



State of Iowa – City Development Board

Jessica Drake | City Development Board Program Manager
Iowa Economic Development Authority

What is the City Development Board?



5-member board appointed by the Governor

Dennis Plautz
Board Chair

POSITION:
From City < 45, 000

Jim Halverson
Board Vice Chair

POSITION:
From City > 45, 000

Tom Treharne

POSITION:
From County > 50, 000

Colleen Frein

POSITION:
From County < 50, 000

Kirk Bjorland

POSITION:
Public Member



Established by Iowa Code Chapter 368 & Iowa Administrative Code Rule 263

4 Years
Term Length

No Limit
Maximum Terms

1972
Established



To oversee city development actions, act on boundary change requests

What does the City Development Board do?



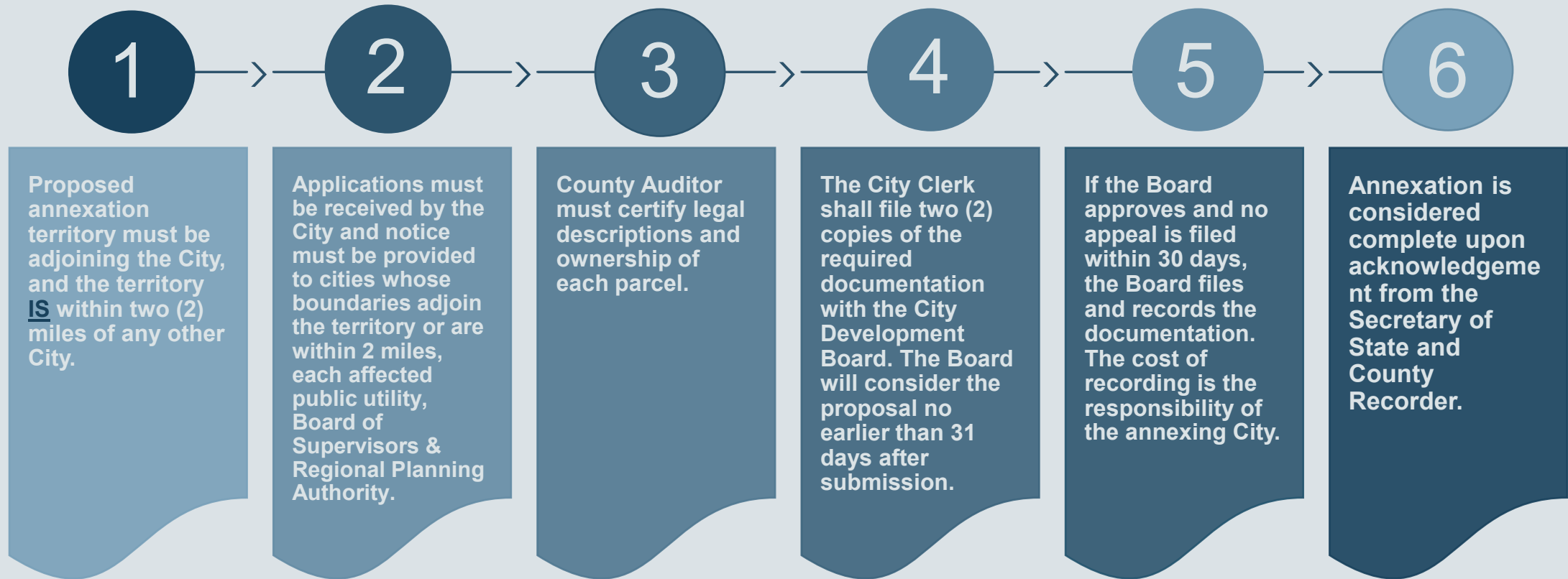
ANNEXATION

100% VOLUNTARY (NON-URBAN AREA)



