

- **Property Owner-Initiated:** A process by which private property owners initiate annexation by petitioning the City to annex their property into its corporate limits. This is the most common form of annexation undertaken by the City of Fort Worth.
- **City-Initiated:** A process by which the City initiates annexation without a petition. This type of annexation occurs where the affected property owners may not desire to initiate a petition. The City may initiate annexation to fix boundary irregularities, encourage desired economic development, or to regulate development that could be detrimental to orderly growth or have adverse impacts on the city.

History of Annexation Until 1986

Fort Worth has grown from an original town site of 4.2 square miles and a population of approximately 3,000 persons, to the present size of 346 square miles (December 2007) and a population of 686,850 (2007 estimate). The map to the right shows how Fort Worth has expanded since 1873.

Between 1930 and 1962, Fort Worth’s growth was generated by the development of key defense-related employment centers such as General Dynamics (which later began operating as Lockheed Martin Tactical Aircraft Systems), Carswell Air Force Base, and Fort Worth Quartermaster Depot. These facilities created a need for new housing and associated infrastructure supplied by the City of Fort Worth.

From 1963 through 1986, Fort Worth expanded primarily along transportation corridors such as I-30, I-35W, Loop 820, US 287, and SH 121/SH 10. Major employment centers developed during the earlier years of this period, including the former Great Southwest International Airport, located south of SH 183 and east of US 360, and the Dallas/Fort Worth International Airport.

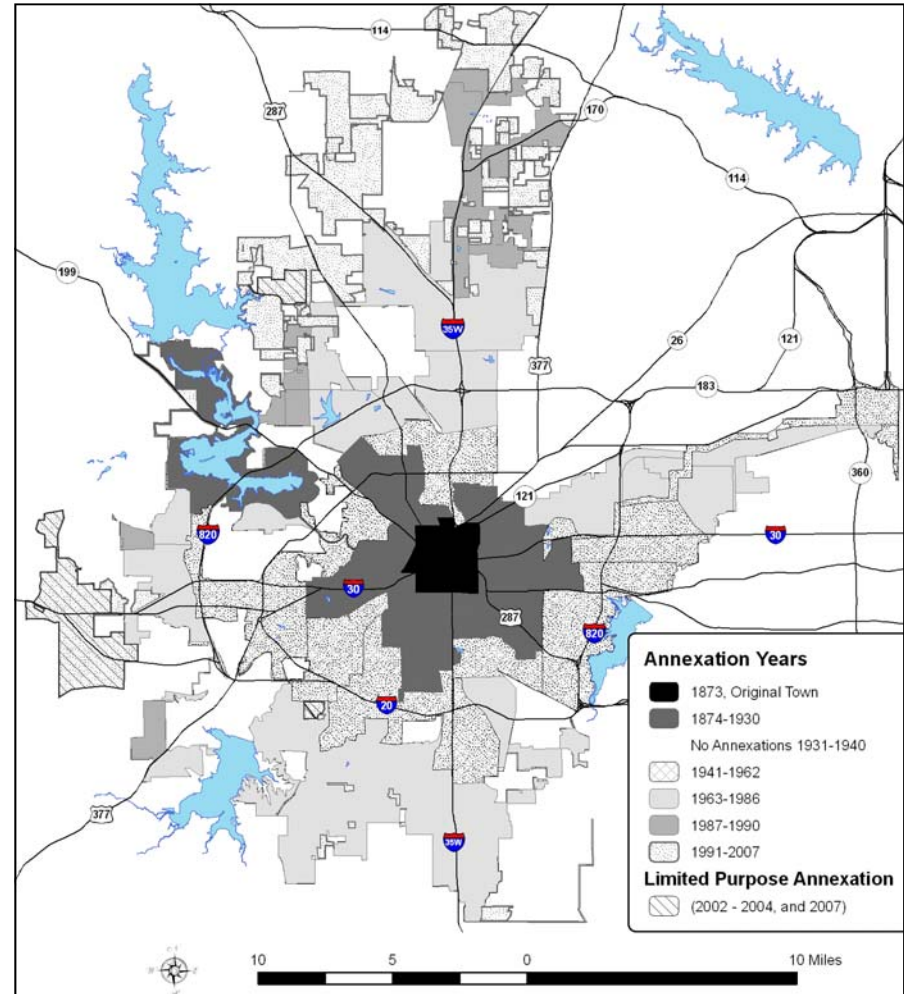
Annexation Activity Since 1986

Since 1986, major expansion has occurred northward along I-35W, which was sparked by the development of Fort Worth Alliance Airport and its associated industrial park. Major activity centers located within this region include Fort Worth Alliance Airport, the Alliance industrial park, the Burlington Northern Santa Fe Intermodal facility and rail yard, and Texas Motor Speedway.

