



WEBSTER  
CITY

# ANNEXATION STUDY



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# INTRODUCTION



## PLAN CONTENTS

In 2020 the City of Webster City commissioned an Annexation Study in conjunction with an update to the city Comprehensive Plan. The City has seen increased inquiries into annexation in recent years, prompting the need for the study to identify growth priorities and needs. An annexation plan goes a step further from the Future Land Use plan in the Comprehensive Plan to analyze the potential costs and benefits generated from the growth areas where annexation may happen in the future.

The plan focuses on the costs and benefits of annexation of the areas identified for growth within the 2021 Comprehensive Plan. The annexation plan identifies the strategy for annexation that builds off the recommendations in the Comprehensive Plan.

## Context

The City of Webster City currently has about 2,250 acres of developed land, not including right-of-ways, with a total of about 5,700 acres of land within the city limits. Residential land uses comprise about 47% of the total developed land, with civic uses following at about 22%. Undeveloped land within city limits includes floodplains, agricultural uses, and vacant land ready for development.

During the Webster City Comprehensive Planning process, a proactive annual growth rate of 0.5% forecasts a 2040 population of about 8,600 residents. Based on this projection, land use needs are listed in **Figure 1.1** through 2040. The plan projects a need for at least 350 acres of land for residential, commercial, and industrial growth. Much of this can be accommodated within existing city limits. However, some areas adjacent to city limits are better suited for development.

The Future Land Use Map from the Comprehensive Plan, shown in **Figure 1.2**, shows all land under Webster City's review authority, existing and undeveloped. The map and the policy statements that support it are the guides for decisions related to land use in and around Webster City. The City has zoning review authority over the two-mile area surrounding city limits. If annexation occurs, this area expands. Therefore, annexation also can affect those further out in the county.

Land use decisions by city leaders should generally reflect the intent and policy actions of the Comprehensive Plan, understanding that the Future Land Use Map is also flexible and requires regular review to ensure that it is current.

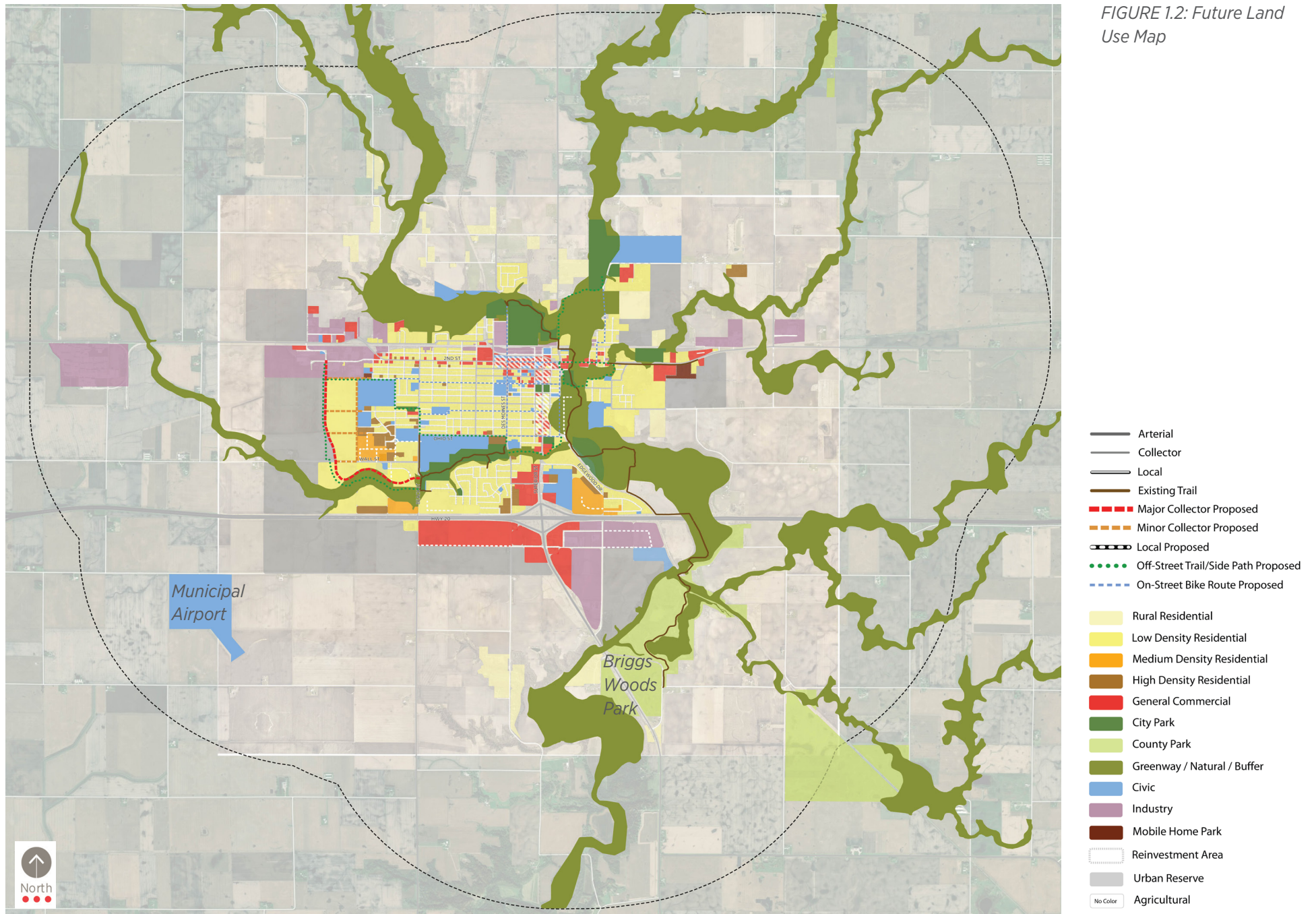
## Forecast Needs

- New construction will be distributed with 50% low density, 30% medium density, and 20% high density units.
- Average gross residential densities will be 3 dwelling units per acre for low density up to 12+ units per acre for high density.
- Land designated for residential was twice the area needed to provide market choice and prevent inflated land costs.
- Land designated for commercial and industrial uses were 1.5 times the area needed to provide market choice and prevent inflated land costs.

