

A RESOLUTION ADOPTING AN UPDATED ANNEXATION POLICY PLAN FOR VERNAL CITY, UTAH

WHEREAS, the City of Vernal is charged with managing land use and growth in a responsible manner to protect the public health, safety, and welfare of its residents, and to ensure orderly development that meets the current and future needs of the community; and

WHEREAS, pursuant to Utah Code §10-2-401.5, each municipality is required to adopt an annexation policy plan that sets forth the city's future expansion areas and the criteria for evaluating potential annexations; and

WHEREAS, Vernal City previously adopted an annexation policy plan in 2008 to guide its annexation efforts and evaluate petitions for inclusion into the municipal boundaries; and

WHEREAS, changes in state law and local conditions since the adoption of the original plan have prompted the City to evaluate and update its annexation policy to comply with current statutory requirements, including provisions adopted under House Bill 368 (2024 General Session); and

WHEREAS, the proposed updated Annexation Policy Plan complies with all requirements set forth in Utah Code §10-2-401.5, including the identification of future expansion areas, evaluation of municipal services, and consideration of the character of the community, and was prepared following input from city officials, legal counsel, and community planning representatives; and

WHEREAS, the City provided proper notice and held duly advertised public hearings with the Planning Commission and the City Council in accordance with state statute, and the public has been given an opportunity to provide input and comment; and

WHEREAS, the Vernal City Planning Commission reviewed the updated plan and forwarded a recommendation to the City Council for its adoption; and

WHEREAS, the annexation boundary map used during the preparation, noticing, and discussion of this policy update has been updated for improved clarity and legibility but does not alter any existing boundaries or expansion areas previously adopted, and is hereby adopted as Exhibit B to this resolution; and

WHEREAS, the Vernal City Council finds the proposed Annexation Policy Plan to be in the best interest of the City and its residents and desires to formally adopt the updated plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF VERNAL CITY, UTAH:

SECTION 1. The updated Annexation Policy Plan, attached hereto as Exhibit A, is hereby adopted as the official Annexation Policy Plan of Vernal City.

SECTION 2. The accompanying Annexation Boundary Map, updated for clarity and attached hereto as Exhibit B, is hereby adopted as a supporting exhibit to the Annexation Policy Plan.

SECTION 3. This Resolution shall become effective immediately upon passage and approval.

PASSED AND ADOPTED by the Vernal City Council this ____ day of _____, 2025.

Mayor Doug Hammond

ATTEST:

Sara Bell, City Recorder

Vernal City

Annexation Policy Plan

~~Vernal City encourages orderly residential, commercial, industrial and recreational growth and development and will continue to identify areas within the community appropriate for these uses. Development will be allowed to continue in a responsible manner and in locations that will contribute to the economic and social well-being of area residents. Vernal City planning personnel will continue to work with Uintah County and neighboring communities to coordinate planning activities and address land uses along jurisdictional boundaries. To ensure that adequate services can be provided to community residents, Vernal City will cooperate and coordinate with Uintah County and neighboring communities in the planning and implementation of all new services and infrastructure improvements.~~

~~As growth continues in the Ashley Valley, the Vernal City Council will have to address new annexation issues. This Annexation Policy is drafted as an instrument to help the Vernal City Council in addressing these issues.~~

Expansion Area Map

~~The Vernal City planning staff has prepared an Expansion Area Map. This map is an important part of the component of the Policy Plan. The Expansion Area Map identifies those areas that Vernal City would be willing to consider for annexation. In accordance with State Statutes, the map will identify and help eliminate any “islands” or Peninsulas” of unincorporated areas. It is the desire of Vernal City to create linear, square boundaries to eliminate jurisdictional confusion. These areas are identified on the map. The map will be attached with this plan and will be adopted by the vernal city council in a public meeting.~~

Annexation Criteria Statements

~~Vernal City encourages orderly residential, commercial, industrial, and recreational growth and development and will continue to identify areas within the community appropriate for these uses. Vernal City will encourage new growth to take place within or adjacent to developed areas. Vernal City planning personnel will continue to work with Uintah County and neighboring communities to coordinate planning activities and address land uses along jurisdictional boundaries.~~