In February 2002, the City Council began considering the annexation of developing areas that comply with criteria in the City’s annexation policy. The City Council approved the annexation of approximately 9,000 acres in the Eagle Mountain Lake and U.S. Highway 287 areas for limited purposes in December 2002 and January 2003, respectively. The 287 zone was subsequently annexed for full purposes.

Under limited-purpose annexation, Fort Worth can enforce planning, zoning, and health and safety ordinances, but property owners do not have to pay City property taxes. The City does not provide police or fire protection, roadway maintenance, or other municipal services in areas annexed for limited purposes. Residents of limited-purpose annexed areas can vote in City Council and charter elections, but not bond elections, and cannot run for office. The City must annex an area for full purposes

History of Annexation, 1874-2007



The map above shows land annexed since 1873. Fort Worth has grown from 4.2 square miles in 1873 to 348 square miles (332 square miles from full-purpose annexations and 14 square miles from limited-purpose annexations) as of November 2007. The original population was 3,000 persons. Fort Worth’s estimated 2007 population is 686,850. (Source: Planning and Development Department, 2007.)

within three years after limited-purpose annexation, unless a majority of the affected landowners and the City agree to extend the deadline.

In October 2003, the City Council approved the limited purpose annexation of over 7,000 acres located west of the current city limits, known as Walsh Ranch. The City and property owners entered into an economic development agreement, which indicates that the property will be developed over a 40- to 50-year period. In addition, the City and property owners agreed to extend the three-year deadline for full-purpose annexation pending the development of the property.

From January 2000 through December 2007, there have been 94 annexations, consisting of 89 full-purpose and five limited-purpose annexations. In most cases, annexed property is designated as “AG” Agricultural until the property is rezoned in accordance with the current land use or the future land use, recommended in the Comprehensive Plan. Fifty-seven of the annexations were owner-initiated, and 37 were City-initiated.

Fort Worth’s boundaries will continue to expand as new development unfolds along the city’s periphery. Such expansion will be fostered by the intensification of development within key growth centers such as Fort Worth Alliance Airport, Alliance Gateway industrial park, and Texas Motor Speedway. The area adjacent to Hulen/Cityview to the southwest is likely to expand as new land uses develop near this growth center. It is anticipated that more of Fort Worth’s ETJ will be considered for annexation in accordance with the City’s annexation policy and state law.

The provision of water service often plays a critical role in annexation decisions. The Texas Commission on Environmental Quality, formerly known as the Texas Natural Resource Conservation Commission issues Certificates of Convenience and Necessity (CCN) for water services to a public or private organization that will provide exclusive water service to a defined area.

