

Annexation Policy for the Town of Genola

A. General Annexation Statements:

In compliance with the provisions of Utah Code Annotated §10-2-401, the town of Genola hereby adopts the following annexation Policy plan. This declaration is intended to incorporate by reference all of the criteria required and suggested by Utah Code Annotated §§10-2-401 et seq.

Genola encompasses nearly 9000 acres of ground. The character of the community is basically agricultural-residential with a current minimum lot size of 2.5 acres. Below is a statement of criteria that will guide town's decision whether or not to grant future annexation petitions.

- a. The area of annexation and proposed use of the property shall comply with the Character of Genola, as follows:

“The identity of Genola is tied to its history, surroundings and the people that live and work here. Most residents identify with our rural atmosphere. Being family-friendly, quiet, and having a low crime rate are all important elements of our small town. As with any community, residents require efficient services, well-maintained civic facilities and access to recreation.

Quality of life factors such as clean air and water, open space, public safety, wildlife protection, parks and recreation, schools, and scenic resources are major contributors to the community character of Genola.”

- b. If owners of property around Genola desire to annex, the property must be contiguous to the corporate limits of Genola town and within the official annexation declaration boundary at the time of submission of the annexation request.
- c. Areas of annexation shall not be located within the corporate limits of another incorporated city or town nor shall they be part of a currently filed annexation petition, in any city or town that has not been denied, accepted or approved.
- d. The town does not favor annexation of any property for which it does not have the capability to provide the same municipal services that are provided to current residents.
- e. Impact studies may be required for every area of annexation. Those studies may include, but not be limited to:
 - i. traffic impact,
 - ii. environmental impact,
 - iii. municipal services (water, emergency services, etc.) impact, and

- iv. tax impact (both to residents currently within the municipal boundaries and in the expansion area, with current tax rates within the Town of Genola less than the tax rates for residents within the expansion area).
- f. Genola Town does not favor the creation of islands or peninsulas of unincorporated territory through annexation.
- g. Genola Town promotes the efficient delivery of services and encourages the equitable distribution of community resources and obligations. Annexations that require immediate or future extensions of municipal services will only be considered if those extensions can be developed and maintained in an efficient and cost effective manner that will not place undue burdens on current and future residents.
- h. It is not the intent of Genola Town to annex property for the sole purpose of acquiring revenue. Notwithstanding the foregoing, Genola Town should not annex property unless a clear and sufficient benefit to Genola Town exists. Likewise, a clear benefit should exist for the owner of property that is being annexed.

B. Annexation Requirements

- a. All areas of annexation must fulfill the requirements of one of Genola Town's current land use zones.
- b. All areas of annexation must be accompanied by culinary water rights sufficient to accommodate the needs of existing and potential occupants of said land when development occurs. Each proponent of an annexation shall mitigate the water concerns prior to approval of the proposed annexation. The Town Council reserves the right to evaluate any provision of water proposed for use by the Town, and refuse to accept any arrangement, if it is determined that the quantity, quality or ability to use the water is in question.
- c. Each proponent of an annexation will be required to provide adequate water for current and future use by the Town of Genola prior to recordation of the annexation. If future development on the land being annexed increases in density, through a zone change or amendment to Town ordinance that would allow a higher density, the Town shall require additional water prior to development approval. If a future applicant desires a zone change to a less intense zone, the Town is under no obligation to refund the cost of providing water to the proponent of an annexation. The water required is directed in accordance with the Water Dedication Ordinance.
- d. When land is annexed without the consent of the owner, the proponent of the annexation shall be responsible to provide the water required in this Section. If a future applicant seeks a zone change that would allow a higher density, the applicant shall be required to provide any additional required water shares.
- e. Genola town prefers areas of annexation to be accompanied by secondary water rights as well.

