

# PARAGONAH TOWN ANNEXATION POLICY PLAN

## A. INTRODUCTION

In accordance with the provisions of 10-2-400, Utah Code Annotated, all municipalities within the State, except in Salt Lake County, prior to annexing property, are required to adopt an Annexation Policy Plan. In this Annexation Policy Plan, the cities and towns are required to develop an "expansion area" map or plan for the future growth of the community. The annexation area plan shall incorporate the long range planning objectives contained in the land use plan of the community and shall represent a graphic illustration/representation of the areas that the town intends to provide services to.

The Annexation Policy Plan is created by the Town to guide decision making regarding future annexations. It also helps the Town plan for future expansion in conjunction with neighboring political entities. Open communication between the Town and other political entities, particularly the County, is a priority in the process of developing the Annexation Policy Plan.

**The Annexation Policy Plan anticipates the annexation of the following areas.**

Area	North	30.98 acres
	South	76.79 acres
	East	40.07 acres
	West	31.11 acres
	<b>TOTAL</b>	<b>178.95 acres</b>

## B. CHARACTER OF THE COMMUNITY

Paragonah Town is located about 25 miles from the Cedar City area. Paragonah is a high desert community which provides an excellent location for individuals and families interested in an outdoor lifestyle surrounded by a scenic environment. The relatively close commute to surrounding areas has attracted, and will continue to attract people who want to live in this community but are willing to commute to work and shopping within reasonable driving distances from the City. Thus, developing an annexation policy that deals with the specific issues of Paragonah will have a significant impact on the future quality of life and development of the Paragonah area.

The Paragonah General Plan indicates that Paragonah will annex lands when such annexation helps the Town realize its vision and goals. To that end, the Town supports entering beneficial annexation agreements, inter-local agreements and boundary management agreements with adjoining public entities. When the annexed property is developed it should be done in accordance with the Paragonah Land Management code. (ie. General Plan, Zoning & Subdivision Ordinances)

## C. EXPANSION AREA MAP

The Town shall adopt and maintain an expansion area map (Exhibit A) that represents the growth boundary which include territories outside, but adjacent to, the community that may be annexed into the Town. This map is consistent with the Paragonah General Plan. These areas are not bordered by any other municipality. Even though the proposed properties may lie within the expansion area, there is no guarantee that the annexation request will be approved by the Town. The petition for annexation may require additional requirements than those contained in the current Annexation Policy Plan.

## D. POPULATION

Population growth projections for the municipality and adjoining areas for the next 20 years.

Paragonah's growth projections are as follows:

Year	Population	Annexation Area
2000	470	0
2010	600	50
2020	750	125

## E. POLICY/CRITERIA

The following are policy statements, and criteria Paragonah will use in determining whether or not to approve future annexation petitions.

### Policy:

- 1. DEVELOPMENT IN ANNEXED AREAS TO CONFORM TO GENERAL PLAN**  
All annexations accepted by Paragonah Town shall be found in conformance with the Paragonah General Plan. Paragonah may exercise its initiative to adopt an area specific Master Plan for future development in those extraterritorial areas of interest for future annexation as indicated in this Policy Declaration. These area specific Master Plans would define proposed land uses as well as the nature and density of development desired in each particular area. Once adopted, any proposed development in an area to be annexed must conform to the Master Plan and General Plan, notwithstanding the said Master Plan may be amended from time to time as deemed necessary and appropriate.
- 2. PLANNING AND ZONING COMMISSION TO REVIEW ANNEXATION**  
In order to facilitate orderly growth and development in Paragonah, the Planning Commission shall review all proposed annexations and make recommendations to the Town Board (as set forth in the Utah Code) concerning the parcel to be annexed, effects on the Town's General Plan, and the recommended zoning district designation for the proposed annexed area.
- 3. ANNEXATION TO BE CONSIDERED ONLY IN AREAS OF POTENTIAL URBAN SERVICE**  
Paragonah Town's policy is to consider annexation only in those areas where the Town has the potential to provide urban service (either directly or through inter-local cooperative agreement). These areas may include locations served or to be served by the Town's water system, electrical system, and emergency services, including fire protection.
- 4. CHARACTER, SERVICES AND FUNDING IMPLICATIONS**  
The Town of Paragonah will look at the overall character of the community, the need and future plan to extend municipal services to unincorporated areas and methods of financing (SID, impact fees, general bonding, tax increases, etc.), and the estimated tax consequences to current Town residents and new residents being annexed into the Town.

