

Contact: Paula Pace Town Recorder 435.425.3600

## TORREY TOWN ANNEXATION POLICY PLAN

### A. General Annexation Criteria of Torrey Town

The Town of Torrey hereby adopts the following criteria for consideration of possible future annexations. This annexation policy declaration is intended to incorporate by reference all of the criteria required and suggested by Sections 10-2-401.5 et seq., Utah Code Annotated.

1. As part of its ongoing effort to plan and prepare for responsible growth, Torrey Town has identified territory adjacent to its present town boundaries that could at some time in the future be a part of Torrey Town. The area that is proposed for future annexation is not bordered by any other municipality. Areas to be annexed must fall within the areas designated for future annexation in the Annexation Policy Plan of Torrey Town and shown on the attached expansion area map. Even though property proposed for annexation is located within the annexation expansion area, there is no guarantee that the annexation request will be approved by Torrey Town.

It is also anticipated that Wayne County may not approve urban development within Torrey Town's proposed expansion area without notifying the Town of the proposed development. Torrey Town must consent or object in writing to the development plan within 90 days. Refer to code: 10-2-402.5 for all further procedural details.

2. The character of the community is mixed residential, commercial and agricultural. Areas to be annexed should be compatible with this character.

3. Areas to be annexed shall not be located within the incorporated limits of another incorporated city or be part of a previously filed annexation petition that has not been denied, accepted or approved.

4. When feasible, the Town favors annexation along the boundaries of water, sewer improvements or special service districts. The Town also favors:

- (a) Eliminating and/or not creating islands and peninsulas of unincorporated territories.
- (b) Consolidating overlapping functions of government.
- (c) Promoting efficient delivery of services.
- (d) Encouraging the equitable distribution of community resources and Obligations

- (e) Giving consideration to the tax consequences to property owners within the areas to be annexed, 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 within the municipality.
- 5. The city does not favor the annexation of areas for which it does not have the capability to provide municipal services.
- 6. It is not Torrey Town's intent to annex territory for the sole purpose of acquiring revenue.

**B. Procedures for Submission of an Annexation Request**

The following steps reflect a general summary of the requirements and procedures for processing an annexation request in Torrey Town. More detailed instructions are found in the 2011 Edition of the Lieutenant Governor Code Book, pages 39-44.

- 1. A contact Sponsor files "a notice of intent" (this is not the petition to annex) to the Torrey Town Clerk and a copy of such is filed with the Wayne County Recorder.
- 2. Wayne County Recorder mails a notice of the proposed annexation to each property owner in the affected area. A copy of the notice, along with a certificate indicating that the notice has been mailed, is sent to the Torrey Town clerk.
- 3. After receiving the certificate from the county, Torrey Town must, upon a request from the Sponsor, who filed the notice of intent, provide an Annexation Petition.
- 4. The annexation petition accompanied by an annexation plat must be submitted to the Town Clerk by the applicant. Said petition shall:
  - (a) contain the signature of the owners of the majority of the private Land areas (51%) within the area proposed for annexation and is equal in value to at least one-third (1/3) of the value of all private real property within the area proposed for annexation.
  - (b) represent an area contiguous to the existing Town limits of Torrey and shown to be within the areas designated for annexation in the annexation policy plan.
  - (c) include an annexation plat map prepared by a surveyor licensed in the state of Utah. This plat map will be paid for by those who have signed the petition unless other funding is available.
  - (d) designate up to five (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 included.

5. The Sponsor files the petition and map with the Torrey Town Clerk and the Wayne County Recorder. The county clerk will have a second licensed surveyor verify the plat map.
6. Under Utah State Law protests can only be filed by the County or other affected entities (School District and Special Service Districts).
7. Once approved, the town must publish a notice for three consecutive weeks.
8. Torrey Town will send the petition, map and an ordinance, that the Town Council has passed, stating that Torrey Town has approved the petition, to the Utah State Lieutenant Governor's Office for final approval.
9. The state approved petition and map must then be filed with the Wayne County Recorder's Office.

**C. Extension of Needed Municipal Services in Developed and Developing Unincorporated Areas and Payment of the Same.**

Listed here are the points related to extending municipal services:

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 ordinance and policy criteria and will be paid for by the individual developer or property owner.
2. The annexation will allow developers of the annexed property access to culinary water, sewer and electric power service provided all developments meet Torrey Town specifications and ordinances. The manner in which these amenities are developed will have a bearing on how they will be financed. Property taxes 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 may be asked to finance the extension of needed municipal services, such as new utilities, streets, curb and gutters, sidewalks and other capital improvements as development occurs.
3. It is anticipated that Torrey Town will provide snow removal and street maintenance on deeded dedicated streets.
4. It is also anticipated that Wayne County will continue to provide:
  - a. Fire protection
  - b. Police protection
  - c. Garbage collection

5. Newly annexed residents may experience an increase in their property taxes because of the certified tax rates in the County and Torrey Town. The rate currently assessed on properties in the unincorporated county is 0.005689. Torrey Town's current property tax rate is 0.000172. The combined tax rate is 0.005861. The difference in annual property taxes for a property with a taxable value of a residential home of \$100,000 is an additional \$17.20 to newly annexed Torrey Town residences. This assumes that property tax rates in both Torrey Town and Wayne County remain unchanged. It is further anticipated that as newly annexed territory property taxes are received by the city, the city may increase the total level of services within the total community.

**D. Conclusion:**

As areas become more populated, demand for services increases. Once this policy plan is adopted and areas begin to develop, continual planning by Torrey Town will allow development to occur in an economical manner, since the homes, streets and other amenities will be developed in accord with Torrey Town specifications.

ADOPTED THIS:            DAY 12        MONTH April        YEAR 2012

SIGNATURE OF MAYOR:

signature on file  
Mayor Adus Dorsey

SIGNATURE OF TOWN RECORDER:

signature on file  
Paula Pace, Clerk/Recorder