

ANNEXATION

INSTRUCTIONS

A Planning Board Process

Information

Consent to Annex

The following information outlines the process for filing a property owner-initiated application for annexation with the City of Manhattan. Also known as consent to annex, this application and process is limited to requests for land that adjoin the City.

Applicability

A city's ability to annex comes solely through state enabling legislation. K.S.A. 12-520(a)(7) allows Kansas cities to annex land where the property owner files a written petition for or consents to the annexation; and the land sought for annexation adjoins the city. [[Section 26-9B-1A](#)]

Procedure Type

Annexation of adjoining land by property owner is a Type-III review process [[Section 26-9B-1B](#)] with the Planning Board authorized to recommend approval or denial, and the City Commission is authorized to approve or deny an annexation proposal.

Instructions

Complete the following steps.

Step 1: Schedule a Pre-Application Conference

A pre-application conference is the first step in the process of filing an application for annexation. The conference is intended to discuss issues associated with the site and any unusual or unique conditions that may need to be addressed in the application process, and the level of detail associated with drainage, traffic, or other reports. Representatives from Community Development, Public Works, Finance, and Fire Department, as well as the Risk Reduction Division will attend the meeting. When needed, representative of the Legal Department, Parks and Recreation Department, Airport or City Manager's Office will attend. [[Section 26-8B-3](#)]

A pre-application conference is required to be held at least **15 days** before an application is submitted. [See Flowchart page 5]

In accordance with Paragraph 26-8B-3C-3, the applicant must submit information concerning the annexation request as required by the Zoning Administrator at least **5 working days** prior to the conference.

A meeting report will be prepared by staff and provided to the applicant summarizing meeting outcomes and expectations. The pre-application conference and meeting report will determine whether special studies or reports may be required along with any other specific items.

A pre-application conference is valid for a period of **6 months**. If an application is not filed in this time, a new pre-application conference will be required. [[Paragraph 26-8B-3C-5](#)]

Step 2: Hold a Neighborhood Meeting

After the pre-application conference and prior to filing an application, the applicant will be required to hold a neighborhood meeting to inform nearby residents of a proposed project [[Section 26-8B-4](#)], identify issues and concerns, and to answer questions from property owners entitled to notice under [Sec. 26-8B-6, Notice](#).

Contact the Community Development Department to request preparation of a list of property owners required to be notified in conjunction with the request. Property owners should receive the mailed notice a minimum of **7 days** in advance of the neighborhood meeting. The mailed notice will also need to be submitted to the Community Development Department that will be responsible for publishing the notice through the City's *In Touch* notification system.

After the meeting, the applicant will need to prepare and submit a Neighborhood Meeting Report (included).

Step 3: Review the Annexation criteria

Authority

The Manhattan Urban Area Planning Board (Planning Board) is authorized to recommend approval or denial, and the City Commission is authorized to approve or deny an annexation proposal. [[Subsection 26-9B-1C](#)]

Review Criteria

For annexation requests initiated by property owners, the City staff, Planning Board, and City Commission will base its decision on the following factors. [Section 26-9B-1E] Please respond to each of the review factors and provide enough detailed information to explain why the annexation request should be approved.

1. Conformance to Comprehensive Plan: Does the location, circulation, and access to the property align with the policy guidance of the Manhattan Urban Area Comprehensive Plan and the Future Land Use Map (FLUM)?
2. What is the FLUM designation of the property? Choose an item.
3. Growth Vision: How does the proposed annexation conform to the policy directions provided by the Growth Vision of the Manhattan Urban Area Comprehensive Plan.
4. Urban Service Area: Is the site located within the Manhattan Urban Service Area and can it be served by City utilities? If not, please described the steps that will be taken to provide the needed infrastructure.

Step 4: Prepare additional materials to accompany your application

Submission of information less than necessary to adequately review and process your application may result in a delay of the review process. Community Development staff will determine the completeness, accuracy, and sufficiency of the application within **15 business days** of receipt of the application. [[Sec. 26-8C-3](#)]

Annexation Application Attachments

1. A complete and accurate legal description of the entire property for which annexation is sought. The legal description must be typewritten, readable, and reproducible.
2. The last recorded deed of the property.
3. An annexation map showing:
 - A. The location and boundaries of the property sought to be annexed.
 - B. If more than one zoning district is proposed, then show the separate zoning district boundaries within the tract to be annexed.
 - C. Accurately dimension tract boundaries.
 - D. If the tract is unplatted, show and label any easements or rights-of-way to be annexed or that are adjacent to the tract.
 - E. If the tract is platted, submit a copy of the plat.
4. For parcels greater than one- (1) acre in size and more than 100-feet in depth, submission of a concept plan showing future transportation and infrastructure connectivity is required.

Step 5: Submit your application

Upon completion of the previous steps, fill-out and submit the application to the Community Development Department.

NEIGHBORHOOD MEETING

REPORT

A Community Development Department Form

Applicant Information

Applicant name: _____

Project name: _____

Report

1. Describe the outcome of the meeting including issues raised and other information deemed relevant.

Attachments

The following attachments must be included with the submitted Neighborhood Meeting Report.

1. Copy of the meeting notice.
2. Copy of the mailing list.
3. Copy of attendee sign-in sheet.

Attestation

By my signature on this form, I certify that I mailed notice to all owners of property within the regulatory notification area.

Print Name: _____ Date: _____

Signature: _____