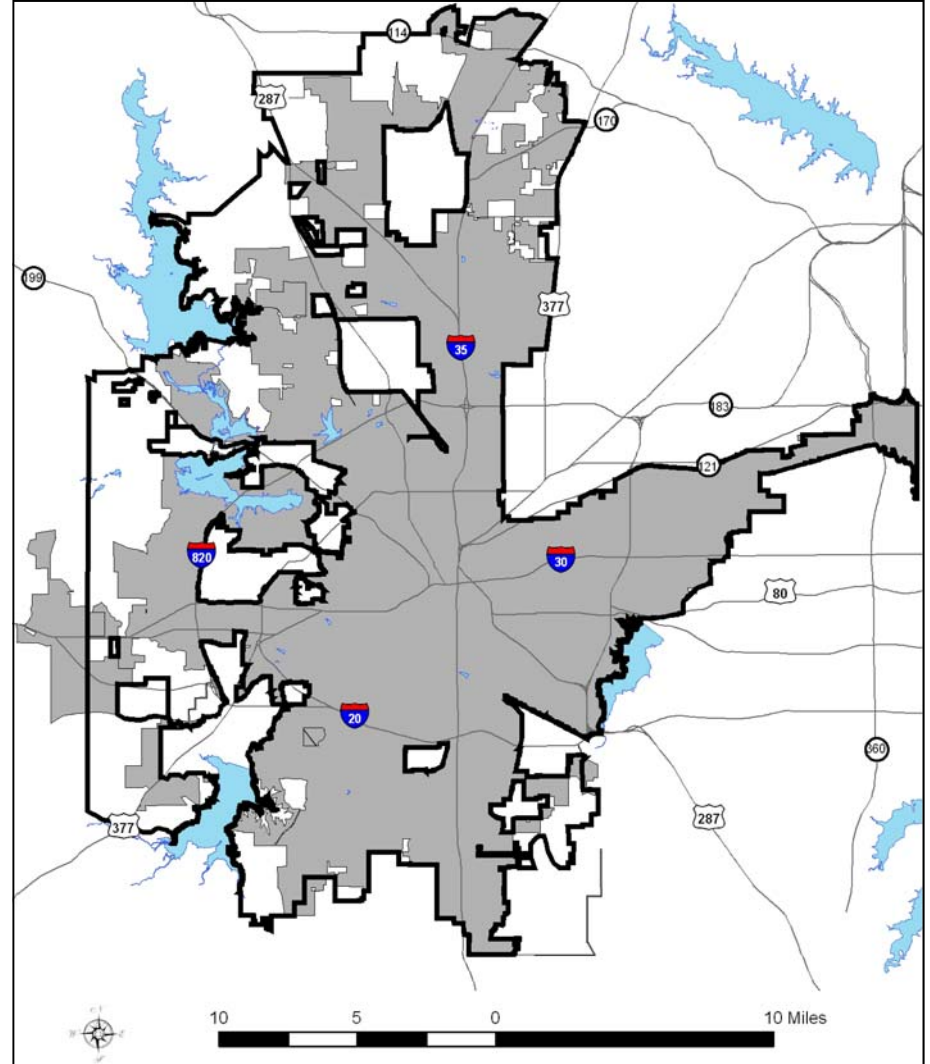
The boundary of the CCN held by the City of Fort Worth includes the majority of the land area within the city limits of Fort Worth, approximately 40 percent of its ETJ, and small areas beyond the ETJ. If a potential customer is located within an area for which the City of Fort Worth holds the CCN, the City must either provide water service if requested or decertify the area requesting service.

Annexation Plan, Annexation Policy and Annexation Program

State law requires cities to identify areas with 100 or more separate lots or tracts of land with residential dwellings that the city intends to annex for full purposes in the City’s annexation plan. The City may annex the area for full purposes beginning on the third anniversary of including the area in the annexation plan.

On December 14, 1999, the City Council adopted an Annexation Plan, which stated, “at this time the City does not intend to annex any territory that is required to be in the annexation plan...” The annexation plan currently includes two areas in far north Fort Worth with more than 100 residential dwelling units that the City may annex in 2008. The resolution adopting the Annexation Plan and a summary of amendment activity can be found in Appendix G.

Boundary of Certificate of Convenience and Necessity Area, 2007



The City of Fort Worth holds the Certificate of Convenience and Necessity for the majority of the land area within its city limits and about 40 percent of the ETJ. (Source: Water Department, 2007.)

In response to a request by the City Council, an interdepartmental working group and a Mayor-appointed advisory committee assessed the extent to which the annexation policy adopted in 1999 effectively furthered the strategic goals in the Comprehensive Plan and made recommendations for amending the policy and formulating a multi-year annexation program.

The advisory committee and City staff presented drafts of the annexation policy to the City Council, its committees and appointed commissions; held briefings with various community organizations; solicited comments from pertinent county governments; and held a public forum to seek additional public comments. The City Plan Commission held a public hearing and voted to endorse the recommended policy. The City Council also conducted public hearings to receive citizen comments, and adopted the annexation policy on September 7, 2004. This policy replaced the 1999 annexation policy and can be found in Appendix G.