**FIGURE 1.1:** Future Land Use Needs

LAND USE	APPROXIMATE ACRES
Residential	
Conventional SF	148
Small Lot, Attached and Townhomes	49
Townhomes and Multi-family	16
Commercial	28-32
Industrial	98-105

FIGURE 1.2: Future Land Use Map



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## A REMINDER ABOUT USING THE FUTURE LAND USE MAP...

### 1. Property Owners Decide

The Future Land Use map depicts new land uses for privately owned properties. The transition of these properties from their current use to the depicted use is expected to occur slowly over time in response to market demands, as property owners voluntarily sell, develop, or change their land use.

### 2. Generalized Map

The Future Land Use Map should be interpreted generally and is not intended to provide the specificity or the rigidity of a zoning map or engineering document. The map should guide the zoning map and is meant to show:

- Generalized land use locations and transitions: The boundaries between land uses on the map are “fuzzy” lines and are meant to show approximate areas for transition, rather than rigid boundaries. The exception to this is the environmental conservation areas, which are meant to be more precise boundaries.
- Collector and Arterial Street connections: Critical arterial and collector street connections are specified on this map, though the exact routes will depend on detailed engineering studies. Local streets will be determined as development occurs.
- Greenways and Open Spaces: Greenway areas on the map are based on environmentally sensitive features like floodplains and steep slopes. The boundaries of these areas should be given significant weight in decision-making.

### 3. Basis for Land Use Decisions

The Future Land Use map should provide the basis for decisions of the Planning & Zoning Commission, the City Council, and private developers. The map is a critical part of the approval process for development proposals and zoning decisions.

### Annexation may be needed for several reasons:

- If population grows faster than forecasted in this Plan.
- To provide more choices for development and support flexibility in the market for development.
- If residents petition to be annexed into Webster City.
- If opportunities present themselves where annexation would:
  - › Support development principles in this Plan
  - › Increase connectivity
  - › Protect environmental features
  - › Promote economic development in Webster City
  - › Increase public safety
  - › Protect orderly growth of the city

## IOWA ANNEXATION POLICY

The State of Iowa Legislative Code allows cities to annex land through a voluntary or involuntary process, detailed in Iowa Code Chapter 368. In all annexation procedures, the application must ensure the adequacy of services and that the annexation does not create an island.

**Voluntary Annexation.** is not within two miles of another city, the voluntary annexation process is relatively easy and does not require review by the State City Development Board when all property owners agree to voluntarily annex. When the land owners of 80% or more of the area being annexed submit a voluntary annexation request to the City, then the application must be submitted to the State City Development Board. The City Council does not have to accept voluntary annexation request.

**Involuntary Annexation.** When more than 20% of land owners oppose an annexation request, the involuntary annexation procedures in Iowa Code Chapter 368 apply. The process can be initiated by the City Council, the County Board of Supervisors, the Regional Planning Authority, or 5% of the registered voters of the city. Several requirements need to be met for involuntary annexation, multiple public notices, approval by the State City Development Board, and an election in the city.