- f. All extensions of municipal services (roads, water infrastructure, secondary water delivery systems, et al) must comply with current town ordinances, policies and standards and said extensions will be paid for by the developer.
- g. If the area of annexation includes any residential development, certification by the Board of Health is required for the R-1 designated areas.
- h. An annexation agreement will be prepared between the town and future developers outlining specific circumstances relating to culinary water, secondary water, power, streets and any other specific improvements prior to annexation approval.

C. Procedure for submitting an annexation petition.

The following steps reflect a general summary of the requirements and procedures for presenting and processing an annexation request in Genola Town. Before the cost of the annexation petition is incurred the land owners may wish to visit with both the planning commission and the town council to determine the feasibility and the climate of the town in regards to the annexation. Any annexation petition must comply with the requirements of Section 1-2-403 Utah Code annotated.

- a. An annexation petition accompanied by an annexation plat map must be submitted to the town clerk. Said petition shall:
 - i. Be signed by private property owners of record which cover a majority of the land to be annexed. Said owners shall also represent one-half {1/2} of the assessed valuation of the private aggregate properties to be annexed, as reflected on the latest assessment roles;
 - ii. Represent an area contiguous to Genola Town corporate limits;
 - iii. Include an annexation plat prepared by an engineer or surveyor licensed in the state of Utah;
 - iv. Include a proposed plan of development for the considered area both in text and map format that shows all proposed buildings, roads, lots, improvements (such as trails or parks},etc.;
 - v. Include Board of Health certification, if needed;
 - vi. Include statements of water rights required;
 - vii. Include proposed zoning designation;
 - viii. Designate up to 5 of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor. Each sponsor's mailing address shall be indicated.
- b. The town clerk, upon receipt of a properly prepared annexation petition, shall place the petition on the agenda for consideration at a regularly scheduled town council meeting within 35 days of its receipt.

- c. At the town council meeting the council will review the annexation petition and deny or accept said petition.
- d. If accepted, the town recorder shall certify that the petition meets the above requirements and send the required notices, including a written notice to the town council. If denied, the town recorder shall send the required notices.
- e. The town council, within 30 days of the receipt of the recorder's notice of certification, shall publish a notice of proposed annexation in local public paper(s) at least once a week for three (3) consecutive weeks. Within 10 days after the receipt of the recorder's notice of certification, the council must mail written notice of the proposed annexation to each affected entity as defined in state law. The notice shall explain how a written protest is to be filed within 30 days after the date of the council's receipt of certification notice.
- f. If no protest is filed during the designated protest period, the council may set a public hearing, after the minimum public notification time, and at its next regularly scheduled meeting the council shall decide to proceed with negotiation of an annexation agreement with the property owners or to reject the annexation. If a protest is filed, the county boundary commission shall hold a public hearing on the protest within 30 days. According to the county boundary commission's decision, the town council may accept or deny the proposed annexation at its next regularly scheduled meeting after the county boundary commission's meeting.

D. Required fees and other considerations

- a. When the annexation petition is first submitted to the town clerk, the applicant shall pay a non-refundable processing fee according to the adopted fee schedule.
- b. Upon passage of the annexation ordinance the following shall apply:
 - i. Services to the annexed area will be extended on an as needed basis at the cost of the developer. All extensions of services, municipal or public, must comply with all ordinances and standards of Genola and will be paid for by the individual developer or property owner.
 - ii. The annexation will allow developers of the annexed property access to culinary water and all other city services provided all development meets Town specifications and complies with all applicable ordinances, and that all improvements are installed pursuant to Genola town standards.
 - (a) Upon annexation, the newly annexed area shall receive the following services:
 - 1. Fire protection
 - 2. Police protection
 - 3. Planning and zoning
 - 4. Snow removal and maintenance on dedicated streets

E. Comments from affected entities

Any comments received from affected entities at or within 10 days after the public meetings were considered in the above provisions.

F. Map of the Annexation Expansion Area

A map of the Annexation Expansion Area is attached.

GENOLA TOWN ANNEXATION DECLARATION BOUNDARY