The annexation policy includes sections on: annexation criteria and procedures, disannexation, preparation of fiscal impact analysis, five-year annexation program, three-year annexation plan, and external communication. The policy:

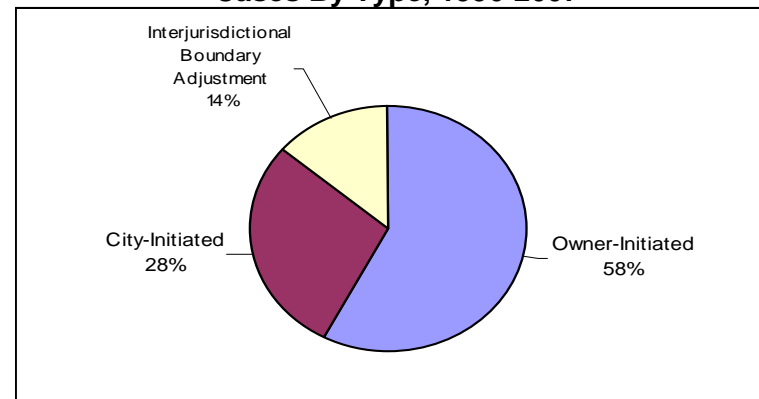
- Provides specific and objective criteria to the City Council for making annexation decisions;
- Provides for preparation of a five-year annexation program that identifies areas the City wishes to consider for annexation;
- Provides the City and affected property owners, through the annexation program, with an appropriate transition period by delaying certain City-initiated annexations for three or more years; and
- Improves external communication by holding additional public information meetings and soliciting comments from affected property owners, existing city residents and pertinent local government agencies prior to initiating formal annexation hearings.
- Gives protesting property owners the opportunity to participate in negotiations related to the provision of municipal services.

The Planning and Development Department, in cooperation with other pertinent departments, and with guidance from the advisory committee, prepared a five-year annexation program that identifies areas to be considered for annexation during the succeeding five years. It is not a legally binding document. Inclusion of an area in the program does not obligate the City to annex that area, nor does omission of an area from the program prevent the City from annexing the area.

The annexation program is incorporated into the Comprehensive Plan and updated annually. Areas are placed in the annexation program based upon criteria defined in the annexation policy and the feasibility of providing city services.

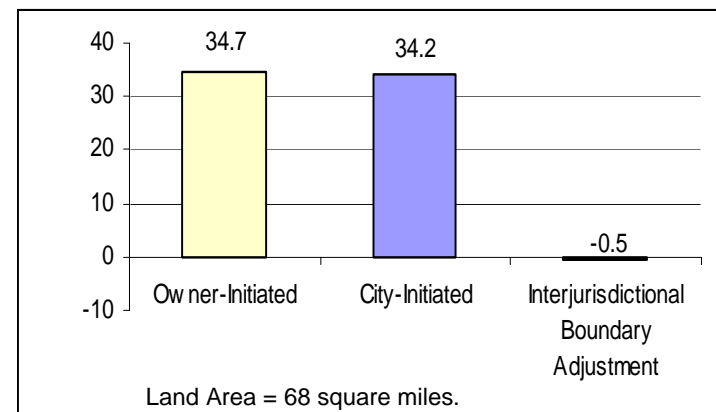
The draft 2008-2012 Annexation Program identifies 24 areas totaling about 10 square miles to be considered for City-initiated annexation. These areas include: 15 enclaves, two limited-purpose annexation areas to be considered for full-purpose annexation, four areas with anticipated urban development, one area posing

Number of Annexation and Disannexation Cases By Type, 1996-2007



Since 1996, the City has processed 158 annexation and disannexation cases. The majority of these cases have been initiated by the property owners. (Source: Planning and Development Department, 2007.)

Land Area Associated with Annexations and Disannexations by Type, 1996-2007



Since 1997, the City has annexed approximately 68 square miles. Of the land area included in the calculations, 26 square miles were annexed for limited purposes. These areas may be subject to future full-purpose annexation, and should not be cumulatively combined. For example, 10.4 square miles were annexed for full-purpose in November 2005. (Source: Planning and Development Department, 2007.)

an adverse environmental impact, and one mixed-use growth center. In addition, one 10-acre area subject to potential owner-initiated annexation in 2008 is included in the draft annexation program.

The City involved property owners and community organizations from the ETJ and within the city itself in the formulation of the five-year program. City staff conducted numerous information meetings with interested local governments and affected property owners to answer questions and receive comments. The City Plan Commission and the City Council will also hold public hearings before adopting the annexation program as part of the Comprehensive Plan. The draft 2008-2012 annexation program can be found in Appendix G.

STRATEGIES

Fort Worth demonstrates how the annexation process can be administered as a positive tool for guiding development in its ETJ. Fort Worth typically annexes properties that are within three years of being developed. The strategies listed below should help the City achieve its strategic goal of promoting orderly growth.