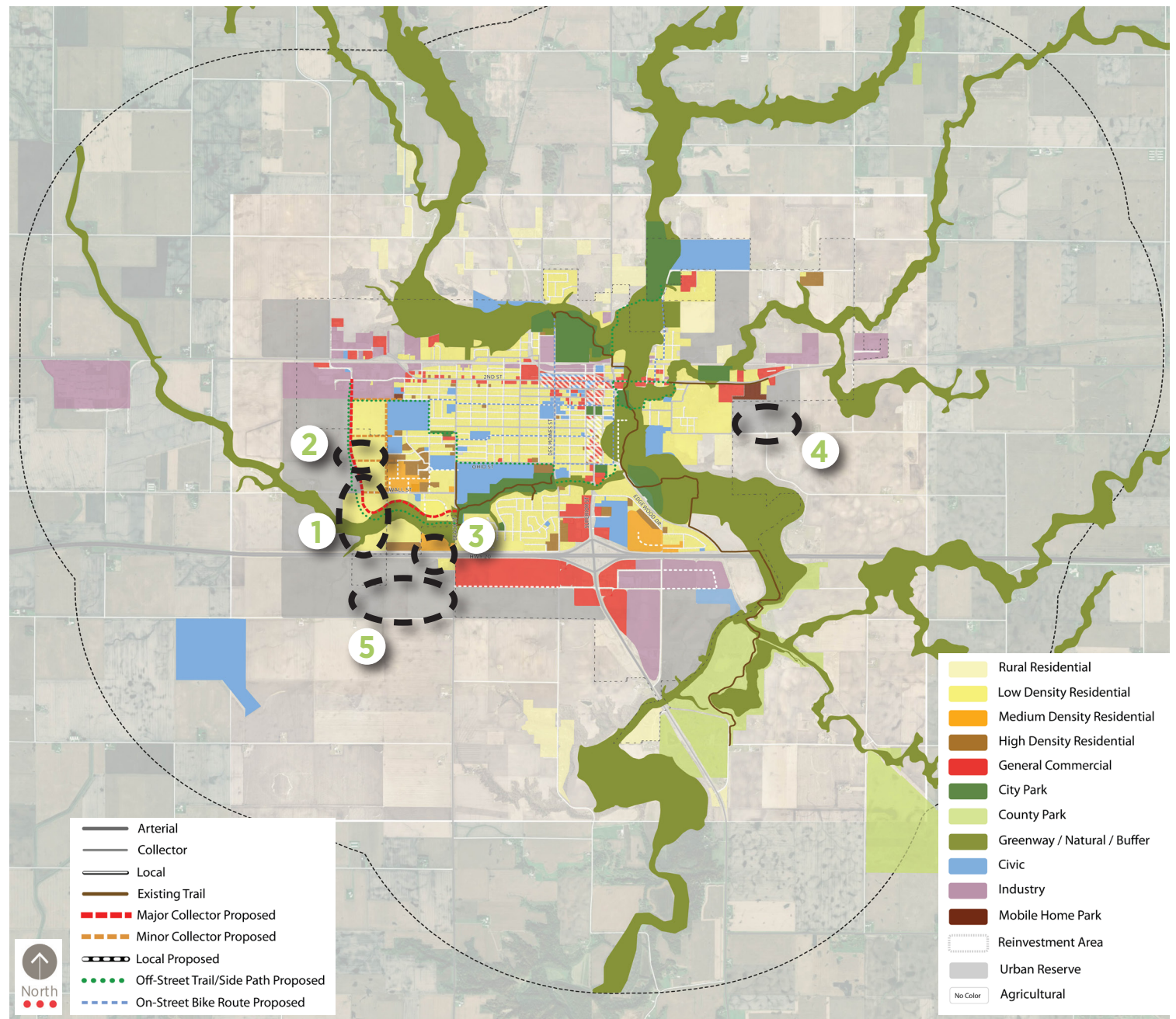


GROWTH AREAS

FIGURE 2.1: Likely Growth Areas

The Comprehensive Plan identifies several growth areas based on feasibility of development, extension of services, and market interest. The following section details the opportunities and barriers for each of these growth areas, shown in Figure 2.1:

1. Wall Street Area
2. Collins Street/High School Area
3. Highway 20/Beach Street Area
4. 225th Street/Buxton Drive Area
5. Southwest Highway 20 Area





## 1. WALL STREET AREA

The area generally falls north of Highway 20 around Wall Street, west of city limits. Locust Street would generally be a northern boundary for phased growth north to area 2.

### 2020 Conditions:

- The entire area is undeveloped, consisting of agricultural land and two homesteads.
- A floodplain flows through the southern portion of the area, between Wall Street and Highway 20.
- Wall Street is paved up to the Windsor Manor. The street west of the Windsor Manor is gravel.
- There is land adjacent to the area within city limits that is also undeveloped and would need to be connected to any future development to the west.
- The topography is generally flat and unobstructed outside of the floodplain/greenway area.
- Streets built for extensions without private property own obstructions include Lynx Avenue.
- › Other street extensions blocked by private property ownership include Alan Avenue and Locust Street.
- Similar to street extensions, utilities are available to be relatively easily extended to the area.
- A rough estimate for total valuation of existing land, buildings, and dwellings is about \$375,000-\$395,000.
  - › At 2020 City tax rates and State rollback factors, the existing land uses would equate to about \$2,000-\$2,500 in property tax revenue to the City per year.

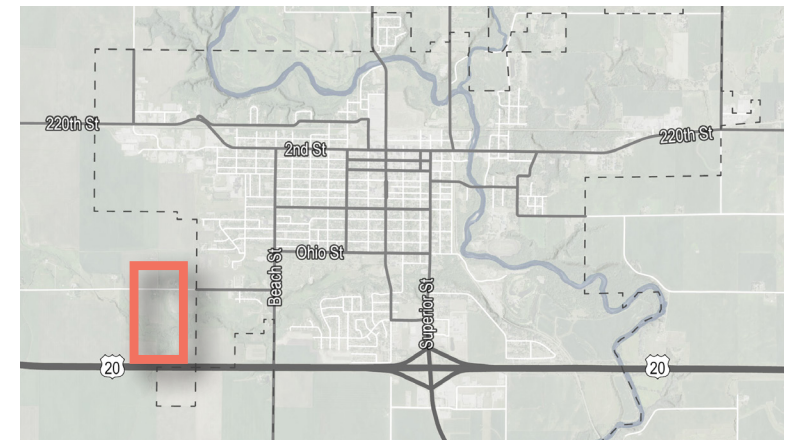
### Future Land Use

- Low Density Residential
- Greenway

### Annexation Considerations

- Do not develop in the floodplain, but rather passive greenways that serve new neighborhoods with trails that link to new neighborhoods to the north. The trails should extend west from Beach Street.
- There is a need for public investment in a neighborhood park in this area when new subdivisions are platted.
- Aside from local streets, major street extensions include a new collector south of Wall Street stemming from Beach Street.
- Wall Street needs to be paved and brought to city standards.
- If fully developed under the future land use categories:
  - › About 100 acres of Low Density Residential land. At 3 dwelling units per acre, could mean around 300 new units and a supported population of about 680 people.
  - › Annual City property tax collected could be around \$450,000-\$500,000.
  - › The supported additional population would add to sales tax revenue as well.

