

**LAKE POINT CITY COUNCIL**

**ORDINANCE NO. 2025-09**

**DATE: 10-08-2025**

**AN ORDINANCE ADOPTING AN ANNEXATION POLICY PLAN**

WHEREAS, Lake Point City (“**City**”) is authorized and required by Utah Code § 10-2-803 to adopt a recommended annexation policy plan; and

WHEREAS, the Lake Point Planning and Zoning Commission provided notice to affected entities, and held a public hearing on September 8, 2025, as required by Utah Code § 10-2-803; and

WHEREAS, the Lake Point Planning and Zoning Commission recommended an annexation policy plan including an annexation expansion area map to the Lake Point City Council on September 8, 2025;

WHEREAS, the Lake Point City Council provided notice to affected entities, and held a public hearing on September 24, 2025, as required by Utah Code § 10-2-803; and

WHEREAS, the City Council desires to set out and adopt its annexation policy plan.

NOW, THEREFORE, BE IT ORDAINED by the Lake Point City Council as follows:

**Section 1.** Chapter 13.11 of the Lake Point City Code is hereby enacted in the form of the ordinance attached hereto as “**Exhibit A.**”

**Section 2.** Severability: If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of this ordinance, or specific application of this ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 3.** Direction: The chair and staff, including the city attorney, are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to civiclinQ, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.

**Section 4.** This Ordinance shall be effective immediately upon its adoption and posting according to law.

PASSED, APPROVED, AND ADOPTED on the 8th day of October, 2025

Lake Point

By Alexis Wheeler  
Chair

ATTEST:  
Jamie Olson  
Jamie Olson, City Recorder



SEAL

Voting:

Alexis Wheeler  
Kirk Pearson  
Jonathan Garrard  
Kathleen VonHatten  
Ryan Zumwalt

|     |          |     |     |        |          |
|-----|----------|-----|-----|--------|----------|
| Yea | ___      | Nay | ___ | Absent | <u>X</u> |
| Yea | <u>X</u> | Nay | ___ | Absent | ___      |
| Yea | <u>X</u> | Nay | ___ | Absent | ___      |
| Yea | <u>X</u> | Nay | ___ | Absent | ___      |
| Yea | <u>X</u> | Nay | ___ | Absent | ___      |

## **SUMMARY OF LAKE POINT CITY ORDINANCE NO. 2025-09**

On Sept 24, 2025, the Lake Point City Council enacted Ordinance No. 09 to adopt the Lake Point Annexation Policy Plan.

A complete copy of Ordinance No. 2025-09 is available online and in the office of the Lake Point City Recorder and by contacting Jamie Olson at [info@lakepoint.gov](mailto:info@lakepoint.gov).

## **Exhibit A to Ordinance**

### **Annexation Policy Plan**

#### **1. Title and Authority**

1. Utah Code Annotated (UCA) 10-2-4 requires that all municipalities in the State of Utah adopt an Annexation Policy Plan. Within that Annexation Policy Plan, cities must provide a map of the areas the city will consider for annexation into its municipal boundaries. Additionally, cities are required to outline the conditions under which they will consider annexation and the process for managing such requests. The Annexation Policy Plan enables cities to guide the growth and development of the city.

#### **2. Purpose**

1. This plan not only ensures legal compliance but also reflects Lake Point's Vision and Core Values—to preserve its rural character, promote family-friendly growth, and safeguard the natural beauty and heritage of the community.
2. It is the intent of this plan to protect the rights of property owners within the municipal boundaries and in the unincorporated areas surrounding the city. It is further the intent that the regulations contained herein shall encourage sound planning practices and reduce problems that may be associated with the annexations.
3. While there may be various considerations about a city's ability to include certain areas in its annexation plan, landowners retain the right to petition eligible cities for annexation, allowing them to explore their options for incorporation into different municipalities.
4. Lake Point weighed many considerations in adopting this annexation policy plan and its expansion area map. It is the intent of Lake Point to provide neighboring landowners a path with fewer barriers to annexation into Lake Point, but it recognizes each property owner's right to self-determination, where there may be multiple options to petition eligible cities for annexation or incorporation of new municipalities. This understanding and intent is guided by the current law in effect in 2025 for annexations which provides that property owners comprising no less than 1/3 of the real property value are required to sign any petition for annexation.
5. It is the intent that the annexation policy plan is reviewed from time to time to account for changes in the City's general plan or significant changes in the Utah State Legislature affecting annexation of municipalities.

