



IOWA CHAPTER

Annexation

There are five forms of merging land outside of the city limits into a city

- voluntary annexation of land not in an urban area (100% voluntary)
- voluntary annexation of land in an urban area (100% voluntary, neighboring city)
- voluntary annexation of land in an urban area without consent of landowners (80% voluntary/ up to 20% non-consenting)
- voluntary annexation of land not in an urban area without consent of landowners (80% voluntary/up to 20% non-consenting, neighboring city)
- involuntary annexation (more than 20% non-consenting).

Each form has slightly different procedures to follow.

In 100% voluntary annexation, all of the landowners of the property being annexed agree to the annexation.

With an 80% voluntary annexation, 80% of the landowners of a territory to be annexed can write the city council and request annexation. Railroad property can be included. Privately-owned land can be included without the consent of the owner if it comprises not more than 20% of the territory. Public land may be included in the territory, but is not counted toward the 20% of the territory.



Photo credit: Lynn Betts, USDA NRCS

By Iowa code, annexations are not approved if the land is not contiguous to the city and if the city is not able to provide city services to the annexed property. Annexations are not approved if the motive for the annexation is to increase revenue to the city.

When the territory being annexed is within 2-miles of another city, that city must be notified of the annexation request and has an opportunity to appear before the public hearings.

The annexation rules and regulations are rather detailed and tricky. It is wise to review the Iowa Code for more details; Iowa Code Chapter 368 lays out the requirements for city development. It is also wise to contact staff working on annexation for the city and the City Development staff for more details. In general the process involves:

- The application is made to the city.
- The city notifies the Board of Supervisors before the council meeting where the annexation will be voted upon.
- Non-consenting landowners are notified of the application.
- The city has to publish notice of the action before a council meeting where the annexation will be voted upon.
- The city council will have a public hearing to hear from members of the public.
- The city council votes for or against the annexation.
- The city notifies the City Development Board of the approval of the annexation. However 100% voluntary annexations are not reviewed by the City Development Board.
- The City Development Board holds a public hearing and accepts public input.
- The City Development Board votes to approve the annexation or to deny the annexation.
- The decision can be appealed to district court.

City Development Board

In Iowa annexing land into a municipality unless all landowners agree to the annexation, removing land from a municipality, consolidating two cities into one, discontinuing a city, and incorporation of a new city must be approved by the City Development Board (CDB). The CDB is a state board, whose citizen members are appointed by the governor.

For more information

Iowa Code Chapter 368 lays out the requirements for city development. There are also administrative rules implementing the Code.

<http://www.iowaeconomicdevelopment.com/Community/CDB> This website has excellent information about the annexation process.