Promote Economic Growth

Fort Worth should use annexation as a major component for the establishment of public-private sector partnerships intended to stimulate local and regional economic growth and implement sound capital improvement programming.

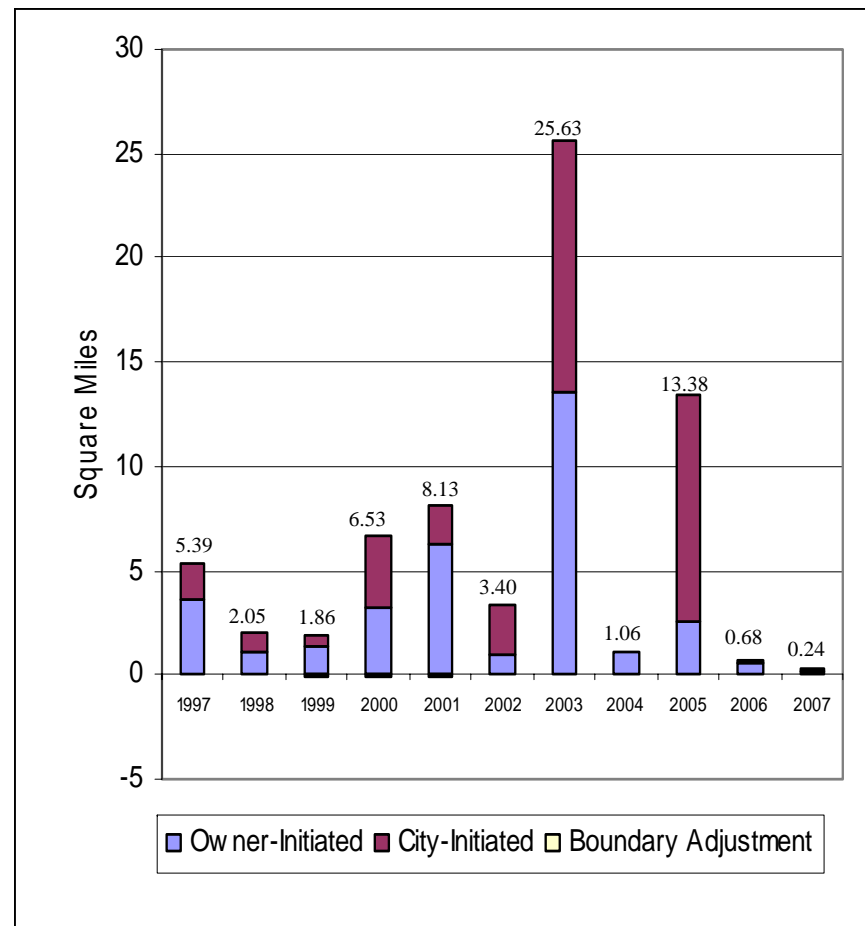
- The City should utilize its ETJ as a marketing and planning resource by anticipating candidate areas for annexation. Such areas would primarily consist of raw land, be accessible to public utilities provided by Fort Worth, and be within three years of being developed.
- Prior to annexation, the City should coordinate with the property owners in developing a service plan for the logical extension of infrastructure and services to the proposed development. Once service plan commitments have been established, the City should verify funding sources (both public and private) for implementation of the plan. Sources may include, but not be limited to, the following: special taxation districts, water and sewer impact fees, community facilities agreements, capital improvement program budgets, and other sources deemed appropriate for the specific project.
- Owner-initiated annexation of the project, along with the institution of zoning and platting requirements in accordance with the Comprehensive Plan's development principles, should commence and be completed within the time frame prescribed by Chapter 43 of the Texas Local Government Code.

Facilitate Long Range Planning

Fort Worth should use annexation to regulate development on the fringe of the city in accordance with the Comprehensive Plan.

- Some annexations can be approved without being included in the annexation plan, including sparsely developed unincorporated areas with less than 100 residential tracts, industrial areas, vacant properties, and voluntary annexations.

Land Area Associated with Annexations and Disannexations by Year and Type, 1997-2007



Since 1997, the City has annexed approximately 68 square miles, for both full and limited purposes. The majority of this land area was annexed in 2003. Of the land area included in the calculations, 26.0 square miles were annexed for limited purposes. This area may be subject to future full-purpose annexation, and should not be cumulatively combined. For example, 10.4 square miles were annexed for full purposes in November 2005. (Source: Planning and Development Department, 2007.)