ANNEXATION

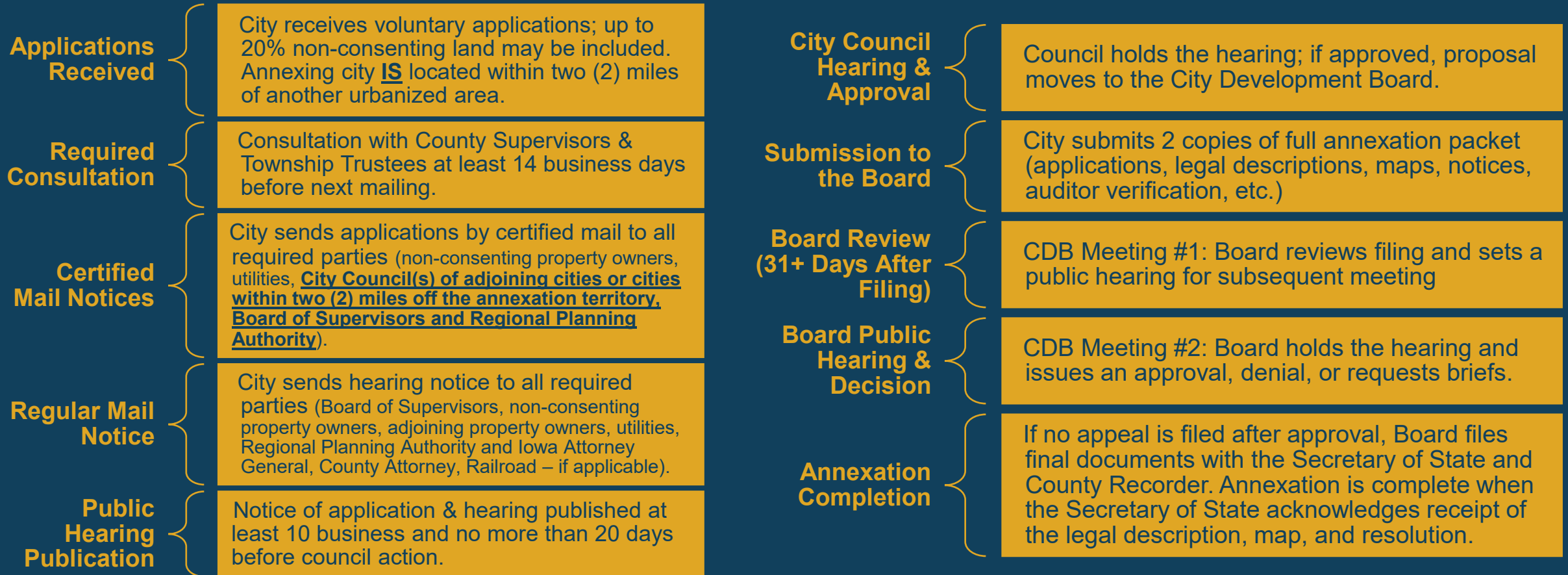
100% VOLUNTARY (URBAN AREA)



ANNEXATION 80/20 (NON-URBAN AREA)



ANNEXATION 80/20 (URBAN AREA)



INVOLUNTARY ANNEXATION

Petitioners send certified-mail notice of the involuntary annexation and hearing to affected cities, counties, regional planning authority, utilities, and all listed property owners 14 business days prior to filing with CDB.

Petitioners publish notice 5+ days before the hearing; Mayor of the annexing City chairs the hearing; Clerk records minutes; all materials sent to County Boards and the City Development Board.

Petitioners obtain written assessed values and tax classifications for each parcel from the City or County Assessor.

Legal descriptions, maps, and ownership lists are submitted to the County Auditor for verification of accuracy and completeness.

The annexing City submits 2 copies of full annexation packet including: current & expected land uses, current & expected municipal services & statement of financial impact, bonding analysis, current & expected zoning, property tax impact analysis, statements regarding sharing agreements, state owned property, right-of way, road maintenance agreements, Smart Planning Principles, revenue impact, tax abatement, and boundary impacts; maps; legal descriptions and copies of all notices & publications.

Within 7 days of filing the petition with the CDB, petitioners must serve notice of filing on affected cities, counties, and regional planning authority, and file proof with the City Development Board.

The Board reviews the petition at its first meeting 31+ days after filing; if compliant, the Board accepts the petition and appoints a Committee.

