



COUNTY GROWTH MANAGEMENT AUTHORITY

Envision Central Texas Summary and Statement of Position

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In 2001, Envision Central Texas (ECT) was created to assist in the public development and implementation of a regional vision addressing the growth of Central Texas. Our ongoing role is to serve as a catalyst for regional cooperation and planning in order to realize the common Vision elements as appropriate across the many communities of Central Texas. These elements focus on preserving and enhancing our natural resources, economic vitality, social equity and overall quality of living. The principles articulated in the regional Vision include:

- An effective transportation system that improves mobility throughout the region, increases choices of how we get around, including roads, rail, trails and bikeways, and is coordinated with land use planning.
- Protection of our environment and natural resources so we will have the open space, parks and trails that people cherish, preserve our ecologically sensitive land and ensure sustainable clean water and air for future generations.
- A diverse and thriving economy with a robust base of businesses throughout the region and quality job opportunities for our citizens.
- A variety of housing choices that are affordable for everyone in the region and offer a mix of styles, such as neighborhoods with pedestrian-friendly streets or housing within walking distance of transit and stores.
- Preservation of our region's unique character by protecting and enhancing our neighborhoods, towns, rural areas, historic sites and special sense of place.
- An understanding that social equity and racial harmony are core values that strengthen us and actions that foster respect, civility and opportunities for all.
- A region-wide understanding that our fortunes are tied together requiring planning, participation and collaboration by stakeholders throughout our region to ensure a successful and livable Central Texas in the future.

Since the inception of Envision Central Texas and throughout its efforts to promote implementation of the Vision, growth management in the unincorporated areas of our region's counties has been a pivotal issue. In January 2009, ECT launched a Working Group to study county growth management in anticipation of these issues being discussed in the 81st Texas Legislative Session and to determine ECT's position on this issue.

As in most state legislative sessions over the last 20 years, the discussion of county growth management authority is anticipated to re-emerge in the next legislative session. Several efforts that include various counties in Central Texas have been building in recent years toward possible new legislative recommendations on this perennial issue. Therefore, in 2010, the Working Group was reconvened to explore these issues with diverse stakeholders and to review ECT's position. The

position statement articulated below remains consistent with that developed in 2009. This ongoing effort is not necessarily focused on trying to surface new ideas on this perennial issue or to compete with other entities, but is focused on establishing ECT's responsibility to engage and sustain a high level conversation on county planning.

Position Statement

Envision Central Texas believes that increasing the ability of counties to manage growth in unincorporated areas around urban centers is a crucial need. Population growth around major cities, in Central Texas as in other regions, has created both benefits and numerous challenges to counties in providing services, housing affordability, and even sustaining the traditional character and quality of life enjoyed in these rural areas. While greater education and resources are needed for counties to fully utilize, at their own discretion, their current statutory authority, additional rights to counties are also needed.

However, ECT understands that not every county desires or needs the same increase in county growth management authority – urban counties are very different than suburban or rural counties – and that a county may even have different needs within its own borders. Indeed, many if not most land owners in rural Texas view their land use freedoms as inalienable rights. To ensure these values are fully respected, ECT believes that the State could make increased authority contingent on a County Commissioner's Court adopting a strategic plan that expresses desired growth management goals (and definitions of key terms such as "incompatible"); and that any increase in authority needed to achieve those goals, such as new county ordinances, would then be subject to local referendum. Such a plan would have to also address the resources available to actually implement the plan. If a county – urban, suburban or rural – does not desire increased growth management authority, they can choose not to create a plan or any other action toward growth management. But if a county adopts a strategic plan and the voters choose by referendum to give the Commissioners Court additional authority, that county should have a robust but focused set of growth management tools available to it. ECT encourages growth patterns that support new growth in areas with existing infrastructure. However, when growth occurs in areas without adequate existing infrastructure, cost sharing between counties and developers is needed to enable the necessary infrastructure to be provided. Adopting local governments should make a reasonable effort to identify the public benefits of private infrastructure and the private benefits of public infrastructure and make this information available to citizens.

ECT supports these values and the ideal of strong private property rights, but believes growth pressure has reached an urgency that demands a higher level of creativity and sensitivity in increasing county growth management authority to ensure individual landowners – in urban, suburban and rural areas – may continue to enjoy their rights without diminishing the rights and quality of life of surrounding owners, or the community as a whole. ECT believes that growth management authority can be targeted and specified so as not to restrict all financial use of a property. This process would need to be connected to reasonable community goals and adopted by a county through due process with a high degree of public engagement, especially from those who may be affected.

ECT has a strong tradition of recognizing dissenting, or multiple viewpoints on an issue even as we invest in activities and education around a particular consensus viewpoint¹. Concerns regarding county growth management include the impact on private property rights and increased costs. For example, increased development costs resulting from increased regulation that may be passed through developers and builders would impact land owners and home buyers, particularly those less affluent populations that have been benefiting from the greater affordability in unincorporated areas.

In educating others about our position, Envision Central Texas will take the following actions:

- Offer testimony before committees of the 82nd Texas Legislative Session as a resource on legislation that supports the positions in this document and the principles identified by the ECT Working Group, however, ECT will not take a position to endorse any particular bill;
- During and following the 82nd Texas Legislative Session, ECT will work with other entities in Central Texas to examine existing county authority available for growth management and;
- ECT will continue to engage diverse stakeholders to build support for a systematic reform of county development management authority.

For any questions, clarifications or requests for further discussion on this Position Statement, please contact Sally Campbell, ECT Executive Director, at 512-916-6037 and scampbell@envisioncentraltexas.com.

¹ For example, Envision Central Texas adhered to a regional growth projection during our three year visioning process even as different groups advocated for a higher or lower projection; in the ECT 2003 Preferred Vision, the transportation network includes both toll roads and urban rail, even as different groups advocated for more or less of both modes.