- As unincorporated areas become more densely developed, the Comprehensive Plan should identify additional growth centers in the ETJ, which should be considered for annexation.
- The Comprehensive Plan should address linkages to future growth centers in the ETJ. Consideration should be given to the study of key thoroughfares in terms of their impact on new development patterns as they extend into the ETJ. Such thoroughfares would include, but not be limited to, the proposed alignment of SH 121 as it extends into southwest Tarrant County, the westward alignment of I-30 as it extends into Parker County, the westward alignment of SH 114 as it extends into Wise County, the proposed development of the Outer Loop as it extends from SH 170 in the north to FM 1187 in the south, and the U.S. Highway 287 corridor in the northwest portion of Tarrant County.
- As requests for water are received from persons located within the water service areas authorized by CCNs, the City will make the requested service available under terms and conditions as set forth in applicable City utility service ordinances or as otherwise ordered by the State.

Protect Future Development

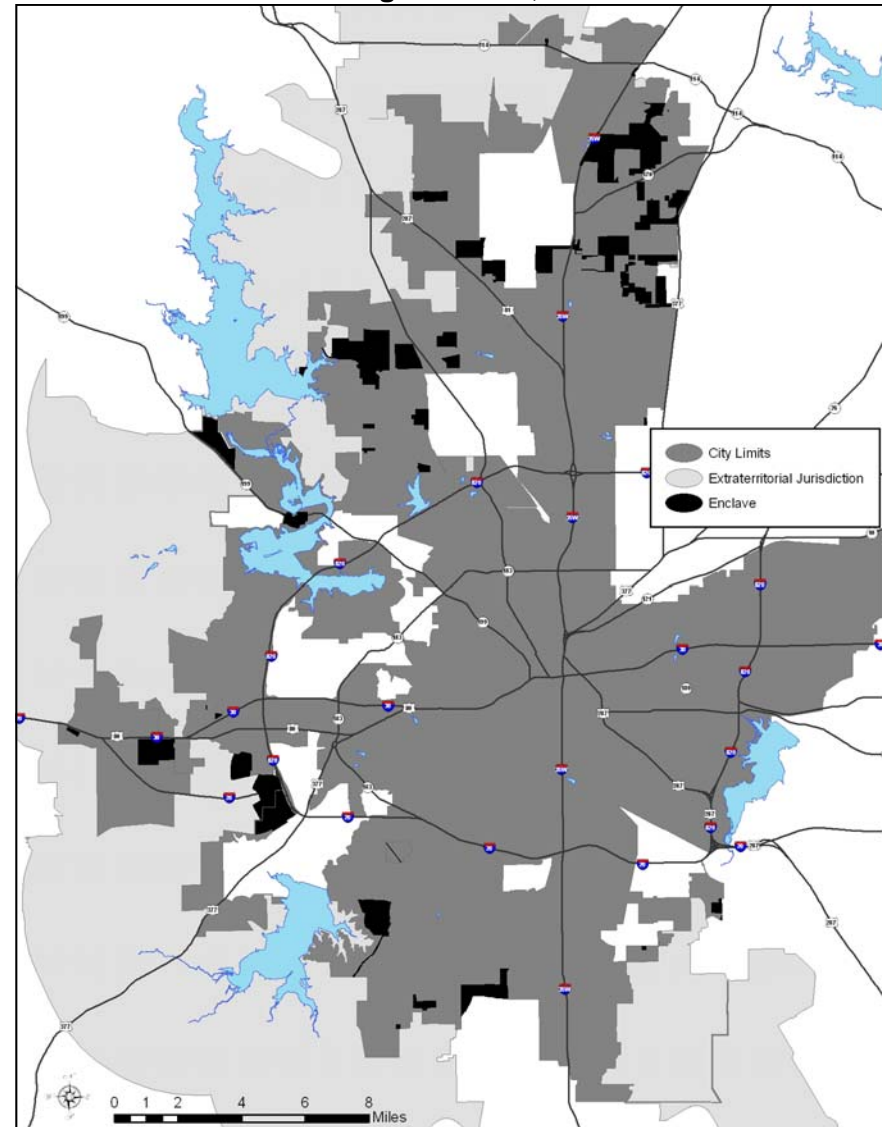
Fort Worth should use annexation as a means of extending the City's land use regulations and building codes to protect future development from inadequate design and construction standards that may proliferate in unincorporated areas.

