

## Chapter 153

### Sioux Falls Code of Ordinance - Annexation Policies

#### 153.001 PETITIONED ANNEXATION; GENERALLY.

(a) Upon receipt of a request from a property owner to annex a legally described property, the petitioner, city planning office and the public works department shall complete an analysis regarding utility schedules and associated costs for including the contiguous territory into the municipal boundaries.

(b) The planning and building services department shall detail the policies within the urbanized, planned and future urbanized areas adopted in the comprehensive plan.

#### 153.002 PETITIONED ANNEXATION; RESOLUTION.

(a) The city council shall then adopt a resolution to extend its boundaries.

(b) The resolution shall address the following:

(1) The petitioners' analysis;

(2) The description and boundaries of the contiguous territory to be annexed;

(3) The proposed land uses and densities associated with the parcel to be annexed; and

(4) That municipal utilities and access to a major street network are considered in terms of the proposed boundary and land uses; and that there is an agreed upon timetable which municipal service will be extended into the contiguous territory.

#### 153.003 STUDY REQUIRED BEFORE ANNEXATION WITHOUT PETITION.

(a) Except as provided by SDCL 9-4-1, before a municipality may extend its boundaries to include contiguous territory, the governing body shall conduct a study to determine the need for the contiguous territory and to identify the resources necessary to extend the municipal boundaries.

(b) The planning and building services department shall follow the process detailed within state law in annexing contiguous territory within the urbanized, planned and future urbanized areas as detailed within the adopted comprehensive plan.

#### 153.004 PRE-ANNEXATION AGREEMENT; GENERALLY.

Upon receipt of a request from property owner(s) to complete a pre-annex agreement, the petitioner, city planning office and the public works department shall complete an analysis regarding utility schedules and associated costs for including the non-contiguous territory into the municipal boundaries at a time as the property becomes contiguous.

### **153.005 PRE-ANNEXATION AGREEMENT; RESOLUTION.**

(a) The city council shall then adopt a resolution for future extension of its boundaries.

(b) The resolution shall address the following:

(1) The petitioners' analysis;

(2) An agreement that the property owner(s) waive legal rights opposing future annexation;

(3) The description and boundaries of the non-contiguous territory to be annexed in the future;

(4) The proposed land uses and densities associated with the parcel to be annexed in the future; and

(5) That municipal utilities and access to a major street network are considered in terms of the proposed boundary and land uses; and that there is an agreed upon timetable which municipal service will be extended into the territory.

### **153.006 PETITIONED ANNEXATION; FEE.**

To defray the costs of processing, investigating, conducting public hearings, filing and recording of annexation petitions, a fee shall be required as established by the city council and shall be paid by any person filing a petition for annexation of territory of the city. The director of planning and building services may waive all or a portion of the filing fee. The applicant shall pay to the city the appropriate fee as designated in §§ [160.745](#) through [160.760](#) of this Code.