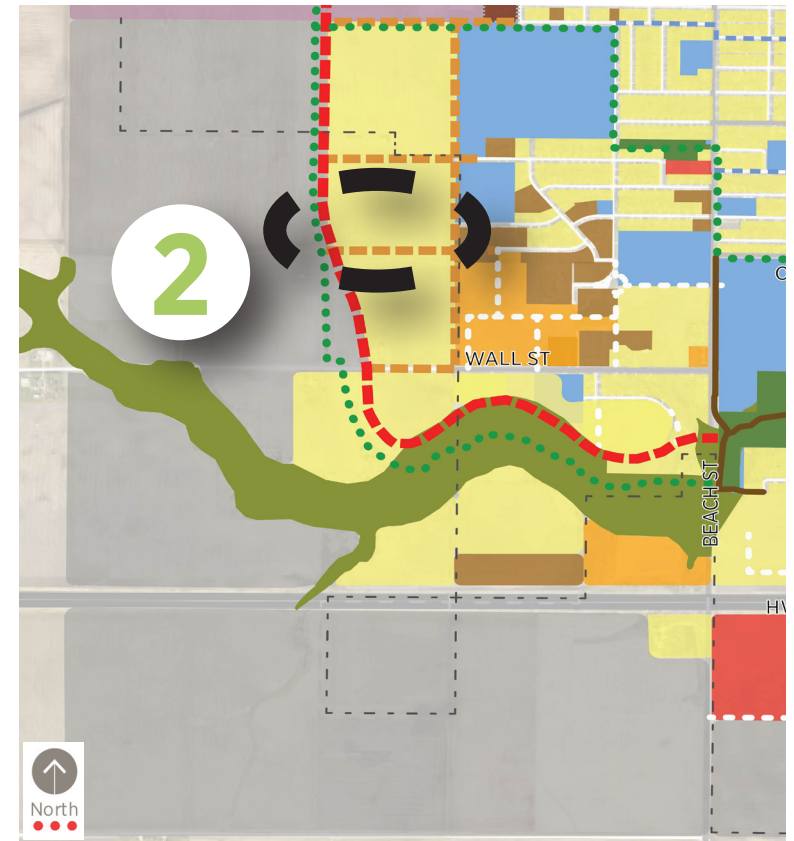
Figure 2.2: Wall Street Growth Area



The area is west of the Hamilton County Public Health building, south of Collins Street, and generally along and north of Locust Street. The area abuts the Wall Street growth area to the south.

- The land is undeveloped and in agricultural production. There are no homesteads in the area.
- The topography is flat with no floodplains or wetlands.
- Streets are in place for extensions to the west, particularly Collins Street, Grand Street and Locust Street.
  - › However, Locust Street and Grand Street requires acquisition of private property to continue the extension. Public land was not reserved in the platting.
  - › The school district owns the land adjacent to where Collins Street could be extended.
- Like street extensions, utilities are available to be relatively easily extended to the area.
- A rough estimate for total valuation of existing land, buildings, and dwellings is about \$165,000-\$190,000.
  - › At 2020 City tax rates and State rollback factors, the existing land uses would equate to minimal City tax revenue.

- Aside from local streets, major street extensions include a new collector from Wall Street and extension of Collins and Grand and/or Locust Streets.
- Active transportation routes should be planned to the high school.
- If fully developed under the future land use categories:
  - › About 37 acres of Low Density Residential land. At 3 dwelling units per acre, could mean around 110 new units and a supported population of about 250 people.
  - › Annual City property tax collected could be around \$90,000-\$110,000.
  - › The supported additional population would add to sales tax revenue as well.



## Future Land Use

- Low Density Residential

### 3. HIGHWAY 20/BEACH STREET AREA

The area includes the northwest intersection of Highway 20 and Beach Street. The area is bounded by existing city limits on the north and west ends. The total size is about 29 acres.

#### 2020 Conditions:

- The land is undeveloped with a mix of agriculture and greenways.
- The northern third of the area falls within the floodplain surrounding Brewers Creek.
- Land along Beach Street is sloped and includes a north/south running drainage way.
- There are no streets and only one access for agricultural equipment near where Fair Meadow Drive intersects Beach Street.
- There are no utilities (water, sewer) adjacent to the area.
- A rough estimate for total valuation of existing land, buildings, and dwellings is about \$15,000-\$20,000.
  - › At 2020 City tax rates and State rollback factors, the existing land uses would equate to minimal City tax revenue.

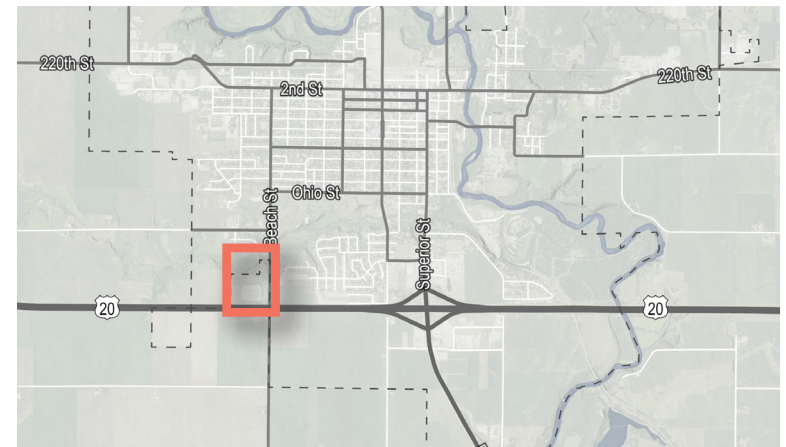
#### Future Land Use

- Medium Density Residential
- Greenway

### Annexation Considerations

- Do not develop in the floodplain, but rather passive greenways with trails that link to new neighborhoods to the west. The trails should extend west from Beach Street.
- The entire area is owned by one property owner.
- Development potential is limited by the environmental features, thus medium density residential is preferred. Such arrangements could be townhomes, small apartments, and small lot attached residential units.
- Access to the site will require full street construction. Access from Beach Street would ideally align with Fair Meadow Drive. However, the drainage way and topography could add costs.
  - › Crossing the drainage way would add costs to site access.
- If fully developed under the future land use categories:
  - › About 16 acres of Medium Density Residential land. At 4-6 dwelling units per acre, could mean up to 80 new units and a supported population of about 175 people.
  - › Annual City property tax collected could be around \$160,000-\$200,000.

