

# Orderly Annexation – Gilmanton Township City of Foley

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FEBRUARY 23, 2021

# What is Orderly Annexation?

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- A designated area in any area which the signatories to a joint resolution for orderly annexation have identified as being appropriate for annexation, either currently or at some point in the future, pursuant to the negotiated terms and conditions, set forth by the joint resolution.

# What is the difference between annexation and orderly annexation?

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- Orderly annexation
  - Makes plans for future annexation.
  - Recognizes the potential benefit of annexation at a certain time.
  - Preserves rural uses until such a time where annexation makes sense or is desired.
    - Requests for water/sewer services.
    - Development
- The process of annexation is the action of formally adding property to a jurisdiction. In our situation, it would be the property leaving Gilmanton Township and joining the City of Foley.

# Why is orderly annexation important?

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- It allows for orderly, smaller parcel by parcel annexation to the city limits.
- It allows both the City and Township to better plan for growth.
- It helps the Township transition financially by providing a set property tax reimbursement.

# Proposed Agreement

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- **Terms of Proposed Orderly Annexation Agreement**
  - 2 out of 3 entities must agree to annex (Property Owner, Township, City of Foley)
  - 6 year phase in to city tax level for all annexed property if it remains undeveloped.
  - 7 year tax reimbursement to the Township paid by the City of Foley when property is annexed.

# Joint Planning Board

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- Proposed Agreement establishes a Joint Planning Board.
  - Consists of 2 representatives from the Township and 2 from the City of Foley.
  - Authority to administer land use permits and variances in accordance with adopted ordinances.

# Frequently Asked Questions?

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- What happens to my taxes if an orderly annexation agreement is put in place and I'm not in the city limits?
  - Per the Benton County Assessor, Michael Harvey,  
*"We value property at it's highest and best use. It's unlikely an annexation agreement will automatically change that use or the value of a property without market evidence, in the form of sales, to support this. In the long term, property values change based on supply and demand."*
- What happens to my existing farm or homestead if the agreement is signed?
  - Existing uses are grandfathered in and allowed to remain. The agricultural district of the City allows for housing, farming, livestock, feed lots, and similar uses which are found in the orderly annexation area. Business uses would be based off of the existing Benton County business code.
- Who handles the building inspection?
  - The City would handle the inspection services. The City and County both work with the same state uniform building code. So the inspector would change, but the same building code would apply.

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- How does the land use process work?
  - City staff would be responsible for answering questions based on the code adopted in the agreement. The City would also accept applications of the joint planning board and prepare them for meetings. Materials required for land use applications would be very similar to current requirements of Benton County.
  - The joint planning board would only meet as needed and could be scheduled to proceed or follow the regularly scheduled township board meeting.

# Frequently Asked Questions?

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- Will solar gardens be allowed in the orderly annexation area?
  - The City recognizes and understands the need for renewable energy in our community and strives to work with property owners and Township officials on this item. The City proposes creating a buffer, or setback to these uses in the orderly annexation area. This would protect the locations of existing and future water/sewer services to remain available for those needing the services but still allow opportunities for solar gardens.