~~Specific criteria that will be addressed with annexation discussions will include:~~

- ~~1. The community character as identified in the vernal city General Plan~~
- ~~2. Maintaining the current quality of public services and facilities~~
- ~~3. Maintaining well-kept residential neighborhoods that provide a variety of housing options and reflect positively on the community’s culture and character~~
- ~~4. The need for expansion of municipal services into the growth area.~~
- ~~5. How the expansion of municipal services into the growth area will be financed.~~
- ~~6. An estimate of the tax consequences will be provide to residents both within the municipal boundary and within the growth area.~~
- ~~7. How effectively does any proposed annexation address the desire of the city to create linear, square boundaries.~~

Justification for Excluding Urban Areas from the Expansion Area

EXHIBIT A - RESOLUTION 2025-15

**Adopted 11-05-08
Resolution 2008-40**

~~Utah State Statute defines urban development as “A housing development with more than 15 residential units and an average density of greater than one residential unit per acre; or a commercial development or industrial development for which the cost projections exceed \$750,000 for all phases”. Vernal City has not identified any urban areas that will be excluded.~~

Vernal City Annexation Policy Plan (Amended 2025)

Section I. Purpose and Policy Foundation

The Vernal City Annexation Policy Plan (the “Plan”) serves as a guiding framework for evaluating and implementing annexations within the City’s defined Expansion Area. The purpose of this Plan is to promote thoughtful, efficient, and fiscally responsible growth that preserves the integrity of existing neighborhoods, ensures the provision of essential municipal services, and aligns with the community’s long-term planning objectives.

Vernal City supports a balanced approach to development—encouraging residential, commercial, industrial, and recreational uses that enhance the quality of life for current and future residents. Annexation is not pursued as an end in itself, but as a tool to support orderly urban expansion, improve service delivery, and foster cohesive land use patterns. Proposals for annexation will be carefully reviewed based on their compatibility with City infrastructure, land use goals, and financial sustainability. Each annexation is expected to contribute positively to the character, function, and identity of the City as a whole.

Recognizing that growth does not occur in isolation, Vernal City is committed to working collaboratively with Uintah County, neighboring municipalities, service providers, and affected entities in the review and planning of annexation proposals. Coordination may include formal interlocal agreements, shared infrastructure strategies, and regular consultation to ensure that annexation decisions are consistent with regional goals and minimize duplication of services or jurisdictional conflict. The City values cooperation as an essential component of responsible and effective governance.

Section II. Considerations

In preparing this Plan, the Vernal City Planning Commission has conducted a thorough review consistent with the requirements set forth in Utah Code Annotated section 10-2-803(3). In particular, the Planning Commission has:

- Evaluated the expansion areas of adjacent municipalities and coordinated to avoid creating gaps between or overlaps with their respective boundaries;
- Reviewed population trends and projections for Vernal City and surrounding unincorporated areas over a 20-year horizon to assess future demand for land and services;
- Analyzed current and projected costs associated with infrastructure, urban services, and public facilities necessary to: (a) support full development within the existing municipal boundary; and accommodate the orderly expansion of services into the proposed expansion area;
- In conjunction with the City’s General Plan, considered the anticipated need for additional residential, commercial, and industrial lands over the next 20 years to support projected growth;
- Evaluated the inclusion of agricultural lands, forests, recreational areas, and wildlife management areas to ensure a balanced and responsible growth strategy; and

- Followed the principles found in Utah Code Annotated section 10-2-806(5).

These considerations were used to develop the Expansion Area Map discussed below and to inform the criteria by which future annexation petitions will be evaluated.