Figure 2.4: Highway 20/Beach Street Growth Area





## 4. 225TH STREET/BUXTON DRIVE AREA

The area is north of 225th Street, bounded by city limits on the north and west.

### 2020 Conditions:

- The land is undeveloped and in agricultural production. There is one homestead in the area.
- Most adjacent land within city limits is also undeveloped other than the Hillcrest Mobile Home Park on the northwest end.
- The topography is flat with no significant environmental barriers. A floodplain does clip the far northeastern portion of the area.
- 225th Street is not paved.
- There are water mains in 225th Street within city limits, but no storm or sanitary sewer. Similarly to the north along the mobile home park.
- A rough estimate for total valuation of existing land, buildings, and dwellings is about \$180,000-\$200,000.
  - › At 2020 City tax rates and State rollback factors, the existing land uses would equate to about \$750-\$1,000 in annual City tax revenue.

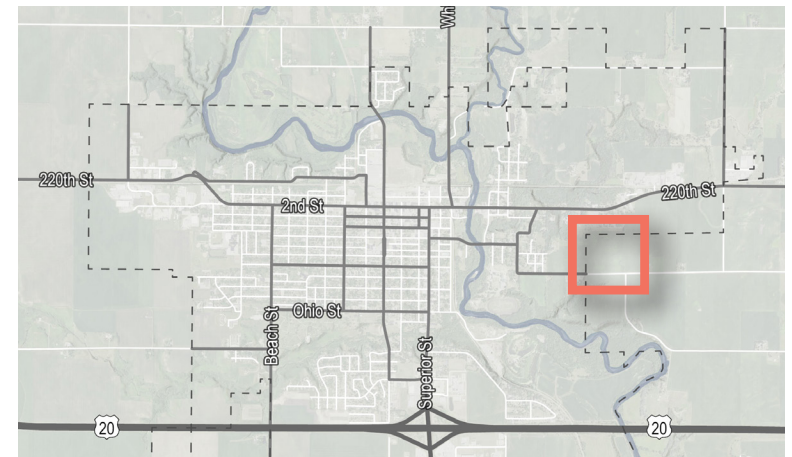
### Future Land Use

- Urban Reserve - An area not anticipated for urban development in the next 10 years. However, is a candidate for growth and provision of city services at some point in the future.

### Annexation Considerations

- 225th Street and Kantor Avenue will need to be paved and brought to city standards.
- Adjacent areas within city limits should ideally develop first, with appropriate reservations for street and utility extensions.
- The farmland in the area is owned by two different property owners, which could lead to easier voluntary annexation or better coordinated subdivision development.
- The comprehensive plan should be updated to designate a future land use should an annexation request come forward.
  - › Because the future land use map leaves this area as Urban Reserve, a number of long-term future uses are possible. Development will depend on the pattern of neighborhood development to the west and what influence that could have on the market for low, medium, or high density residential uses.

Figure 2.5: 225th Street/Buxton Drive Growth Area





## 5. SOUTHWEST HIGHWAY 20 AREA

The area is county land south of Highway 20, west of Beach Street and north of 240th Street. There is one section in this area that is already within city limits.

### 2020 Conditions:

- The area is in agricultural production with one homestead at the intersection of Highway 20 and Beach Street.
- There are no floodplains in the area. A drainage way extends south from Highway 20, west of the city limits boundary.
- The topography is flat and generally unobstructed.
- Beach Street and 240th Street are paved. 240th Street leads to the Webster City Municipal Airport.
- There are no utilities (water, sanitary) within the vicinity of this area.
- A rough estimate for total valuation of existing land, buildings, and dwellings is about \$700,000-\$750,000.
  - › At 2020 City tax rates and State rollback factors, the existing land uses would equate to about \$4,000-\$5,000 in annual City tax revenue.

