

# ANNEXATION APPLICATION CHECKLIST

## ANNEXATION APPLICATION PROCEDURE

Annexation is the process of expanding the boundaries of a city. This handout provides details for the application requirements to submit to annex a property. The following goals and policies are hereby established for the consideration of annexations to the City of Bozeman in [Resolution No. 5076](#). Ensure that your narrative acknowledges them in your submittal.

### SECTION ONE: GOALS

1. The City of Bozeman encourages annexations of land contiguous to the City.
2. The City encourages all areas that are totally surrounded by the City to annex.
3. The City encourages all properties currently contracting with the City for City services such as water, sanitary sewer, and/or fire protection to annex.
4. The City of Bozeman requires annexation of all land proposed for development lying within the existing and planned service area of the municipal water and sewer systems as depicted in their respective facility plans, any land proposed for development that proposes to utilize municipal water or sewer systems.
5. The City encourages annexations within the urban area identified on the future land use map in the current Bozeman Growth Policy.
6. The City of Bozeman encourages annexations to make the City boundaries more regular rather than creating irregular extensions which leave unannexed gaps between annexed areas or islands of annexed or unannexed land.
7. The City of Bozeman encourages annexations which will enhance the existing traffic circulation system or provide for circulation systems that do not exist at the present time.
8. The City prefers annexation of parcels of land larger than five (5) acres in size, but will allow annexation of smaller parcels if factors such as topographic limitations, sanitary disposal needs, fire access, maintenance of public facilities, etc., justify a smaller annexation.
9. The City seeks to obtain water rights adequate for future development of the property with annexation.
10. The City of Bozeman encourages annexations for City provision of clean treated water and sanitary sewer.

### SECTION TWO: POLICIES

1. Annexations must include dedication of all easements for rights-of-way for collector and arterial streets, adjacent local streets, public water, sanitary sewer, or storm or sewer mains, and Class I public trails not within the right of way for arterial or collector streets. Annexations must also include waivers of right to protest the creation of special or improvement districts necessary to provide the essential services for future development of the City.
2. Issues pertaining to master planning and zoning must be addressed prior to or in conjunction with the application for annexation.
3. The application for annexation must be in conformance with the current Bozeman Growth Policy. If a Growth Policy Amendment is necessary to accommodate anticipated uses, the amendment process must be initiated by the property owner and completed prior to any action for approval of the application for annexation.
4. Initial zoning classification of the property to be annexed will be determined by the City Commission, in compliance with the Bozeman Growth Policy and upon a recommendation of the City Zoning Commission, simultaneously with review of the annexation petition.
5. The applicant must indicate their preferred zoning classification as part of the annexation petition.
6. Fees for annexation processing will be established by the City Commission.
7. It is the policy of the City that annexations will not be approved where unpaved county roads will be the most commonly used route to gain access to the property unless the landowner proposes a method to provide for construction of the road to the City's street standards.
8. Prior to annexation of property, the City will require the property owner to acquire adequate and useable water rights, or an appropriate fee in lieu thereof, in accordance with Section 38.410.130 of the municipal code, as amended.
9. Infrastructure and emergency services for an area proposed for annexation will be reviewed for the health, safety and welfare of the public and conformance with the City's adopted facility plans. If the City determines adequate services cannot be provided to ensure public health, safety and welfare, the City may require the property owner to provide a written plan for accommodation of these services, or the City may reject the petition for annexation. Additionally, the parcel to be annexed may only be provided sanitary sewer service via the applicable drainage basin defined in the City Wastewater Collection Facilities Plan.