The committee sets the hearing date, sends notice, holds the hearing, and accepts written briefs.

Within 90 days, the committee issues a written decision approving or denying the petition; Board sends decision by certified mail.

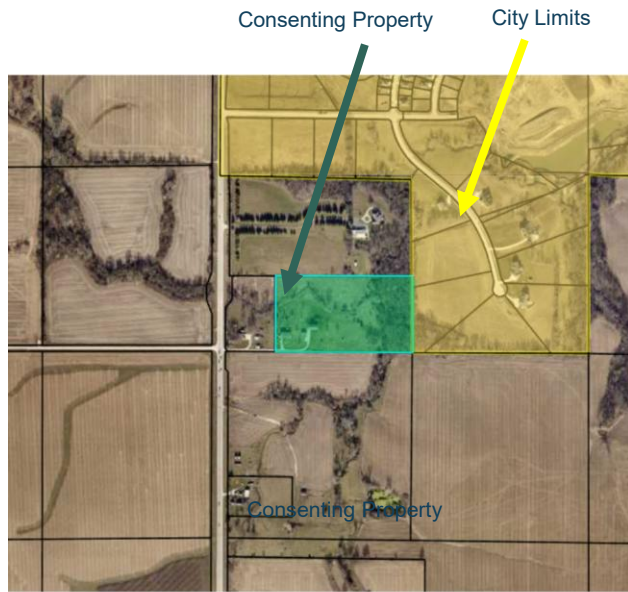
The Board submits the annexation to the County Commission of Elections; voters in the City and annexation territory vote. The annexation must pass with a majority.

If approved, the Board files all documents with the Secretary of State, City Clerk, County Recorder(s), and submits maps/legal descriptions to the Iowa DOT.

Within 3 years of completion, the City must report to the Board on the provision of municipal services; the Board reviews and determines further action if needed.

ANNEXATION - ALLOWABLE

100% Voluntary Annexation with an Urbanized Area



ANNEXATION - ALLOWABLE

80/20 Voluntary Annexation within an Urbanized Area

Consenting Acres: 20.073
Non-Consenting Acres: 1.349
ROW Acres: 2.668
Total Acres: 24.09

20.073 acres – 93.65%
1.349 acres – 06.35%
21.422 acres

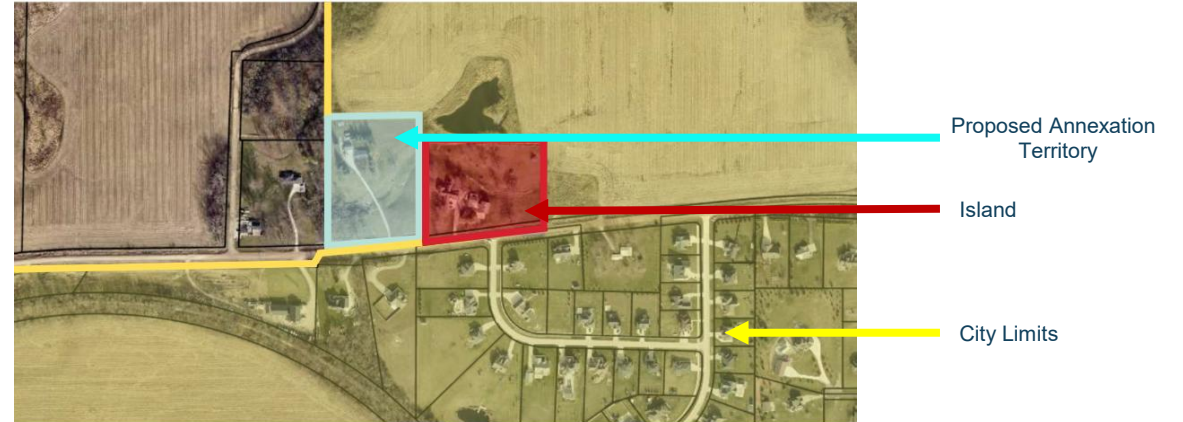
* Pursuant to Iowa Code §368.7(1)(a), public land included without the consent of the agency with jurisdiction shall not be used to determine the % of territory included with OR without the consent of an owner.