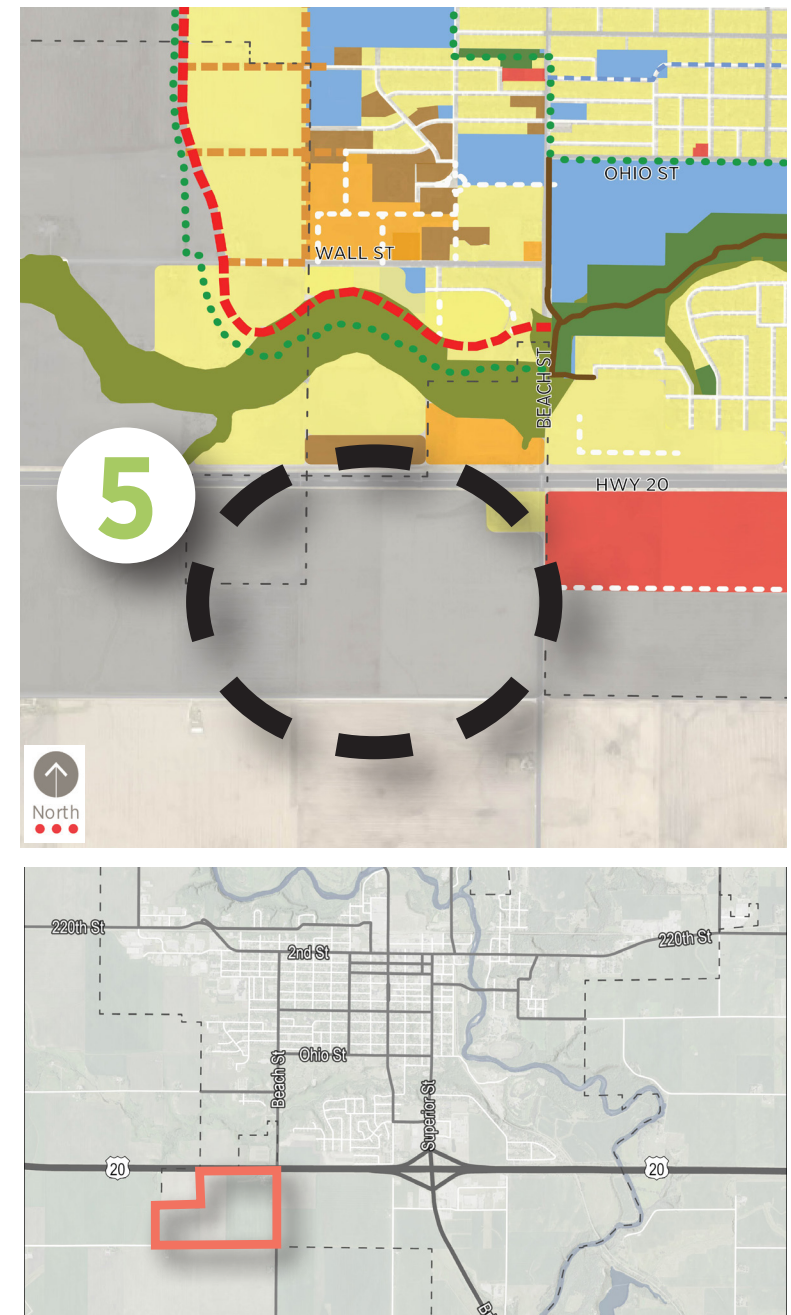
### Future Land Use

- Urban Reserve - An area not anticipated for urban development in the next 10 years. However, is a candidate for growth and provision of city services at some point in the future.

### Annexation Considerations

- Land outside of this area along Highway 20 east of Beach Street is planned for commercial uses. The market could warrant commercial uses west of Beach Street in the long-term future. Especially with adequate street access to the interchange at Superior Street.
- The sections are owned by single property owners, which could make phased voluntary annexation easier and more efficient for extension of streets and services.
- If significant residential development is proposed for the area, public park space should be incorporated into subdivision development.
- Extensive expense to service with city utilities until surrounding property within city limits develops.
- The comprehensive plan should be updated to designate a future land use should an annexation request come forward.
  - › Because the future land use map leaves this area as Urban Reserve, a number of long-term future uses are possible. Development in the future would likely include components of commercial/industrial uses with street improvements on Beach and connections to Closz Drive.

Figure 2.6: Southwest Highway 20 Growth Area





A large, dark purple, stylized number '3' that serves as a background element. It starts with a horizontal line at the top, followed by a diagonal line down to the right, and then a curved line that loops back up and to the left, ending near the bottom left.

POLICY  
CONCLUSIONS

### ANNEXATION CRITERIA

Webster City's annexation policy should be opportunity based. It should not be the goal to pursue involuntary annexation. Instead, the City should continue to require development in city limits that encourages efficient growth outside of city limits should property owners sell for development and request annexation.

There is ample land within city limits to serve near term growth needs. However, at times there may be more feasible growth opportunities outside of city limits, especially for housing and neighborhood growth. Annexation is warranted to protect future development patterns or these development opportunities become available that efficiently connect to city services next to existing development.

Lastly, each growth area defined in the previous chapter is not an "all or nothing" annexation policy. Portions of each growth area can and likely should be annexed in phases because of cost constraints and voluntary annexation policies.

From an annexation policy standpoint, the following actions and guidelines are appropriate for considering annexation

#### *Market Forces*

The market will drive most annexation needs. If there is no market need for residential, commercial, or industrial development, the City should reconsider annexation. An overestimation of the market by an annexation applicant can lead to long term undeveloped subdivision areas where the City bears the public costs of serving.

#### *Analysis of Services and Service Needs*

Annexation requires that city services be provided to the newly annexed land. These include public safety (police and fire protection), infrastructure (road improvements, water mains, sanitary sewers), and possibly even new facilities (libraries, parks, recreation centers) longer in the future as city limits grow. If Webster City cannot effectively and efficiently provide the necessary services to the annexation area, the annexation should be reconsidered.

#### *Analysis of Revenues and Costs*

One reason cities might undertake annexation is to grow their tax base. However, in some cases, the upfront costs to provide services to the annexation outweigh the potential near term increase in tax revenue generated.

The analysis includes comparing the potential property taxes, sales taxes from commercial establishments, business taxes, license fees, and any other sources of revenue associated with land use and development in the annexation area against the projected costs for infrastructure provision, maintenance, public safety, and other associated costs. If there is a long term pay off period for the costs incurred, near term budgets could be strained.

#### *Creating Quality Areas*

Annexation should not be thought of simply acquiring land, providing utilities, and receiving property tax revenues. Areas, especially those with residential uses, will require amenities to support neighborhoods like parks and trail connections funded by city budgets. These items should be calculated with the analysis of costs and revenues.

#### *Having a Plan*

As described in the last chapter, adhering to the Webster City Comprehensive Plan is required for annexed land. A plan for land use and zoning should accompany any annexation.

#### *Two-Mile Jurisdiction*

Even if annexation is not imminent, strict enforcement of the city's two-mile authority in Hamilton County will ensure checks on inefficient county development that may become city land in the future.