Section III. Expansion Area Map

The Expansion Area Map (the “Map”), prepared by the Vernal City Planning Department, is a key component of this Plan and reflects the City’s intention to manage growth in a logical, efficient, and coordinated manner. The Map identifies specific geographic areas that Vernal City is willing to consider for annexation based on current infrastructure capacity, anticipated land use demand, and overall community planning goals. In accordance with Utah Code Annotated sections 10-2-803 and 10-2-804, the Map is intended to eliminate unincorporated islands and peninsulas, ensure contiguous boundaries, and promote clear and manageable service delivery areas. It serves as a practical tool for evaluating both near-term annexation proposals and long-range municipal boundary adjustments.

The Map is adopted by ordinance of the Vernal City Council through a public meeting and is incorporated into this Plan as an exhibit to this Plan. The City will periodically review and amend the Map as needed to reflect changes in development trends, infrastructure planning, or interlocal coordination. In compliance with Utah Code Annotated section 10-2-803(6), any revisions to the Map will be subject to public notice requirements and coordinated with affected entities to ensure transparency and regional consistency in boundary planning.

See Exhibit A – Vernal City Expansion Area Map (2008)

Section IV. Annexation Evaluation Criteria

Annexation proposals submitted to Vernal City will be reviewed in accordance with this policy, the Vernal City General Plan, and Utah Code Annotated sections 10-2-803 and 10-2-806. Each petition will be evaluated on its individual merits with attention to how it supports responsible growth, efficient service provision, and community benefit. The following criteria will guide the City’s decision-making:

1. Character of the Community – Whether the proposed annexation is consistent with the existing land use patterns, neighborhood context, and overall character of Vernal City.
2. Need for Municipal Services – Whether the area demonstrates a need for municipal services that are unavailable or insufficient in its current jurisdiction.
3. Service Feasibility and Planning – Whether services such as water, sewer, stormwater, streets, public safety, and solid waste can feasibly be extended and maintained, based on existing capacity and master plans.
4. Financing of Services – Whether the extension and maintenance of services can be supported through available and lawful mechanisms, including impact fees, utility rates, developer participation, or general funds.
5. Tax Consequences – Whether the annexation results in reasonable and equitable tax or fee impacts for both existing City residents and those within the proposed area.

6. Coordination with Affected Entities – Whether the proposal accounts for the jurisdictional interests of Uintah County, special service districts, and neighboring municipalities to avoid duplication and promote orderly growth.
7. Contiguity and Boundary Integrity – Whether the area is contiguous to the City and avoids the creation of unincorporated islands or peninsulas, consistent with Utah Code Annotated section 10-2-804.
8. Ownership Thresholds – Whether the petition meets state requirements for property ownership and valuation, per Utah Code Annotated section 10-2-802.
9. Land Use Compatibility – Whether the annexation supports the City’s long-term land use planning objectives, including housing diversity, compact development, and infrastructure efficiency.
10. Statutory Exclusions – Whether the annexation avoids inclusion of “rural real property” or “mining protection areas,” as those terms are defined in Utah Code Annotated section 10-2-801, without consent, as required by section 10-2-811(10).

Supporting documents such as fiscal impact analyses, service feasibility studies, or infrastructure plans may be required to facilitate evaluation. The City retains discretion to deny annexation proposals that do not meet these criteria, even if technically eligible under state law.

Section V. Public Notice and Involvement

Vernal City is committed to ensuring a transparent annexation process that informs and engages affected property owners, public agencies, and the broader community. In accordance with Utah Code Annotated Title 10, Chapter 2, Part 8, the City will adhere to all notice and public hearing requirements throughout the annexation process.

Section VI. Filing and Implementation

Following the adoption of any annexation ordinance or amendment to this Plan, Vernal City will satisfy all filing requirements as prescribed by Utah Code Annotated section 10-2-813. This includes transmitting a certified copy of the ordinance, along with applicable annexation plat maps, to the Office of the Lieutenant Governor as a Notice of Impending Boundary Action. Copies will also be filed with the Uintah County Recorder, County Surveyor, and County Assessor within 30 days of certification.

An annexation shall take effect on the date specified in the annexation ordinance, provided that all statutory filings and confirmations have been completed. Annexations shall not be legally recognized until the Lieutenant Governor certifies the boundary action and all required filings are documented with county offices.