#### **3. Roles and Responsibilities**

1. Listed below are some of the roles and responsibilities for key parties involved in the municipal annexation process in Utah. Refer to Utah Code Title 10, Chapter 2 for complete and current roles and responsibilities.

|    | <b>Party</b>                                                                                                   | <b>Roles and Responsibilities</b>                                                                                                                                                     |
|----|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Property Owners/Petitioners                                                                                    | Initiate the annexation by submitting a petition.<br>Provide legal descriptions and maps.<br>Coordinate with city staff.                                                              |
| 2. | Municipal Government<br>(City Council, Planning and Zoning Commission, City Employees, City Contractors, etc.) | Receive and certify petition.<br>Notify affected entities.<br>Publish public notices.<br>Conduct hearings.<br>Evaluate annexation.<br>Adopt ordinance.<br>Update zoning and services. |
| 3. | County Government                                                                                              | Review and comment on the annexation.<br>Ensure interlocal compliance.<br>Coordinate boundary adjustments with cities.                                                                |
| 4. | Affected Entities                                                                                              | Submit comments or objections.<br>Adjust service plans if annexation is approved.                                                                                                     |
| 5. | Utah Lieutenant Governor's Office                                                                              | Record boundary changes.<br>Issue Certificate of Annexation.                                                                                                                          |
| 6. | General Public / Community Members                                                                             | Attend public hearing.<br>Voice support or opposition.<br>Submit written comments.<br>Engage with representatives.                                                                    |

#### **4. Public Engagement**

1. In Utah, municipal annexation is the legal process by which a city or town expands its boundaries to incorporate adjacent unincorporated land. Most annexations are initiated by property owners who want to join the city; however, the city may also initiate annexation of surrounding property. Once a petition is submitted, the municipality must provide notice to affected entities and the public, allowing for input and objections. Public hearings are held to discuss the proposed annexation, giving residents and stakeholders an opportunity to voice their support or concerns. While Utah law does not require annexation decisions to be made through public elections, the process ensures community members have avenues to participate and influence the outcome through petitions, public notices, and hearings.

#### **5. Legislative Policy**

1. The following statements are reflected in the State Law governing annexations and are included as a part of this Annexation Policy Plan:
  - a. Sound development within towns and cities is essential to the continued economic development of the State of Utah.

- b. Municipalities are primarily created to provide urban-type governmental services essential for development and for the protection of public health, safety, and welfare in residential, commercial, and industrial areas, and in areas undergoing development.
- c. Municipal boundaries should be extended, in accordance with specific standards, to include areas where urban-type governmental services are needed and can be provided for the protection of public health, safety, and welfare, and to avoid the inequities of double-taxation and the proliferation of special service districts.
- d. Areas annexed to municipalities in accordance with appropriate standards should receive the services provided by the annexing municipality consistent with a planned extension policy.
- e. Areas annexed to municipalities should include all the urbanized unincorporated areas surrounding municipalities, securing the residents within these areas a voice in the selection of their government and the services they shall receive.
- f. Decisions with respect to municipal boundaries and urban development need to be made with adequate consideration of the effect of the proposed actions on adjacent areas and the interests of other government units, on the cost of needed local government services, the ability to deliver the services under the proposed actions, and on factors related to population growth and density of the geographic area
- g. The economic and financial impacts of annexation to existing towns and cities must be evaluated to ensure that annexation is financially desirable.

## 6. Annexation Process Summary

1. Listed below is a summary of the annexation process. Refer to Utah Code Title 10, Chapter 2 for complete and current processes.

|   | Activity                       | Details                                                                                                                                                                                                                                                                                                                                                                                                         |
|---|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Pre-Application Meeting        | Applicants meet with City staff to review feasibility and requirements.                                                                                                                                                                                                                                                                                                                                         |
| 2 | Notice of Intent to Annex      | <ul style="list-style-type: none"> <li>-The annexation process typically begins with property owners filing a notice of intent with the city recorder.</li> <li>-This notice must include an accurate map of the proposed annexation area.</li> <li>-Copies of the notice are sent to the county clerk and all affected entities, such as utility districts and neighboring municipalities.</li> </ul>          |
| 3 | Filing the Annexation Petition | <ul style="list-style-type: none"> <li>-Property owners submit a formal annexation petition to the city.</li> <li>-The petition must be signed by owners representing a majority of the land area and at least one-third of the assessed property value within the proposed annexation area.</li> <li>-An accurate, recordable plat map prepared by a licensed surveyor must accompany the petition.</li> </ul> |