#### *Political Implications*

In some instances, understanding the potential political impacts of annexation is necessary. Residents in the area being annexed may have concerns about higher taxes, loss of community identity, or changes in political representation. Residents of Webster City could also have concerns that the annexation will strain existing levels of service in the community. These are items to consider and a main reason the city policy should focus on voluntary annexation.



Figure 3.1: Annexation Feasibility Potential

GROWTH AREA	SHORT TERM (2030)	MEDIUM TERM (PAST 2030)	LONG TERM (PAST 2040)	ANNEXATION OPPORTUNITIES
1. Wall Street Area	x			Support the housing study Protect orderly growth Expand trail system Connect western Webster City
2. Collins Street/High School Area	x			Support new housing options Protect orderly growth Expand the trail system Connect western Webster City
3. Highway 20/Beach Street Area		x	x	Protect environmental features Support new housing options
4. 225th Street/Buxton Drive Area			x	Protect orderly growth Expand development options
5. Southwest Highway 20 Area	x	x	x	Expand economic development



## GROWTH AREA POLICY CONSIDERATIONS

### 1. Wall Street Area

*Timeframe: Feasible near term possibility*

**Reason.** The City has already received development interest, with some larger scaled plans for phased subdivision development. Wall Street provides a direct existing road connection to the area if improved.

#### *Budget Considerations*

**Existing Conditions.** No existing local streets to maintain, mostly in agricultural production. Although, additional city tax revenue is also minimal.

**Future Land Use.** Costs needed to serve with streets and utilities, similar to other residential subdivisions. A park space and trails will also need to be planned and budgeted for installation and maintenance.

Market conditions could be good for shorter term realization of residential development with City and developer agreements. Good potential future addition to the city tax base.

#### *Policy Recommendations*

- Evaluate utility extensions needed to service properties from existing street extensions.
- Work with developer to improve Wall Street to service anticipated traffic demand from full build out.
- Ensure protection of floodplains, allowing for a buffer of the greenway from residential development.
- Access to development areas south of Brewers Creek from the north needs to be evaluated without changing flood impacts.

### 2. Collins Street/High School Area

*Timeframe: Feasible near term possibility*

**Reason.** There are logical street extension possibilities in place. Often, areas near schools are appealing for residential development.

#### *Budget Considerations*

**Existing Conditions.** No existing local streets to maintain, mostly in agricultural production. Although, additional city tax revenue is also minimal.

**Future Land Use.** Costs needed to serve with streets and utilities, similar to the Wall Street area.

#### *Policy Recommendations*

- Evaluate utility extensions needed to service properties from existing street extensions.
- Pedestrian access should be reserved to reach the high school and employment areas to the north.
- No need to annex in the short term unless an opportunity presents itself that aligns with the comprehensive plan.

### 3. Highway 20/Beach Street Area

*Timeframe: Medium to long term possibility*

**Reason.** Environmental features and site access create challenges to development. A floodplain on the northern end of the area restricts the development yield of the area.

#### *Budget Considerations*

**Existing Conditions.** No existing streets, in agricultural production and greenway preservation. Minimal city tax revenue.

**Future Land Use.** Development according to the future land use map as medium density residential would offer moderate property tax returns to the City and an appealing site for these types of uses if managing flood preservation. The cost of accessing the site and managing stormwater needs to be evaluated for full cost/benefit potential.

#### *Policy Recommendations*

- Floodplain and greenway preservation is the highest priority.
- Access from Beach Street should align with Fair Meadow Drive if feasible.



#### 4. 225th Street/Buxton Drive Area

*Timeframe: Long term possibility*

**Reason.** Adjacent to vacant land within city limits that should be developed before annexation. Otherwise, service provision will have to “leapfrog” undeveloped land in the short term, which is not an efficient development pattern.

##### *Budget Considerations*

**Existing Conditions.** Little cost to the city because the area is under agricultural production. Revenues would be marginal under existing uses.

**Future Land Use.** This area could be a long-term future neighborhood for Webster City.

##### *Policy Recommendations*

- Pursue annexation only if development opportunities arise to the City. In any case, infill of areas within city limits takes priority according to the Comprehensive Plan to provide efficient connectivity, utility extensions, and infrastructure investment.
- Evaluation of the feasibility of utility serviceability and improvements to 225th Street to City standards.

#### 5. Southwest Highway 20 Area

*Timeframe: Varies*

**Reason.** A portion of land in this area is already within city limits. Opportunities to assemble portions of land could arise as property owners sell off land. However, development of future land uses is likely a medium to long term prospect.

##### *Budget Considerations*

**Existing Conditions.** Little cost to the City because the area is under agricultural production. Revenues would be marginal under existing uses

**Future Land Use.** Depends widely on the types of commercial or industrial uses. Likely large costs for utility service and evaluation of water and sewer needs. Costs could be offset relatively quickly when tied to a development agreement for new commercial/industrial tax base and employment.

##### *Policy Recommendations*

- No need to annex in the short term unless market conditions change. In this case, annexation could be considered to assemble land to prepare for larger development potential in the future, such as an industrial or commercial park. There is still space closer to the Highway 20 interchange for these uses, which is more appealing for short term market demands.
- Residential uses could be considered as well if adequately connected to the larger community according to the principles in the Comprehensive Plan.



### ANNEXATION PROCEDURE

While Webster City does have land within city limits to meet future land use needs, much of this land is not readily suitable for development. Therefore, annexation is a feasible goal for the city.

Annexation should follow the intent of growth in the Future Land Use Plan. The phasing of growth should occur in a way to not overstrain city budgets or ability to service. A separate annexation study was completed with the Comprehensive Plan, showing detailed consideration for annexation in growth areas. The next page shows a summary of the study, as potential long-term future annexation areas for Webster City.