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10. The City may require annexation of any contiguous property for which city services are requested or for which city services are currently being provided. In addition, any person, firm, or corporation receiving water or sewer service outside of the City limits is required as a condition of initiating or continuing such service, to consent to annexation of the property serviced by the City. The City Manager may enter into an agreement with a property owner for connection to the City's sanitary sewer or water system in an emergency conditioned upon the submittal by the property owner of a petition for annexation and filing of a notice of consent to annexation with the Gallatin County Clerk and Recorder's Office. The contract for connection to city sewer and/or water must require the property owner to annex or consent to disconnection of the services. Connection for purposes of obtaining City sewer services in an emergency requires, when feasible as determined by the City, the connection to City water services.
11. The annexation application shall be accompanied by mapping to meet the requirements of the Director of Public Works. Where an area to be annexed can be entirely described by reference to a certificate of survey or subdivision plat on file with the Gallatin County Clerk and Recorder.
12. The mapping may be waived by the Director of Public Works.
13. The City will assess system development/impact fees in accordance with Montana law and Chapter 2, Article 6, Division 9, Bozeman Municipal Code.
14. Public notice requirements: Notice for annexation of property must be coordinated with the required notice for the zone map amendment required with all annexation. The zone map amendment notice must contain the materials required by 38.220.410, BMC.
15. Annexation agreements must be executed and returned to the City within 60 days of distribution of the annexation agreement by the City, unless another time is specifically identified by the City Commission.
16. When possible, the use of Part 46 annexations is preferred.
17. Where a road improvement district has been created, the annexation does not repeal the creation of the district. The City will not assume operations of the district until the entirety of the district has been annexed. Any funds held in trust for the district will be used to benefit the district after transfer to the City. Inclusion within a district does not lessen the obligation to participate in general city programs that address the same subject.
18. The City will notify the Gallatin County Planning Department and Fire District providing service to the area of applications for annexation.
19. The City will require connection to and use of all City services upon development of annexed properties. The City may establish a fixed time frame for connection to municipal utilities. Upon development, unless otherwise approved by the City, septic systems must be properly abandoned and the development connected to the City sanitary sewer system. Upon development, unless otherwise approved by the City, water wells on the subject property may be used for irrigation, but any potable uses must be supplied from the City water distribution system and any wells disconnected from structures. The property owner must contact the City Water and Sewer Superintendent to verify disconnects of wells and septic systems.

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1. Create and submit a Planning application using the [ProjectDox portal](#);
  - a. After completing your Development Review Application, you will receive a Notification Letter ([example](#)) via email. Please download this document and obtain owner's signature. Upload as a PDF to the "Documents" folder in ProjectDox.
2. The digital copies must be separated into two categories: **Documents and Drawings**.
  - a. The Documents folder should include items such as application forms, narrative, response to City comments, supplemental documents, technical reports, easements, legal documents, etc.
  - b. The Plans folder should include items such as site plans, civil plans, landscape plans, photometric plans, elevations, etc. All drawing files must be drawn and formatted for a 24" x 36" sheet file or 11" x 17" sheet file. Plan pages shall be properly oriented in landscape mode. Refer to our [Quick Guide](#) for additional information;
3. Naming protocol. All files should be numbered and named according to their order listed on your provided Submittal Checklist. File names should start with a numeric value followed by the document name. The numeric value at the beginning of the file name ensures the order in which they are displayed. Refer to our [Quick Guide](#) for additional information;
4. Project narrative describing the project type and proposed use scope. Ensure to include questions asked above in the narrative.
5. Complete and signed property adjoiners certificate form N1 and materials.

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## ANNEXATION MAP REQUIREMENTS

1. Include an exhibit of the property to be modified. Provide existing County zoning designation and the proposed zoning designation clearly labeled. The exhibit should include the legal limits of the property and size in square feet and acreage. If adjacent to a right-of-way, the annexation must include the full width of the right-of-way per 7-2-4211 MCA.
2. Scale not greater than 1 inch to 20 feet nor less than 1 inch to 100 feet.
3. Scale, north arrow and date of preparation.
4. Subject property well defined.
5. Land use pattern of surrounding area.
6. Existing zoning of the surrounding property.
7. Boundaries of proposed zoning (if more than one designation being requested) well defined.
8. Proximity of all existing and proposed water and sewer mains and extension.
9. Location of all existing structures on the subject property.
10. Adjacent streets and street right-of-ways.
11. Water bodies and wetlands.

## CERTIFICATION AND SIGNATURES

I (We), the undersigned, hereby certify that the information contained in this application is true and correct to the best of my (our) knowledge.

\_\_\_\_\_  
Property Owner's Signature(s)

\_\_\_\_\_  
Date

State of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ date of \_\_\_\_\_, 20\_\_, before me, a Notary Public and the State of \_\_\_\_\_,

personally appeared \_\_\_\_\_, known to me to be the person(s) whose name(s) is(are) subscribed to the above instrument and acknowledge to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the date and year first above written.

\_\_\_\_\_  
Notary Public for State of \_\_\_\_\_

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

## REQUIRED FORMS

ANNX, [ZMA](#), [N1](#), [GPA](#) (if changing growth policy designation)

## APPLICATION FEE

For most current application fee, see [Schedule of Community Development fees](#). Fees are typically adjusted in January.

## CONTACT US

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