* Pursuant to Iowa Code §368.5, territory within the road right-of-way owned by a county may be annexed, but the County Attorney of that county must be served notice of the hearing and a copy of the proposal (prior to council action).

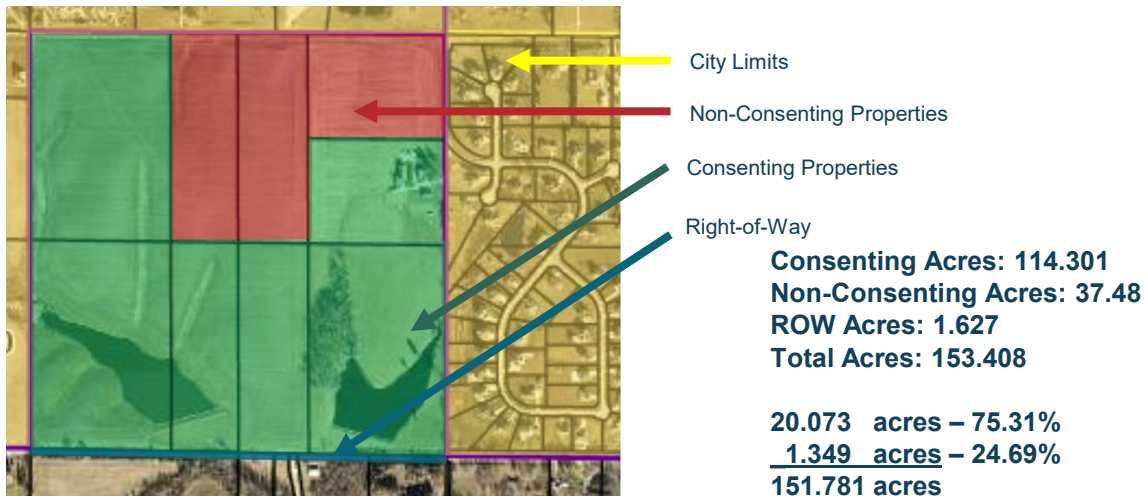


ANNEXATION – NOT ALLOWABLE

Annexation not allowed – Proposed annexation territory creates an island of unincorporated county land



Annexation not allowed – Proposed annexation contains more than 20% Non-Consenting Property

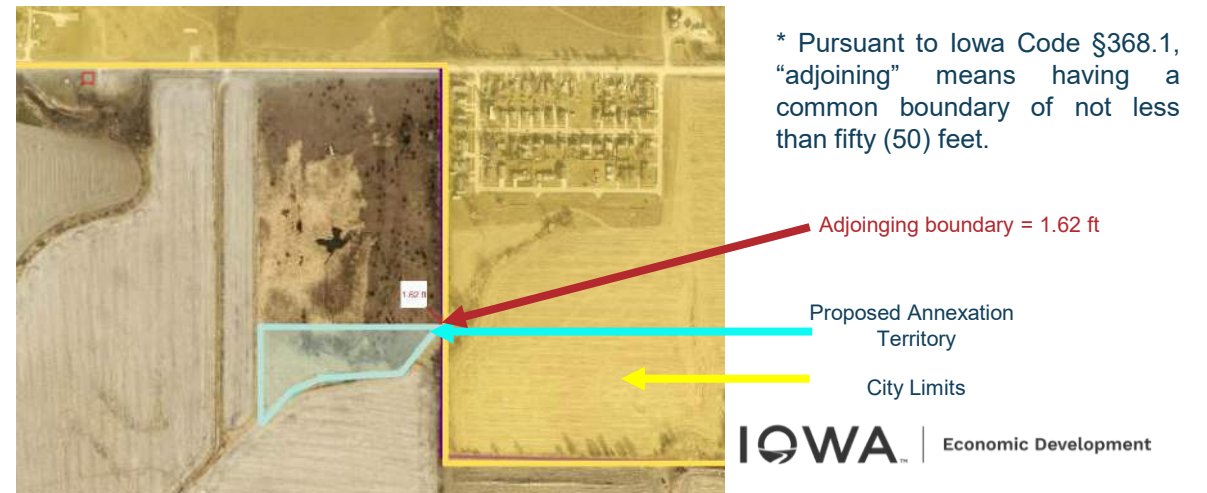


ANNEXATION – NOT ALLOWABLE

Annexation not allowed – Proposed annexation territory is not contiguous with existing city limits



