

Annexation & Rezone Application

City of Rexburg



CITY OF
REXBURG
America's Family Community

35 North 1st East
Rexburg, ID 83440

www.rexburg.org

Phone: 208.359.3020
Fax: 208.359.3022

Note: A pre-application conference with staff and a pre-application neighborhood meeting are required prior to the submittal of this application. Please contact Community Development for details.

Fee(s) Paid: Yes/No Annexation: \$250.00
Publication Fee: \$250.00
Rezone Fee: \$_____

Current Zone: _____

Requested Zone: _____

Application Information

Applicant: _____ Phone: _____

Owner Purchaser Lessee

Applicant's Address: _____ City/ST/Zip: _____

Recorded Owner: _____ Phone: _____

Recorded Owner's Address: _____ City/ST/Zip: _____

Contact Person (If different from above): _____ Phone: _____

Address of Subject Property: _____

Property Description (You must attach the Lot, Block & Subdivision name or recorded deed with a metes and bounds description):

Parcel Number: _____

Quarter: _____ Section: _____ Township: _____ Range: _____

Annexation Fee: \$250.00 **Publication Fee: \$250.00** **Total Fees Due \$_____**

Rezone Fees:

Less than 1 acre: **\$500.00** Over 10 acres, less than 20: **\$1500.00**

More than 1 acre, less than 5: **\$850.00** 20 acres and over: **\$2500.00**

5 to 10 acres: **\$900.00**

Date of Notice: _____ **Date of Public Hearing:** _____

Development Information

1. Size of Property _____ Square Feet (or) _____ Acres

2. How is the property now used? _____

3. How are the adjoining properties used?

North: _____

South: _____

East: _____

West: _____

4. Are there any existing land uses in the general area similar to the proposed use? If yes, what are they, and where are they located? _____

5. On what street(s) does the property have frontage? _____

6. Why are you requesting annexation into the City of Rexburg? _____

7. What use, building or structure is intended for the property? _____

8. Will this annexation have an impact on the schools? _____

9. Are water and sewer facilities, streets, fire and police presently serving this area? _____

10. Are City services adequate to serve any future development proposed? _____

11. Will measures be proposed to assure that public facilities and services will be added? _____

12. Is the site large enough to accommodate the proposed uses, parking, and buffering required? _____

13. Is the area currently sub-divided or going to be sub-divided? _____

14. Any additional comments? _____

Note: When an application has been submitted, it will be reviewed in order to determine compliance with application requirements. **It will not be processed if it is not complete.** A hearing date will be scheduled only after an application has been accepted as complete.

1. A formal traffic study will be required for a retail sales area more than 75,000 feet; Schools for more than 100 students; Apartment complex with 50 apartments or more.

2. Before annexation, the person or firm applying for annexation will agree to certain things: Curb and gutter, streets, signaling, water and sewer, property sizing and location.

Signature of Applicant: _____ Date: _____

Additional Submittal Requirements:

The City of Rexburg requires the following information to be submitted to the Planning & Zoning Secretary for every application for annexation:

1. **Current Vicinity Map.** (8 1/2 x 11" at 1" = 300' scale, showing location and current zoning of the property. A map is available from the City Planning and Zoning Office. Please indicate the location of your property on the map.
2. **Land Description.** Attach a description of the actual property which you wish to have rezoned or annexed on a separate page. All land descriptions must be certified by a land surveyor registered in the State of Idaho.
 - a. Description shall mathematically close.
 - b. Descriptions shall be provided for the perimeter of the total area for which annexation is being requested; and for each zone (separate zoning classification) within said request. All zone descriptions shall correspond to the perimeter description. Descriptions shall identify a basis of bearing based upon two (2) known points from which the descriptions are based.
 - c. Descriptions provided may be required to be modified by the applicant to include adjacent roads, canals, ditches, rivers, creeks, etc. as may be identified by the Public Works Department.
3. **Photographs.** Photos of existing site conditions.
4. **Affidavit of Legal Interest.** NOTE: No application will be accepted or processed without this form.

Affidavit of Legal Interest

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State of Idaho
County of Madison

I, _____,
Name

Address

City

State

Being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my permission to: _____
Name Address

to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold Rexburg City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this _____ day of _____, 20_____

Signature

Subscribed and sworn to before me the day and year first above written.

Notary Public of Idaho

Residing at: _____

My commission expires: _____

Process of Annexation

Properties subject to annexation must be contiguous or adjacent to City limits, with the exception of an airport. The process of an annexation application is as follows:

1. A pre-annexation hearing before the City Council:
 - a. Owner should submit a letter requesting a pre-annexation hearing before the City Council. The letter must state the property owners' name and address, request for annexation and land use intent, and proposed zoning;
 - b. The property owner or representative must attend the Council meeting.
2. Application must include:
 - a. A legal description of the property which plainly and clearly defines the boundary of a new district or municipality describes, by metes and bounds, a definite boundary of an area of land that can be mapped on a tax code area map. The legal description shall include:
 - i. Section, Township, Range and Meridian
 - ii. An initial point, being a government surveyed corner, such as a section corner, quarter corner, meander corner, or mineral survey corner;
 - iii. A true point of beginning defined by bearings and distances from the initial point, that begins the new or altered district or municipal boundary;
 - iv. Bearings and distances that continuously define an area boundary with a closure accuracy of at least 1 part in 5,000. Variations from closure requirements of this subsection may be approved when boundaries follow mountain ranges, rivers, lakes, canals, etc.
 - v. The legal description shall include all portions of highways lying wholly or partially within the annexed area.
 - b. Proof of ownership of land
 - c. A draft-like drawing of the layout of property, or a record of survey, as defined by IC[<] Title 55, Chapter 19, which matches the legal description.
 - d. All property owners' names and addresses within a radius of 300 ft. of the property. (Provided by the City).
 - e. Fees must accompany application.

NOTE: Upon acceptance of the application, the City shall post the property described in the application no later than one week prior to all public hearings before Planning and Zoning and City Council.

Preparation of Annexation

1. All required information is received and accepted by the City Clerk or appropriate staff.
2. After pre-annexation hearing a public hearing is set before the Planning and Zoning Commission as provided for in IC 67-6509.
3. Transmittals sent to proper entities (power, water, sewer, highway districts, etc.);
4. Property owners with a radius of 300 ft. of the boundaries of the proposed annexable property noticed. If there are 200 or more property owners alternate forms of procedures will provide adequate notice and may be used in lieu of mailed notice. (IC 67-6512);
5. A letter is sent to applicant advising them of the time and date of the hearing;
6. Planning and Zoning public hearing takes place and findings of the hearing are prepared;
7. After the acceptance of the findings by Planning and Zoning, a Council public hearing date is set and published;
8. Following the Council hearing, the Council shall concurrently or immediately amend the Comprehensive Plan and Zoning Ordinance (IC 67-2525);
9. UPON PASSAGE OF ANNEXATION AND ZONING BY COUNCIL:
 - a. Certified copies of the ordinance shall be filed with the County Assessor, County Treasurer, and State Tax Commission. The County Recorder must receive the original (certified) for recording no later than 10 days following the effective date of annexation (50-223)
 - b. Certified copies must include the executed ordinance, a legal description, and a map.
 - c. A summary of the annexation and zoning ordinance is published in the official newspaper of the city;
 - d. Three copies of the ordinance retained on file in City Hall.
10. The City boundary map is changed to reflect the annexation and zoning.
11. A formal Annexation Agreement will be developed between the City of Rexburg and the Developer prior to Annexation.