### Criteria:

- 1. The Town will not annex property that will not comply with the one acre minimum requirement.**
- 2. Areas to be annexed must be contiguous to the corporate limits of Paragonah Town at the time of submission of the annexation request.**

3. Paragonah Town shall avoid gaps between or overlaps with the expansion areas of other municipalities.
4. Proposed annexations will not be approved if they create an island or peninsula of the unincorporated area.
5. Areas to be annexed shall not be located within the corporate limits of another incorporated town or be part of a previously filed annexation petition that has not been either denied, accepted, or approved.
6. When feasible, the Town favors annexation along boundaries of water, utility improvements, special service districts, or other taxing entities.
7. It is not Paragonah Town's intent to annex territory for the sole purpose of acquiring revenue.
8. There has been no exclusion of urban development within the policy plan. No urban development, as defined in 10-2-401(1)(i) Utah Code Annotated, exists within ½ mile of Paragonah Town's boundary.
9. The annexation petition must comply with the requirements of Section 10-2-403, Utah Code Annotated. (Exhibit B)
- 10.. Annexations will facilitate the consolidation of overlapping functions of local government by assuring jurisdiction is providing services to an area.
11. Paragonah Town wishes to promote the efficient delivery of service by clearly defining who will provide service to a particular area. Consideration shall be given to encourage the equitable distribution of community resources and obligations.
12. Paragonah Town desires to utilize a "Capital Facilities Master Plan" to outline the provision of municipal services in the Annexation Policy Plan area and assure that the services will be equitably distributed.

## **F. DEVELOPMENT OF SERVICES**

All areas included in the Annexation Policy Plan will need municipal services. Iron County Policy is that municipal type services should be provided by cities and towns, and not by the county.

Paragonah Town wishes to utilize a "Capital Facilities Master Plan" for water, power, streets, parks, and storm drainage. This plan includes the areas outlined in the Annexation Policy Plan. Line sizes, etc. will be designed to accommodate these areas.

### **1. Developer pays service extension**

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 town ordinances and policy criteria and will be paid for by the individual developer or property owner.

### **2. Annexation Agreements**

An annexation agreement will be prepared between the Town and future developers outlining specific circumstances relating to water, sewer, streets, electricity, telecommunications, fiber optic/broadband, and other specific improvements.

### **3. Water Rights**

Water rights, of the type and quantity acceptable to Paragonah Town, that can be utilized for underground water rights (culinary, secondary) shall be required to be conveyed to Paragonah Town as a condition of development,

subdivision approval or issuance of a building permit on property annexed into the Paragonah Town limits. It is the intent that land annexed to Paragonah Town be accompanied by water rights sufficient to accommodate the needs of the existing and potential occupants of said land when development occurs. The water rights conveyance requirements 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 Paragonah Town development standards. Water requirements will be established utilizing, among other things, Division of Drinking Water standards. Specific requirements will be contained in the annexation agreement, but the general guideline of one (1) acre foot of water per residential building permit will be a minimum standard.

The annexation will allow developers of the annexed property access to culinary water, and other services, provided all developments meet Town specifications and comply with all applicable development ordinances and all improvements are installed pursuant to Paragonah Town standards.

#### **4. Financial Implications**

The manner in which these amenities are developed will have a bearing on how they will be financed. Property taxes with increased valuation of property and sales tax will contribute to the general fund to help defray the added expenses the Town may incur by annexing these properties. In summary, the newly annexed developing areas shall finance the extension of needed municipal services, such as new utilities, streets, curb and gutters, sidewalks, and other capital improvements as development occurs.

It is not anticipated that the annexation will cause any adverse consequences to the residents in the Town or in the area annexed, except there may be a slight reduction in general services to the city residents in the present Town limits as general services are expanded into the newly annexed territory.

It is anticipated that the residents in the territory to be annexed will experience an increase in their property tax because of the difference in the certified tax rates in the County and Paragonah Town. It is further anticipated that as newly annexed territory property taxes are received by Paragonah Town, the Town will expand the total level of services to include the total community. Additionally, persons in the newly annexed territory may experience reductions in their fire insurance rates and property insurance rates.

As areas grow and become more populated, the demand and need for services increase. Once this policy plan is adopted and areas begin to develop, continual planning by Paragonah Town will allow development to occur in an economical manner, since homes, buildings, streets, and other amenities will be developed in accord with Paragonah Town specifications. The plan and time frame for the extension of municipal services will be determined by the interest of the property owners to subdivide and develop their property, and the Town's ability to expand its infrastructure.

#### **G. The interests of all "affected" entities.**

**Parowan City:** Paragonah and Parowan may share a common boundary some day. Both entities will work together to decide upon a common boundary.

**Iron County:** Iron County's policy has been that municipal type development should take place in cities. All of the land shown in the Annexation Policy area would be able to be served by Paragonah Town.

**BLM - Bureau of Land Management:** Several of the annexations proposed in the Annexation Policy Area are adjacent to BLM lands. It is anticipated that the development of these lands would be compatible with the BLM land in preserving open space and not having a negative impact on the BLM land. It is anticipated that the area in the mouth of the canyons, will remain as a water shed and recreational area in Iron County and under Iron County Jurisdiction.