Annexation not allowed – Proposed annexation territory does not share a 50ft connection to city



Annexation Factors



Access to Municipal Services

- Water
- Sanitary Sewer
- Storm Sewer
- Solid Waste and/or Recycling Services
- Street Maintenance
- Snow Removal
- and More



Enhanced Public Safety

- Fire
- Police
- EMS
- May result in faster response times



Civic Rights

- Voting privileges in mayoral, council & bond referendum elections
- Ability to run for local office and to serve on city boards and commissions



Resident Access to Programming

- Parks & Recreation programs & facilities
- Library programming
- Resident vs. Non-Resident rates



Tax Abatement

- Phased reduction in city property tax levy
- Maximum time frame – 10 years
- Sole discretion of the City Council
- Reduction in taxes must not exceed limits defined in Iowa Code

Year(s)	Exemption %
1 – 2	75%
3 – 4	60%
5 – 6	45%
7 – 8	30%
9 – 10	15%



Pre-Annexation Agreements

- Not required
- Options:
 - Grandfathered Non-Conforming Uses in Zoning Code
 - Allowance of Certain Livestock
 - Waiver of Utility Connection Fees
 - Allowance of gravel driveway/parking
 - Allowance of farming activities
 - Continued use of well or septic system
 - Open burning
 - Waiver of street light requirements
 - ETC

SEVERANCE



Deletion of territory from a City's jurisdiction



Cannot create an island



Can occur simultaneously as annexation to another City

If a City hasn't held elections or levied taxes for six years, the City Development Board can discontinue the City, take control of its property, and complete the required discontinuance steps.

The City Council may adopt a resolution of intent to discontinue and set a public hearing. At that meeting—or a later one—the Council may formally pass the resolution. If a petition for a special election is received, the City must work with the County to hold the election.

If there is no special election—or if the election affirms discontinuance—the City must submit two copies of all required documents to the City Development Board. The Board also requires a full inventory of debt, assets, accounts, claims, litigation, recent financials, and a designated point of contact.

Upon receipt of a complete submission, the Board will consider the request at the first meeting conducted 31 or more days after filing.

Once the Board approves discontinuance, it will publish notice of claim adjudication and coordinate with the city, county, and state to close accounts, manage remaining funds, and resolve outstanding claims.

The City is responsible for transferring all records of the City to the County Auditor.

After the six-month adjudication period, the Board reviews the case for final approval and forwards the final documents to the Secretary of State and County Recorder. Remaining funds go to the County Treasurer. If claims exceed available funds, the Board will levy taxes on properties in the discontinued City.

DISCONTINUANCE

23

Cities have discontinued
since 1913

INCORPORATION



Initiated by a petition to create a new City



Requires a public hearing



City must be able to provide municipal services within a reasonable time



Very rare - Maharishi Vedic City in Jefferson County was the last city in Iowa to incorporate in 2001

How does the Board work?

Monthly Meetings

In Person at IEDA in Des Moines with option to join virtually

Submission Deadlines – A petition filed pursuant to Iowa Code Chapter 368 will be considered by the Board at a meeting conducted 31 or more days after the filing.

Decisions are held for 30 days prior to recording & submission to the Secretary of State for finalization



The City Development Board provides this information for general informational purposes only and is not intended to serve as a precise statement of Iowa law concerning boundary adjustments. For further information, review Iowa Code Chapter 368 and Iowa Administrative Rule 263. Should you have legal questions concerning the boundary adjustment process, including annexations, city personnel are strongly encouraged to contact their City Attorney.

THANK YOU

Jessica Drake | City Development Board Manager
Iowa Economic Development Authority