending municipal services and regulations, annexation provides voting privileges and taxing authority to the newly annexed land. Annexation also helps ensure those in the region benefitting from the city’s facilities and services share in the tax burden associated with the costs of constructing and maintaining those facilities and services.

1. Purpose and Intent
   The City of Hutto seeks to annex property within its extraterritorial jurisdiction for the following purposes:
   - Promote orderly growth and facilitate long-range planning efforts for providing municipal services, land use regulations, development standards, property maintenance standards, and construction codes and inspections.
   - Diversify and expand the economic base of the City of Hutto while creating opportunities for growth by annexation property for commercial and industrial development.

2. To achieve these purposes, the City has formulated the following annexation plan to further:
   - Provide the City Council with specific guidance for making annexation decisions.
   - Prioritize areas of potential commercial and industrial growth in a proactive manner.
   - Provide a means for meaningful public engagement in preparing an annexation prioritization list as part of an annual update to City Council.

Currently, the City has no plans for annexation of any property, except those areas that are exempt from the annexation plan requirements of the Local Government Code. The City of Hutto will only annex areas that are identified in this municipal annexation plan or are exempt from the provisions of Section 43.052.

The City will consider full-purpose annexation of any area within its extraterritorial jurisdiction if the area meets the following condition:
   - The property must be in extraterritorial jurisdiction of the City of Hutto, SAVE AND EXCEPT for property owned by the City of Hutto; and

The area must also meet two or more of the following conditions:
   - The City anticipates development activity of an urban nature in the area; or
c. Areas annexed by petition of more than 50 percent of the real property owners in the area proposed for annexation or by vote or petition of the qualified voters or real property owners; or

d. The area has been identified on the Future Land Use Map as being within a Growth Area and requires municipal services to develop; or

e. The potential development of an area may pose an adverse impact to the city, either fiscally or environmentally, due to the City’s inability to enforce land use and development controls; or

f. The City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provisions within the city; or

g. The area contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract; or

h. An area annexed under Section 43.016, 43.028 or 43.031 of the Local Government Code; or

i. The property is subject to an industrial district contract under Section 42.044, or strategic partnership agreement under Section 43.0751 of the Local Government Code of the State of Texas.

In accordance with Sections 43.056 and 43.065 of the Texas Local Government Code, the Business and Development Services Department shall prepare a service plan after the City Council establishes the annexation timetable and shall make the plan available to the public for review and comment in advance of required public hearings. The City shall adopt the service plan by ordinance at the time the City annexes the area for full purposes.

Following adoption of this municipal annexation plan by the City of Hutto, and so long as the City of Hutto maintains an internet website, the City of Hutto will post and maintain on its website:

- This municipal annexation plan.
- Any amendments to include an area in this municipal annexation plan until the date the area is annexed.
- Any amendments to remove an area from this municipal annexation plan until the date the area is again eligible for inclusion in the plan.