- In an effort to establish and sustain qualitative development standards for future annexation sites, the City Plan Commission should review the effectiveness of the subdivision rules and regulations in accomplishing the objectives of the Comprehensive Plan as applied to the ETJ.
- When the City Plan Commission finds that development proposals for an area appear to be contrary to or inconsistent with the planning objectives for that area, or that the frequency of requests indicates a need for modifications, the commission should advise the City Council of its conclusions and may file a proposal to amend the regulations applied to future development.
- Upon annexation of territory into the City of Fort Worth, the City Plan Commission should prepare a report recommending the locations and types of zoning districts to be established in the annexed area based on the Comprehensive Plan, and shall file a copy of the report with the City Council and the Zoning Commission for their evaluation at public hearings.
- Planning, zoning, building inspection, code compliance, and other enforcement jurisdictions of the City of Fort Worth may extend to annexed territories on the effective date of the annexation ordinance. Developed land uses that existed prior to annexation are grandfathered in accordance with the provisions prescribed by State statute. However, all new construction projects must conform to applicable development standards of the City.

Policy Concerning Creation of Conservation and Reclamation Districts

Conservation and Reclamation Districts are political subdivisions created under the Texas Constitution - Article III, Section 52 and/or Article XVI, Section 59. The districts' purpose is to provide infrastructure and other services that vary based on the type of district (Municipal Utility District [MUD], Fresh Water Supply District, or

Existing Enclaves, 2007



Enclaves are areas within the City's ETJ that are surrounded by the corporate limits of the City of Fort Worth and/or the corporate limits or ETJ of other municipalities or otherwise approved by Fort Worth City Council. (Source: Planning and Development Department, 2007.)

Water Control and Improvement District [WCID]). The Districts may issue debt and assess taxes to finance the development's infrastructure. The City of Fort Worth is able to negotiate certain regulatory powers over these districts that form in the extraterritorial jurisdiction.

Historically, the only MUD in Fort Worth's ETJ was formed in 1974 and known as Lake Country. This development was annexed by the City of Fort Worth in 2000. Beginning in 2004, a renewed developer interest in this financing mechanism occurred, and the City began receiving petitions to form districts. Staff approached these projects as long-term annexation plans and sought to exercise development standards, ensuring the quality of the development until a future point when the debt-load is reduced sufficiently for annexation to be practical.

The City of Fort Worth has authorized the formation of two MUDs (Live Oak Ranch and Inspiration) and has given conditional consent to two additional MUDs and three WCIDs. Although the existing Conservation and Reclamation District Policy and the Annexation Policy indicates annexation should be considered since dense development in the near term is anticipated, the City evaluates annexations based on the proximity to the city limits, the possession or ability to acquire the certificate of convenience and necessity, and the housing gap filled by the project. Staff will be updating the Policy Concerning Creation of Conservation and Reclamation Districts as a result of negotiations with these developments, the potential benefits of these districts, and the legal limitations to the City's ability to regulate them. The full Policy Concerning Creation of Conservation and Reclamation Districts can be found in Appendix H.

Foster Intergovernmental Cooperation

Fort Worth should use annexation as an approach for alleviating jurisdictional conflicts with abutting municipal and county governments, and for coordinating service delivery arrangements with school districts, municipal utility districts, and emergency response providers.

The City should consider requests for boundary adjustments from adjacent municipalities where an exchange of territories of equivalent value, or an exchange for other consideration of an equivalent value, could occur between both cities. The requesting municipality should have adequate land use controls to maintain development standards equivalent to those of the City of Fort Worth. It can be anticipated that such adjustments will not be adopted if the area to be released would result in a reduction to the City of Fort Worth's revenue stream or if the area contains environmental and economic resources vital to Fort Worth's interests.

The City should assist school districts in planning for new educational and support facilities in annexed areas. To coordinate future school construction with land developers and school districts, the City should continue to circulate plat filings and zoning applications associated with annexation petitions.

Alliance★Texas



Annexation can be important for the establishment of public-private sector partnerships, such as with Alliance★Texas. Annexation is intended to stimulate local and regional economic growth and implement sound capital improvement programming. (Source: Alliance★Texas, 2007.)

