

Annexation Task Force Meeting
April 11, 2017, 2 p.m.
Downtown Library

Meeting Summary

- Councilor Kiley, as the meeting facilitator, began the meeting at 2:05 p.m. with opening remarks. After introductions of the task force members, he reviewed the goal of the task force and the process and procedures of the meetings. A document outlining those remarks can be found via the Task Force webpage under, **Meeting Information: April 11.**

- The first item of business was a presentation by Director Mike Cooper. He reviewed the purpose of annexation. Annexation provides, 1) better coordination of services and improvements, 2) greater awareness of timing and expectations for improvements, 3) more equitable distribution of infrastructure and service costs, and 4) improvements made in an economical manner based on future extension of urban services identified in the urban growth area. The question needs to be answered as to whether the City will stop or stall development due to unannexed property in its path. Additionally, when development happens around unannexed lands, it can create issues related to traffic, noise, density, and conflicting or stricter ordinances and codes. **Map 1.B, “Annexations” was used as a visual for this presentation and can be found via the Task Force webpage under Meeting Information: April 11.**

- Director Mike Cooper reviewed the history of annexations within the City of Sioux Falls that illustrated the growth of the city. In the past, annexations have focused primarily on getting residents hooked up to City water and sewer while leaving the neighborhood with the option of eventually petitioning for curb, gutter, and sidewalk improvements. An example of this is the Old Yankton Road area that was annexed because of water main expansion needs in the area. Annexation agreements under these circumstances typically identified, 1) the time line for water and sewer infrastructure, and 2) the process for petitioning for additional infrastructure, such as curb/gutter and sidewalks, at a later date. Councilor Neitzert asked how many City-initiated annexations happened in the past without an agreement. Director Cooper explained that most worked out an agreement with the City and that there have been very few City-initiated annexations that have gone all the way to effective annexation. **“Initiated Annexation History Map” was used as a visual for this presentation and can be found via the Task Force webpage under Meeting Information: April 11.**

- Assistant City Attorney Danny Brown provided an overview of the state statutes guiding annexations. He explained that annexation results in zoning authority, inclusion in the City’s comprehensive plan, and new regulations on annexed areas. There are two forms of annexation, petitioned-initiated annexation, and City-initiated annexation. A purpose of the annexation statutes is to help apprise the residents of the cost of annexation and to prohibit annexation by municipalities that are unable to render reasonable services. A petitioned annexation requires signatures from owners of at least 75 percent of the areas valuation and 75 percent of the areas registered voters to have the ability to move forward. There is also a statute that requires the land to be contiguous. Contiguous means the property touches land that is already annexed, there is a showing of a community interest flowing from one of the justifications for a natural and reasonable annexation, and the annexation is natural and reasonable. A petitioned annexation has additional requirements in City ordinance requiring an analysis of the annexation. The analysis is completed by the petitioner(s) and City staff and is provided to the City Council in the form of a staff report. Petitioned annexations allow for negotiations and agreements to take place with the property owner. Under certain circumstances, a preannexation agreement can take place. This type of agreement provides property owners an opportunity to plan for future annexation and improvements. The annexation process is outlined in state law, Chapter 9-4, (available via the Task Force webpage under Meeting Information: April 11). City-initiated annexation requires a study to be completed determining the need for the area and to identify the resources necessary to extend the municipal boundaries. Councilor Neitzert asked what the minimum infrastructure is that the City needs to provide and whether a neighborhood would be allowed to not have curb and gutter. Mr. Brown stated, after annexation, the City needs to provide services that are substantially equivalent in standard and scope to what all other City properties have. However, an agreement could be reached between the City and the property owners to outline other options. **There were no visuals displayed on a board for this presentation, but copies of the state law and City ordinance sections were available in the handout. It is also available via the Task Force webpage under Meeting Information: April 11.**
- Urban Planner Albert Schmidt gave an overview of unannexed property currently within city limits and displayed a map displaying the 62 areas. Mr. Schmidt explained that these areas were identified using criteria that the land is either completely surrounded by annexed lands, the land is surrounded on at least three sides by annexed lands, or it is a group of rural homes that abut annexed lands. Mr. Schmidt also noted the annexation areas shown do not reflect any preferred annexation order. Since 2015, the City has been successful in working with three of the areas shown to become annexed and one of the areas on a preannexation agreement. The 62 areas range widely in size, character, and other details:

 - Number of homes—231 to no homes.
 - Six areas are used entirely for agriculture.

- 42 areas are without any agricultural land.
- 19 of the properties are zoned either rural residential, commercial, or something other than agriculture.
- The distance from the police station in downtown Sioux Falls ranges from 6.4 miles to 3.1 miles.
- The distance from a fire station ranges from 0.01 miles to 2.79 miles.
- The distance from a library ranges from 4.28 miles to 0.44 miles.
- The distance from a park ranges from 1.46 miles to 0.17 miles.
- Some of the property areas have paved roads and some gravel roads.
- Infrastructure ranges from having well water and septic tanks to having City water and sewer.

“Annexation Areas” was used as a visual for this presentation and a March 9, 2017, updated version of this visual can be found via the Task Force webpage under Meeting Information: April 11.

- Urban Planner Albert Schmidt shared information about recent or planned Capital Improvement Projects (CIP). In early 2017, a map was created to illustrate the location of City investment in infrastructure in relation to the unannexed property. The unannexed land is surrounded by developed lands touching no less than 50 percent of its borders. “Developed lands” in this instance mean that the property is annexed into the City and there is a structure, or an existing use, that has been established and is in service on that property. In compiling this map, the 2017–2021 CIP list was used. Most of the projects that abut the unannexed land are road improvement projects; either minor street paving repairs (26th and 69th) or a full street reconstruction (85th, Tallgrass, Arrowhead Parkway, and Ellis). **“Annexation Areas With Land Percentage Res Units and CIP Projects” was used as a visual for this presentation and can be found via the Task Force webpage under Meeting Information: April 11.**
- Councilor Kiley remarked how the annexation process could have been addressed entirely by the City Council or the Planning Department, but they have chosen to involve all parties in the discussion before moving forward.
- Future meeting times and locations will be directed by the Task Force.
- Topics discussed by the members of the Task Force following all agenda items revolved around costs of annexation, character of neighborhoods, concerns about fairness, and keeping mindful of showing compassion when dealing with this issue. Some historical review may be beneficial to determine who the responsible parties were in the past for improvement costs, how to evaluate areas, and some of the reasons behind the existing conditions of older unannexed areas that will eventually be considered. Additionally, attention should be paid to reality and triggers such as how trailers and RVs will be affected.

- Public input included questions about financial impacts of annexation, legal rights of property owners, details of preannexation agreements, school district boundaries, and future meeting times. Any questions related to information that will be covered at future meetings were deferred. It was clarified that all information is available on the Annexation Task Force webpage. Additional questions were asked about when the annexation process may switch from petitioned to City-initiated. It was clarified that if an area cannot obtain the required number of signatures, the only other option is the City-initiated annexation process.
- The meeting wrapped up just after 3:30 p.m. After conferring with the Task Force members, Councilor Kiley indicated he and Director Cooper will work on coordinating the best solution for the next meeting location, time, and date.