

# Town of Paragonah

## ANNEXATION APPROVAL CHECKLIST

Annexation:

Petition Sponsors are Required to Read the entire checklist. This is a general use document.

### PETITIONER(S) RESPONSIBILITIES

Filed Notice of Intent with Town Clerk – The Petitioner(s) filed a Notice of Intent to file a petition with the Town Clerk. Notice to include property description and an accurate 11-inch x 14-inch map of the area proposed for annexation.

Sent Notice of Intent to Affected Entities – The Petitioner(s) sent a copy of the Notice of Intent to each affected entity. Town Clerk will provide a list of affected entities.

Additional Information submitted to County – The Petitioner shall submit the following information to the county. (If the proposed annexation creates an island or peninsula, the petitioner will follow the checklist provided by the county planning department). The information will include the notice of intent, an accurate map of the area proposed for annexation, and a list of the names and addresses for the owners of real property within 300-feet of the proposed annexation. The county can provide a list of real property owners within 300-feet of the proposed annexation.

Envelopes Provided to County – The Petitioner(s) provides envelopes to the County Clerk or Planning Department that meet the following criteria:

- Unsealed
- Self-adhesive/sealable
- Stamped
- Return address left blank
- Addressed to each property owner of current record in the annexation area and within 300 feet of the area proposed to be annexed. Current mailing addresses can be obtained from the County Assessor's Office.
- Pay an amount per letter for the office staff to attach information and provide verification that the letters were sent.

### COUNTY RESPONSIBILITIES

Property Owners Notified – Within 20 days of receiving the Notice of Intent and the additional information, the County notified the owners of real property within the proposed annexation and the owners of real property within 300 feet of the proposed annexation.

City Notified – The County notified the Town and certify that the notice was mailed as required.

### PARAGONAH TOWN RESPONSIBILITIES

Provide Petition for Annexation Packet – After receiving mailing certification from the County Clerk, the Town Clerk provides upon request an annexation petition to the petitioner(s).

## PETITIONER(S) RESPONSIBILITIES

Concept Plan Submitted – If the proposed area is intended for development, a complete copy of the development concept plan will be filed with the Town Clerk and Planning & Zoning Chair.

File COMPLETED Petition with Town Clerk – The Petitioner(s) files the completed and signed annexation petition with the Town Clerk. Petition shall be accompanied by the following items:

- Map – Provide an accurate 11-inch x 14-inch hard copy map and a digital copy of the property to be annexed, prepared by a surveyor licensed to practice in Utah, accurately describing the existing Town boundaries and each individual ownership sought to be annexed, including an accurate legal description of the property to be annexed. An accurate recordable Mylar map will be delivered to the Town at the end of the Annexation process for recording with the County.
- Copy of Notice of Intent - A copy of the notice of intent and a list of the affected entities and property owners within 300-feet of the proposed annexation property to which the notice was sent.
- Timetable for Development – A representation as to the anticipated timetable for development, if applicable, for the property being annexed.
- Requested Zoning Designation – Requested zoning designation identified and depicted on the petition or a suitable map. Impact mitigation considerations in the annexation agreement will be based on the density permitted under the requested or applied zone requirements.
- Water Disclosure – A full disclosure statement of all water owned or historically utilized on the property to be annexed and the petitioner/s commitment to give the Town of Paragonah legal and usable water rights as required in the Town's Annexation Policy (1-acre ft of water per 1 acre).
- Annexation Fees Paid - The Petitioner(s) paid filing fees to the Town Treasurer or Clerk the minimal NON-REFUNDABLE fee of \$500 with the understanding that additional fees may be charged to the petitioner if the actual costs are higher than \$500
- Information for Annexation Impact Report – Such other information as may be required by the Town's Planning & Zoning Commission to enable the staff to prepare an annexation audit review.

File Completed Petition with the County - On the date of filing with the Town, Petition Sponsors shall deliver or mail a copy of the petition to the County Clerk.

## PARAGONAH TOWN RESPONSIBILITIES

Petitioner's Initial Hearing - At least 14 days after Town Clerk receives COMPLETED Petition for Annexation and at the next regularly scheduled Town Board Meeting, the Petition will be presented to the Town Board (not for discussion) to approve moving it forward for further consideration or denial. If Petition is denied, the Petitioner has five (5) days to file an appeal and go through the appeal process.

COMPLETED Petition Review - Within 30 days of Town Board's approval for further consideration, the Town Clerk will review the COMPLETED Petition with the County Recorder and Town Attorney to determine whether the petition meets the requirements of State Code Subsections 10-2-403 (3) and (4).

Filed COMPLETED Petition – If the COMPLETED Petition meets the requirements, the Town Clerk will mail or deliver written notification of the certification to the Town Board, the Contact Sponsor, the County Clerk, and Town Planning and Zoning Chair. The Town Clerk will mail or deliver the Petition and its materials to the Town Board and Town Planning and Zoning Chair. If the town clerk and town attorney reject a petition for failure to meet the requirements, the Town Clerk will mail or deliver written notification of the rejection and the reasons for the rejection to the Town Board, the Contact Sponsor, the County and the Planning and Zoning Chair.

Rejected Petition - The rejected petition may be modified to correct the deficiencies for which it was rejected and then refiled with the Town Clerk. **The refiled petition shall be treated as a newly filed petition, including a new payment of the minimum NON-REFUNDABLE Annexation Fee of \$500.**

## **PARAGONAH TOWN PLANNING AND ZONING RESPONSIBILITIES**

Audit Review by Town Planning & Zoning Commission – After the Town Clerk certifies that the Petition for Annexation is complete, the Town's Planning & Zoning Commission has up to 45 days to conduct an Audit Review as outlined in State Code to determine the feasibility of the subject expansion of the Town's boundaries; certifying that the Town can meet or exceed the current level of services that are currently being provided to the existing licensee; and prepare a written recommendation including annexation conditions for consideration by the Town Board.

## **PARAGONAH TOWN RESPONSIBILITIES**

Petition Accepted or Denied by Town Board (Motion) – At a regularly scheduled Town Board meeting within the 45 days after the Audit Review is completed, the Town Board accepts or denies by motion the petition for annexation. If approved, the petition for annexation will be scheduled for a public hearing.

Petition Denied by Town Board – Within five (5) days of the denial, the Town Clerk will mail a written notice of denial to the Contact Sponsor and the County Clerk. Petitioner(s) has five (5) days to file an appeal. If an appeal is not filed, the annexation process is concluded.

Notice of Public Hearing for Petition - The Town Clerk shall send out notice of a public hearing for an annexation hearing to owners of real property within 300-feet of the proposed annexation. The Town Clerk will publish the Public Hearing Notice information as required by State Law.

Petition Public Hearing - At the public hearing, the Town Board will motion to approve or deny the annexation request. If approved, the annexation will move forward through the certification and recording process. If denied, the petitioner has five (5) days to file an appeal.