

TOWN OF STERLING UTAH
Chapter 1.20
ANNEXATION POLICY PLAN



Sections:

1.20.010 Annexation policy plan.

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A. General Annexation Criteria. In accordance with the provisions of Section [10-2-400](#), Utah Code Annotated 1953, the town of Sterling hereby adopts the following criteria for consideration of possible annexations:

1. Because Sterling is concerned with maintaining its small-town charm and controlling growth to a slow rate, annexing more land to the town should be cautiously approved and made on a case-by case basis.
2. Areas to be annexed must fall within the locations designated for future annexation in the annexation policy plan of Sterling Town as shown on the expansion area map attached to the ordinance codified in this chapter.
3. The character of the community is mixed residential, commercial, and agricultural. Any annexed land should be compatible with the existing community character.
4. Sterling Town should derive a benefit from the annexation proposal. There are areas marked on the map that show where land could be annexed in the future for residential and industry which Sterling Town feels would be beneficial to our community at large.
5. The town favors eliminating or not creating islands and peninsulas of unincorporated territory, promoting efficient delivery of services, encouraging equitable distribution of community resources, and giving consideration to the tax consequences to property owners within the area to be annexed.
6. Sterling Town does not favor the annexation of areas for which it does not have the capability to provide municipal services. Utilities will only be guaranteed when they are for property within the current Sterling Town boundaries.
7. Sterling Town requires that water be provided with any farmland that is annexed to Sterling Town boundaries and be made available for the development. At least a one-quarter share of water per

half acre should be required. Approval from the Sterling Irrigation Company will be required on the annexation proposal of farmland before town approval. Any non farmland must make the required acquisition of water to accompany the lot size and water requirements as set in Sterling Town Code or equal monetary value.

Additional Requirements:

- Any entity desiring to annex to the Town of Sterling, and has a water delivery system to provide culinary water in place, the annexing entity shall have that water delivery system assessed by a licensed hydrologist to assess the quality and quantity of that water at the expense of the annexing entity.
- The assessment by the hydrologist shall include not only assess the quality and quantity of the water, but it shall also include an assessment as to the viability of that water system being joined to the water system of the town of sterling.
- If the water system of the annexing entity is not able to be integrated with the town of sterling water system, the annexing entity shall be responsible for improving their water system so that it shall be compatible with the Town of Sterling water system so as not to place a burden on the water system enjoyed by the Town of Sterling.
- If the annexing entity does not have a water system in place at the time of the request for annexation, the entity shall render to the Town of Sterling water shares as designed in the "Subdivision Ordinance for the Town of Sterling, Utah". The annexing party shall be responsible for obtaining and signing over to the Town of Sterling the necessary number of water shares for any and all housing units or proposed housing units.

8. Sterling Town requires that any annexed land follows a reflection of the subdivision policy which requires the user to provide utility services, road, traffic control, and other needs. Sterling will not allow any building on annexed land until road, water, sewer, fire hydrant and other adequate services are put in by the lot owners.

9. All annexation petitions must comply with the requirements of Section [1-2-403](#), Utah Code Annotated 1953.

B. Procedures for Submission of an Annexation Request. The following steps reflect a general summary of the requirements and procedures for the processing of an annexation request in Sterling Town:

1. An annexation petition accompanied by an annexation plat must be submitted to the town

recorder. Said petition shall:

- a. Be signed by private property owners of record which covers a majority of the area to be annexed. Said owners shall also represent at least one-third of the assessed valuation of the private aggregate properties to be annexed, as reflected on the last assessment rolls.
- b. Represent an area contiguous to the existing corporate limits of Sterling Town and shown to be within the areas designated for the annexation in the annexation policy plan of Sterling Town.
- c. Include annexation plat prepared by an engineer or surveyor licensed in the state of Utah.
- d. Dedicate up to five of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor.

2. The town recorder shall impose fees to recover the costs of processing said petition, as established by the town council, and within 14 days place the petition on the agenda for consideration with the planning and zoning board. After determining its approval or disapproval, the proposal will go to the town council for approval at the next available town council meeting.

3. The Planning & Zoning Commission will review the annexation petition and accept or deny the petition.

4. If approved, the town recorder will certify that it meets the annexation policy set by the town and send any required notices, including a written notice to the town council.

5. The Planning & Zoning Commission, within 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 consecutive weeks. Within 20 days after receiving the receipt of the recorder's notice of certification, the Commission 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 the certification.

6. If no protest is filed during the designated protest period, the Commission may set a public hearing, after a minimum seven days' notice, and consider an ordinance to grant the proposed annexation. If a protest is filed, the county boundary commission shall hold a hearing on the protest within 30 days. The Commission may deny the proposed annexation at its next regularly scheduled meeting. Required notices will be sent if the petition is denied.

7. Upon receipt of the county boundary commission's decision, the Commission may deny or approve the proposed annexation subject to the boundary commission's decision. [Ord. 2017-18-3.]

Town of Sterling Mayor

Town of Sterling Clerk/Recorder