|   |                                     |                                                                                                                                                                                                                                                                                                                                         |
|---|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4 | Petition Review and Certification   | <p>-The city council reviews the petition at its next meeting, at least 14 days after filing.</p> <p>-If accepted, the city recorder collaborates with county officials to verify that the petition meets statutory requirements.</p> <p>-Upon successful verification, the petition is certified, allowing the process to proceed.</p> |
| 5 | Public Notice and Protest Period    | <p>-Following certification, the city publishes notices in the proposed annexation area and notifies affected entities.</p> <p>-A 30-day protest period commences, during which eligible parties (e.g., affected entities or property owners) may file formal objections.</p>                                                           |
| 6 | Public Hearing and Council Decision | <p>-If no valid protests are filed, or after resolving any protests, the city council holds a public hearing to discuss the annexation.</p> <p>-The council then votes to approve or deny the annexation.</p> <p>-If approved, the council adopts an annexation ordinance formalizing the decision.</p>                                 |
| 7 | Finalization and Recording          | <p>-The city submits the annexation documents to the Utah Lieutenant Governor's Office for final certification.</p> <p>-The annexation becomes official upon issuance of a Certificate of Annexation and recording with the county recorder.</p>                                                                                        |
| 8 | Notification of Finalization        | <p>-Written notice shall be provided to any impacted entity that requires the notification.</p>                                                                                                                                                                                                                                         |

## 7. Annexation Criteria

The following criteria shall guide Lake Point's decisions about future annexation petitions:

### 1. The need for municipal services

- a. Municipal services would likely be provided either by the city or through special service districts, including but not limited to North Tooele Fire District, Lake Point Improvement District, and Lake Point Cemetery and Park District.
- b. Lake Point believes it is in the interest of its citizens and will provide public health, safety, and welfare to ensure the responsibility for providing municipal services to the expansion area, as adopted by the city. The provision of municipal services to this area will assure the city of the ability to protect the interests of its residents in maximizing the benefits of economies of scale in the provision of municipal services and in minimizing the harmful impacts of conflicting uses of land that may be proposed or occur within the expansion area.
- c. Petitioners must outline required services and financing plans. The city will determine service necessity and provision. Lake Point will ensure annexed areas receive appropriate municipal services either directly or through special service districts. Lake Point's approach to balancing development with resource availability is mirrored in Lake Point's annexation strategy.

### 2. The character of the community

- a. Lake Point is in Tooele County, Utah, has a rich history that dates to its original settlement in 1854. At that time, the area was established under the name of E.T. City. Early settlers were attracted to the region's open lands, proximity to water sources, and its potential for agriculture and livestock. They worked hard to establish a community, cultivating crops, raising livestock, and building homes.
  - b. Lake Point has a high potential to experience significant commercial development in the near future. Recent developments in the Lake Point area have focused on expanding additional areas to accommodate the increasing population in the region. As a rapidly growing community, Lake Point is strategically positioned near the employment centers of the Wasatch Front and Tooele County, and benefits from its proximity to major transportation corridors, including Interstate 80. Looking ahead, Lake Point is expected to continue its upward trajectory, with projected growth in both residential, commercial, light industrial, and multi-use sectors.
  - c. Lake Point's Vision and Core Values preserve our rural lifestyle and heritage. We welcome new residents and ask all to share our commitment to maintaining a peaceful and self-sufficient way of life. We believe that the natural beauty, gorgeous sunsets, and resources of Lake Point provide ample opportunities for individuals and families to live fulfilling lives, free from the stresses and pressures of metro area living.
3. Plans for the extension of municipal services
  - a. Lake Point provides Waste Services. Infrastructure studies have been done or are in process by Lake Point regarding stormwater and drainage management, geotechnical studies, transportation master planning, and similar, along with other information that guides service expansion.
  - b. Development, franchise, interlocal, and any other applicable partnership agreements will ensure infrastructure alignment with city planning, city ordinances, and the general plan. Lake Point will extend services efficiently while maintaining budget constraints and leveraging partnerships with service districts for Sewer, Water, Fire and Cemetery, and Parks, where applicable. The use of phased infrastructure expansion will also be considered in Lake Point to support sustainable development.
4. How the services shall be financed
  - a. Lake Point welcomes moderate population growth at a reasonable pace and believes that new growth should pay its own way. Water, sewer, stormwater, and emergency services must be available or capable of being extended without excessive burden on existing residents. The table below contains a non-exhaustive list of ways in which municipal annexation can be paid for:

|    | Option                               | Utah Code             | Used For                                                                                                                                 | How it Works                                                                                                                                             | Approval Process                                                                                                                                                          |
|----|--------------------------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Special Assessment Area (SAA)        | Title 11, Chapter 42  | Funding infrastructure improvements (roads, water, sewer, storm drainage, sidewalks, etc.) in a specific area affected by a development. | The city or county creates an SAA, and property owners within the area pay an assessment to fund the infrastructure improvements.                        | Requires notice and public hearings; in some cases, property owners can protest the assessment if they represent more than 50% of the area.                               |
| 2. | Community Reinvestment Area (CRA)    | Title 17C             | Funding public infrastructure and economic development through Tax Increment Financing (TIF).                                            | As new development increases property values, a portion of the increased property tax revenue (tax increment) is redirected to finance infrastructure.   | The city establishes a Community Reinvestment Agency (CRA) and adopts a project plan. Affected taxing entities (schools, counties, etc.) may negotiate tax participation. |
| 3. | Public Infrastructure District (PID) | Title 17D, Chapter 4  | Large-scale infrastructure projects in new developments, similar to a metropolitan district.                                             | Developers and the city create a PID, which issues bonds to fund public infrastructure, repaid by property taxes or fees from the benefiting properties. | Requires city council approval and agreement with property owners within the district.                                                                                    |
| 4. | Impact Fees                          | Title 11, Chapter 36a | Charging developers a one-time fee to offset the costs of new infrastructure required by their development.                              | The city adopts an Impact Fee Facilities Plan (IFFP) that calculates fees based on projected infrastructure costs.                                       | Requires a public hearing and compliance with state law limiting the use of funds to specific infrastructure improvements.                                                |

- b. A long-range financing plan shall be developed consistent with the General Plan to extend services to new areas. A uniform financing plan that outlines the cost of providing new services to annexed areas shall be developed with each annexation, as well as how these costs shall be met. The cost to provide new services to annexed areas shall be financed by the lands in that area unless otherwise determined by the city council.

5. An estimate of the tax consequences

- a. Annexed areas must sustain municipal service costs to avoid undue tax burdens to existing residents. Tax evaluations shall accompany annexation petitions. Commercial and industrial developments will be encouraged in strategic annexation areas to offset tax burdens on residential properties. This includes ensuring that existing residents are not subjected to disproportionate tax increases as a result of the annexation. Where feasible, annexations will aim to enhance the tax base to alleviate residential burdens.
- b. The expansion area map in Attachment A includes areas which may be suitable for industrial and commercial development. Lake Point's property tax base relies primarily upon taxing residential property. The development of non-residential uses in some newly annexed areas could ultimately result in some relief for the residential properties throughout the city.
- c. It is generally believed that annexation in the general areas shown in the expansion area map in Attachment A, if monitored by the city to assure a satisfactory balance of land uses, would not alter the distribution of taxes to any great extent. It is also recognized that the potential exists for commercial development and the generation of sales taxes to augment the city's revenues.
- d. The areas shown as favorable for annexation are all or partially within the Lake Point Improvement District, Oquirrh Mountain Water Company District, North Tooele Fire District, and the Tooele Valley Mosquito Abatement District and are currently subject to tax levies imposed by these special districts.

6. The interests of all affected entities

- a. Entities potentially impacted by annexation may include, but are not limited to, Tooele County School District, North Tooele Fire District, Lake Point Improvement District (sewer), Lake Point Cemetery and Park District, Tooele Valley Mosquito Abatement District, Tooele County Sheriff, Unincorporated Tooele County, BLM, and water conservancy districts.
- b. Input from these entities will be sought, mirroring Lake Point's practice of consulting impacted jurisdictions to ensure seamless service transitions. Additionally, interlocal agreements, similar to those used by Lake Point, will be considered to streamline the integration of services in newly annexed areas.
- c. Guided by current Utah State Code 10-2-401.5(3)(d), the recommended annexation policy plan shall include a statement addressing any comments made by affected entities at or within 10 days after the public meeting.
- d. Comments submitted by affected entities or the public within 10 days following the public meeting will be formally considered by the City Council in their final decision-making process.