Note, it is not the City's policy to involuntarily annex land. The following annexation strategy should apply:

#### 1: Pursue Voluntary Annexation

Webster City should use the "voluntary annexation" provisions of Iowa annexation law (including the 80/20 rule) and avoid annexing areas under "involuntary" procedures. The drawbacks of involuntary annexations include:

- More complex annexation process.
- Confrontation with landowners.
- Susceptibility to court challenges.
- Costly extension of city services mandated within a short period, even if development is not imminent.

The benefits of voluntary annexation are:

- Allows the City to promote areas for development without having to install costly infrastructure ahead of that development. The annexation/infrastructure extension plan becomes a negotiated process between the property owner, developer and the City.
- It does not require the City to pick "winners and losers" among potential annexation areas. Instead, the private market determines development timing and location.
- Simpler process, less controversial.

To make the voluntary annexation approach work, the City must:

- If necessary, use the 80/20 rule for voluntary annexation, which allows up to 20% of the total annexed area to be included without property owners' consent. This allows for the "squaring off" of annexation areas to logical boundaries to avoid creating unincorporated "islands," which are not permitted by state law. While full consent from property owners is ideal, there may be situations where the 80/20 rule is necessary to follow state laws and achieve long-term City goals.
- Enact Parts 2-6 of this strategy.

#### 2. Only Annex as Needed

Webster City should annex land only as the opportunity arises and helps achieve housing or land use needs in the city. Infill development within the city is preferred if those opportunities are present. By only annexing what is needed when it is required, the City avoids unnecessary maintenance of infrastructure and potential conflicts with landowners. Coupling this approach with creating annexation agreements will protect the City's long-term growth areas.

#### 3. Initiate Outreach to Property Owners

Initiate ongoing communication with owners of properties in the annexation areas. Communicate the potential benefit of annexation: The extension of city services/infrastructure greatly enhances the development potential of the land and maximizes its sale value.

#### 4: Negotiate Development Agreements

Development opportunities in the annexation priority areas should be pursued on a "negotiated development agreement" basis, with zoning, infrastructure extensions, and any applicable development incentives as part of the negotiation process. The Future Land Use Map should serve as the guide for uses within the annexation areas.

#### 5. Wait to Zone

Annexation areas should not be zoned for future uses until the areas are voluntarily annexed and a negotiated development deal is accomplished. Discussion of appropriate zoning, consistent with the Future Land Use Map, should be a part of the negotiation process.

#### 6. Prioritize Contiguous Parcels

Annexation priority should go to parcels contiguous to current city boundaries. It is not recommended to annex property that is not contiguous to existing city property and would not be permitted by state law in most circumstances.



## When a Request Comes Forward

The City is familiar with annexation proceedings. A good practice for when a request for annexation comes forward, specifically associated with a development proposal, is to set up a pre-annexation agreement. The process could be incorporated as part of the subdivision ordinance or municipal code of ordinances.

A pre-annexation agreement with the property owner legally binds the proposal for annexation with development. A pre-annexation agreement ensures compliance with the goals of Webster City. The agreement assures the City that annexation will provide benefits of desired development, environmental protection, or orderly growth patterns.

## *Pre-Annexation Agreement Requirements*

The format of the agreement needs to include several items, some that are nonnegotiable.

**Iowa Code.** Chapter 368 of the Iowa Code specifies the procedures of annexation. In no instance shall the pre-annexation agreement list procedures that contradict those required in Chapter 368.

**Webster City Municipal Code.** In no instance shall the pre-annexation agreement list procedures that contradict those required in Webster City's Municipal Code unless the reasons are stated in the agreement.

**Comprehensive Plan.** A plan for land use and zoning should be stated in the agreement, adhering to the Comprehensive Plan, Zoning and Subdivision Ordinance, and this document. Reasons should be stated for deviating from the Comprehensive Plan.

**Existing Liens or Assessments.** Any existing liens or delayed assessments that conflict with policies should be changed to accurately reflect the pre-annexation agreement.

**Existing Agreements.** The pre-annexation agreement should not contradict other agreements in place, such as 28E agreements, fringe area plans, or other agreements with the county or other jurisdictions. Such contradictions should only be allowed if partners with the other agreements provide written acknowledgment of the annexation.

**Fringe Area Development.** No annexation should be allowed outside the city's two-mile jurisdiction. For areas within the two-mile jurisdictional boundary, annexation should generally be limited only to those areas identified as industrial, commercial, or residential future land uses in the Comprehensive Plan. The Comprehensive Plan can be updated from time to time to reflect new directions and market forces in Webster City.

**Provision of Services.** The agreement needs to identify who will be responsible for providing utility services (water, sewer, storm sewer, lighting, etc.) and infrastructure. This includes the level of improvements and who will pay for any required improvements to meet city standards, fees, and the timeframe of completing such improvements. The Subdivision Ordinance provides direction on how services are paid for, but the pre-annexation agreement can list more detailed information or deviate from the Subdivision Ordinance if explained and agreed upon by the City and the developer or property owner pursuing annexation.

- In most instances, the extension of water and sewer services shall be predicated upon annexation of the area by the City. City annexation shall occur before any property is provided with water, sanitary sewer, or other city services.
- Infrastructure includes but is not limited to streets, sidewalks, parks, and stormwater management. In addition to the timeframe for construction and responsibility of costs, the agreement should also detail maintenance standards if differing from existing city standards.

**Miscellaneous Items.** Other items could be included in a pre-annexation agreement based on the context of the site and Comprehensive Plan. These could include but are not limited to, provision of environmental resource protection, traffic impact studies, and building design standards.