



ANNEXATION BY PETITION: TYPICAL REVIEW PROCESS

This guide outlines a typical process for annexation by petition - the addition of land into existing city or town limits. Communities should adopt a formal process in their local code to ensure consistency and legal defensibility.

If a zoning code amendment or subdivision application is submitted alongside a proposed annexation, those are separate review processes. While they may run concurrently, each must independently meet all applicable state and local requirements. Communities should consult legal counsel to ensure full compliance.

MONTANA CODE ANNOTATED

Title 7. Local Government

Chapter 2. Creation,
Alteration, and Abandonment
of Local Governments

Part 46. Annexation by
Petition

TYPICAL ANNEXATION PROCESS

Preapplication Meeting

- Discuss proposal and review process
- Infrastructure needs
- Zoning for property and amendment process
- Subdivision review (if applicable)
- Challenges and opportunities (infrastructure, environmental, hazards)

Submittal and Review of Petition/Application

- Completed petition/application
- Review fees
- Discussion of how infrastructure will be addressed, including engineering
- Proposed zoning for the property
- Subdivision application (if applicable)
- Ensure application is complete enough for review

Public Notice for Hearing(s) – As Applicable

- Published in newspaper of record for the City/Town for the Zoning Commission/Planning Board and Council hearing(s) on the proposal

Zoning Commission/Planning Board Hearing

- Commission and Board can ask questions of the applicant and their representatives (engineer etc.) about the proposed annexation and proposed zoning designation
- Public can ask questions of the board, the applicant, and their representatives
- Commission/board makes a recommendation for approval, denial or conditional approval to the Council. Conditions of approval: infrastructure. i.e. water, sewer, streets etc.

City/Town Council Hearing

- Identical to the Zoning Commission/Planning Board hearing, except the City/Town Council is the decision-making body and is considering the Zoning Commission/Planning Board recommendation

City/Town Council Decision

- Resolution of Intent to Annex: Approval, Conditional Approval or Denial
- Once the conditions of approval have been met, the annexation can be approved