**Iron County School District:** Iron County School District is involved in the boundaries of the annexation area and it is anticipated that Iron County School District will provide school service to the area.

**Iron County Landfill & Garbage Collection:** Provides landfill service and garbage collection for the whole county. District facilities have been sized to accommodate the growth of all cities.

**State of Utah State and Institutional Trust Lands Administration (SITLA):** Owns and controls property near areas anticipated for annexation. It is anticipated that the development of these lands would be compatible with the surrounding land uses in preserving open space and would have no negative impact on SITLA lands.

## **H. ENVIRONMENTAL AND LAND USE ISSUES**

Unincorporated area surrounding the Town should be analyzed in terms of environmental and land use issues as it relates to possible annexations. The environmental and land use issues that were analyzed are included in the General Plan and are as follows:

Development in Sensitive Lands will be limited in order to protect and preserve environmentally and geologically sensitive lands in Paragonah Town. New development shall be prohibited above the elevation of 6050 feet Mean Sea Level unless it be demonstrated that the development would not adversely impact, or be impacted by, the following:

- a. Fault and earthquake hazards.
- b. Subsurface rock and soil types
- c. Slope of the land
- d. Groundwater recharge areas and local groundwater conditions.
- e. Flood hazards and erosion types
- f. Viewscapes
- g. Flood Planes
- h. Elevation
- i. Cost of City Services
- j. Wildlife habitat
- k. Water quality

The Planning Commission will analyze each area proposed for annexation in accordance with the criteria outlined in the Land Use Element of the General Plan and this annexation plan.

## **I. JUSTIFICATION FOR EXCLUDING URBAN DEVELOPMENT WITHIN ONE-HALF MILE OF TOWN'S CURRENT BOUNDARY**

There is no urban development within one-half mile of the Town's current boundary that would be excluded from this Annexation Policy Plan.

## **J. PUBLIC COMMENTS**

Copies of all written comments submitted by any interested party either during public hearings or during the adoption process of this Annexation Policy Plan have been attached hereto.

## **K. PROCEDURES FOR SUBMISSION OF AN ANNEXATION**

## **REQUEST:**

The following steps reflect a general summary of requirements and procedures for processing an annexation request in Paragonah Town.

1. An annexation petition shall be filed with the Town Clerk.
2. An annexation petition shall contain the signatures of the owners of private real property that is located within the area proposed for annexation, that covers a majority of private land area within the area proposed for annexation and is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation.
3. An annexation petition shall be accompanied by an accurate and recordable map prepared by a licensed surveyor, of the area proposed for annexation.
4. An annexation petition shall designate up to five of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor, and indicate the mailing address of each sponsor.
5. On the date of filing, the petition sponsors shall deliver or mail a copy of the petition to the Clerk of Iron County.
6. The Town Clerk, upon receipt of a properly prepared and completed annexation petition accompanied by the proper plat, shall impose such fees, to recover the costs of processing said petition, as have been established by the Town Board. The Town Clerk, at that time, shall place the petition on the agenda for consideration at the next regular Town Board meeting.
7. The Town Board shall review the annexation petition and either accept the petition for further consideration or deny the petition.
8. If the Town Board denies a petition, it shall, within five days of the denial, mail written notice of the denial to the contact sponsor, the Clerk of the County and the Chair of the Planning Commission.
9. If the Town Board accepts a petition, the Town Clerk shall within 30 days determine whether the petition meets the requirements of an annexation. If the petition meets the requirements, the Town Clerk shall certify the petition and mail or deliver written notification of the certification to the Town Board, the Contact Sponsor, the County Legislative Body and the Chair of the Planning Commission. If the petition fails to meet the requirements, the Town Clerk shall reject the petition and mail the necessary written notification of the rejection and the reasons for the rejection.
10. The City Council, within ten (10) days after receipt of the Recorder's notice of certification, shall publish a notice of the proposed annexation at least once a week for three (3) consecutive weeks. Said notice shall contain information about the proposed annexation and explain how written protest is to be filed, within thirty (30) days after the date of the City Council's receipt of the certification notice.
11. If no timely protest is filed, and after the Planning Commission has made a recommendation to the City Council regarding the annexation petition, the City Council shall hold a public hearing, after giving at least seven (7) days notice of the hearing. After the hearing, the City Council may grant the petition and by ordinance annex the area that is subject of the annexation petition.
12. If a protest is filed, the Town Board may deny the annexation petition or take no further action on the annexation petition, or take no further action on the annexation petition until after receipt of the County Boundary Commission's notice of its decision on the protest. Upon receipt of the Boundary Commission's

decision, the Town Board may deny or approve the proposed annexation subject of the Boundary Commission's decision.