Section VII. Legal Framework and Amendments

This Plan shall be interpreted in accordance with the applicable provisions of Utah law, including Utah Code Annotated sections 10-2-801 through 10-2-817, as amended. Any reference to statutes in this plan shall be construed to include subsequent amendments or renumbering adopted by the Utah Legislature. This plan is intended to be a guiding policy document and shall not supersede the procedural or legal requirements set forth in state law for the consideration or approval of annexation petitions.

Amendments to this plan may be initiated by the City Council, Planning Commission, or Planning Department and shall follow a public process, including a public hearing before the Planning Commission and formal adoption by ordinance of the City Council. The City will also provide notice to affected entities as required by law when modifying the Map or other substantive elements of this Plan. All amendments shall be consistent with the City's General Plan, statutory obligations, and the principles of orderly, efficient, and coordinated municipal growth.

Section VIII. Justification for Excluding Urban Areas from the Expansion Area

Utah law defines “urban development” as a housing development with more than 15 residential units and an average density greater than one unit per acre, or a commercial or industrial development where the cost projections exceed \$750,000 for all phases. Utah Code Ann. § 10-2-801(17). Vernal City has reviewed all areas within ½ mile of its current municipal boundary and has not excluded any areas containing qualifying urban development from its expansion area. Accordingly, no justification for exclusion is required. The City reserves the right to consider future exclusions if warranted by infrastructure constraints, boundary management considerations, or long-range planning objectives.

Section IX. Protests

Protests to an annexation petition may be filed in accordance with Utah Code Annotated section 10-2-810. A protest may only be filed by the legislative body or governing board of an “affected entity” (i.e., a county, school district, special service district, or municipality), the owner of “rural real property,” located within the area proposed for annexation, or the owner of private real property located in a “mining protection area,” as those terms are defined in section 10-2-801. Protests must be filed with the Uintah County Clerk and a copy mailed to the Vernal City Recorder within 30 days after the City Recorder mails or delivers written notification of the certified petition to the Vernal City Council, the petition's contact sponsor, and the Uintah County Commission. If a valid protest is filed, Vernal City will suspend final action on the annexation until the Uintah County Boundary Commission issues a written decision. The City will ensure that all landowners are notified of their rights to support or withdraw from a petition, and that the protest procedures, deadlines, and criteria are clearly communicated as part of the public engagement process.

If a decision is issued by the Boundary Commission regarding a protested annexation, any party to the proceeding—such as Vernal City, a protestor, or a petitioner—may seek judicial review by filing an action in the district court within 20 days of receiving the Commission's decision, as set forth in Utah Code Annotated section 10-2-811. No annexation may be finalized by the City while judicial review proceedings are pending.

Following the issuance of a decision by the Boundary Commission, Vernal City shall not take final action on the annexation until at least 30 days have passed. Final action must occur no later than 60 days after the Commission's decision, unless a judicial review proceeding is filed, as outlined in Utah Code Annotated section 10-2-811.

Section X. Automatic and Cross-County Annexations

In accordance with Utah Code Annotated section 10-2-814, all unincorporated islands that meet the criteria for automatic annexation will be annexed on July 1, 2027. Qualifying areas must be entirely surrounded by the City, receive municipal-type services, and meet population or development thresholds as defined by statute. For annexations involving property that crosses county lines, the City will comply with Utah Code Annotated section 10-2-805.

Section XI. Statement Addressing Affected Entity Comments

This section is reserved for addressing comments made by effective entities at the Planning Commission's public meeting to consider this Plan or within 10 days following such meeting.

Section XII. Severability

If any portion, section, or clause of this Plan is held to be invalid, unlawful, or unenforceable for any reason by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. This ensures the continuity of the City's annexation policies and protects the integrity of the overall plan even in the event of partial invalidation.

Effective Date: This Plan shall become effective one (1) day after publication of the adopting ordinance, as provided by Utah Code Annotated section 10-3-712. Filing with the Office of the Lieutenant Governor and the Uintah County Recorder shall also occur in accordance with Utah Code 10-2-813.

