

## **10-11-7-1: ANNEXATION PROCEDURES:**

A. Purpose: The purpose of this section is to adopt certain criteria for annexation of adjacent unincorporated area in accordance with the provisions of Utah Code Annotated section 10-2-401.5.

B. General Provisions:

1. Pursuant to the receipt of a valid petition, certification by the city recorder of the city of Green River, review of the planning commission, acceptance by the city council, and the completion of all statutory requirements of Utah law, property may be annexed if the following criteria are met:
  - a. The area that is proposed for future annexation borders, is adjacent and contiguous to the city boundaries of the city of Green River, Utah.
  - b. Areas proposed for annexation fall within the areas designated for future annexation as defined in the general plan and the annexation map of the city.
  - c. The areas proposed for annexation should be compatible with the vision and character of the community as outlined in the general plan and should not have a tendency to contribute to economic blight of properties in the city.
  - d. Areas proposed for annexation shall not be located within the corporate limits of another incorporated city, or be a part of a previously filed annexation petition that has not been either denied, accepted, or approved.
2. The city favors the following conditions:
  - a. Elimination and/or prevention of islands and peninsulas of unincorporated territory.
  - b. Consolidation of overlapping functions of governments.
  - c. Promotion of efficient delivery of services.
  - d. Encouragement of the equitable distribution of community resources and obligations.
  - e. Consideration of the taxable consequences to property owners within the area proposed for annexation, as well as the property owners within the municipality in order to prevent double taxation and to ascertain that the annexation will not be a tax liability to the taxpayers already within the municipality.
  - f. Protection of the existing economic tax base of the city from economic blight caused by development of the annexed areas.

3. The city does not favor annexation of areas for which it does not have the capability to provide municipal services.
4. The annexation petition must comply with the requirements of Utah Code Annotated sections 10-2-402 and 10-2-403, or such other provisions of Utah law applicable to annexation petitions.

C. Procedures For Submission: A petition for annexation must be filed with the city recorder in compliance with Utah law.

D. Fees, Considerations And Notices:

1. Upon receipt of a properly prepared annexation petition and plat, the city recorder shall impose such fees as required to recover the costs of processing such petition, as have been established by the city council and shall follow the requirements of Utah law for processing petitions for annexation.
2. The city recorder shall forward the annexation petition to the planning commission of the city, and the commission shall review the annexation petition at its next regularly scheduled meeting.

E. Procedure And Notices: The petition shall be filed and processed as required by Utah law.

F. Extension Of Services And Payment:

1. In areas where municipal services are not presently extended, services will be extended on an as needed basis at the cost of the developer. All extensions of municipal services must comply with all ordinances and policy criteria, not cause or contribute to economic blight in other areas of the city, and will be paid for by the individual developer or property owner.
2. An annexation agreement will be prepared between the city, annexing landowners and future developers, if applicable, outlining specific circumstances relating to water and sewer, streets and other specific improvements prior to annexation approval.
3. Water rights of the type and quantity acceptable to the city for culinary and secondary use shall be conveyed to the city as a condition of development on property proposed for annexation. It is the intent of the city that land annexed be accompanied by water rights sufficient to accommodate the needs of the existing and potential occupants of such land when development occurs. The water rights conveyance requirement of development shall be in addition to any requirement that may be imposed upon

development of the land after annexation, and in addition to appropriate city water impact fees.

4. Water requirements, as referenced by subsection F3 of this section, will be established on a case by case basis, utilizing the division of drinking water standards, city use experience standards for the proposed land use, and other established criteria, and will be contained in the annexation agreement with the annexing landowner.
5. The annexation will allow developers of the annexed property access to culinary water and sewer services when the area is accessible to the city's present systems, provided that all developments meet city specifications, all required fees are paid and the proposed development complies with all applicable development ordinances and all improvements are installed pursuant to city of Green River standards and policies.
6. The manner in which these amenities are developed will have a bearing on how they will be financed. Taxes generated by increased valuation of property and population will contribute to the general fund to help defray the added expense the city may incur. However, the newly annexed developing areas shall finance the extension of needed municipal services such as new water and sewer lines, streets, curbs and gutters, sidewalks and other capital improvements as development occurs.
7. Upon annexation, the newly annexed areas shall receive fire protection, planning and zoning, garbage collection and streetmaintenance on dedicated streets. (Ord. 2005-03, 3-14-2006)