7. General Plan Consistency

- a. Annexations must align with the General Plan's objectives, ensuring that growth is thoughtfully integrated with infrastructure capacity and long-term city

planning. Lake Point is committed to maintaining annexation policies that support strategic development while preserving the city's vision for the future. A structured annexation review process will be implemented to ensure consistency with broader municipal goals.

- b. As part of this approach, Lake Point will carefully assess the impact of zoning and growth on the area's rural character, agricultural uses, and residential neighborhoods. The city remains dedicated to preserving its small-town atmosphere and open spaces while fostering responsible development. Consideration will also be given to how land use changes affect natural resources and the overall aesthetic of the community, ensuring that expansion enhances rather than diminishes Lake Point's unique identity.

#### 8. 20 Year Population Projection

The 20-year population projection required by Utah law is included in the table below:

|                   | <b>2025</b> | <b>2045</b> |
|-------------------|-------------|-------------|
| Lake Point        | 3,252       | 4,638       |
| Surrounding Areas | 0           | 5,370       |

These projections have been obtained from the Lake Point Master Transportation Plan.

#### 9. Special Considerations

1. New annexations may include areas that are undeveloped and that contain unique features and characteristics. Such areas may include agriculture, recreation, wildlife, open land access, historic sites, open space, riparian areas, shore lands, and natural resource areas. Expansion of the city into these areas will allow appropriate preservation while blending in development and providing appropriate growth and management opportunities to benefit property owners and the citizens of Lake Point.
2. If any developed area within one-half mile of the municipal boundary is excluded from the expansion area, the City will provide written justification. Such justification may include geographic constraints, service infeasibility, or land use incompatibility.

#### 10. Expansion Map Area

1. Attachment A contains the Annexation Expansion Area Map. This map identifies potential areas for expansion feasibility and long-term planning.
2. Per Utah Code, the Expansion Area shall be of sufficient size to accommodate planned commercial, industrial, residential, agricultural, and recreational growth consistent with the General Plan, including but not limited to the following considerations:
  - a. Geographic, topographic, and man-made features, including land with natural constraints (i.e., sensitive lands, water sheds, water drainage, cliffs, steep slopes, views, vegetation preservation)
  - b. Existing and proposed streets per the Master Transportation Plan
  - c. Land use patterns already created by existing subdivisions, large-lot divisions, and recorded plats, including those still in the process of being completed

- d. Preservation of public infrastructure, open space, parks, trails, and natural resources, including but not limited to water sources, forests, and wildlife areas
  - e. Location of public facilities and services needed
  - f. Population growth projections for the municipality and adjoining areas for the next 20 years, as outlined in the General Plan
3. Planning growth in a manner consistent with this Annexation Plan, the City's General Plan, and related land use ordinances, shall provide the following advantages to Lake Point:
- a. Encourage an effective development pattern.
  - b. Provide a focused plan for preserving existing public facilities and capital investments, and the extension of public facilities in the future.
  - c. Develop and maintain fiscal integrity in city operations by encouraging the full utilization of existing streets and other public facilities.
  - d. Diversify and strengthen the tax base of the community.
  - e. Protect and preserve natural and environmental, and rural features that are desired by the community.

#### 11. Zoning

1. The Lake Point City Council shall designate the effective zoning district for all annexation areas in each respective annexation ordinance, each of which shall be effective immediately upon annexation. The annexation petitioner may request any zoning designation existing in the then-current Lake Point City Code, but is not entitled to any specific zoning designation, regardless of any existing underlying zoning designation. Any land that is not covered by a zoning designation as specified in the applicable annexation ordinance shall be automatically zoned the most restrictive land use then existing in Lake Point City Code as of the effective date of the annexation ordinance. In selecting the appropriate zoning designation, the City Council shall consider zoning designations that are compatible with surrounding uses, future land use maps, general plans, and other factors identified in the Annexation Policy Plan.

Exhibit A

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# LAKE POINT ANNEXATION EXPANSION AREA MAP

10/08/2025

LAKE POINT

TANSBURY  
PARK

■ Lake Point  
Boundary

■ Expansion  
Area

