

# Annexation 101: State Law & Best Practices

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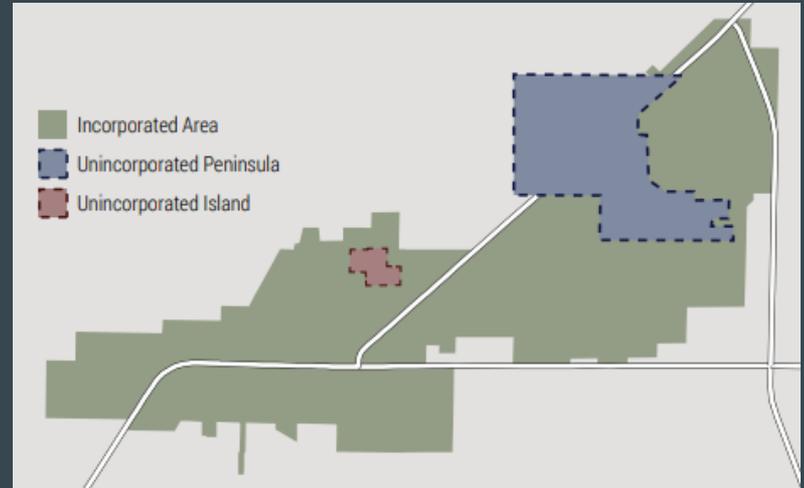
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# Current State Law

# Annexation

*Utah Code Ann. [§10-2-8](#) (Effective 5/7/2025)*

- Annexation is the process of amending a municipality's boundaries. Cities annex territory to provide urbanizing areas with municipal services and to exercise regulatory authority necessary to protect public health and safety.
- Municipalities may annex territory by legislative action, but there are a number of regulations and requirements to understand. Always review these with your legal counsel prior to action.



# Annexation

- Per Utah Code Ann. § 10-2-803, each agency must have an Annexation Policy Plan.
- Review of state codes and local regulations should be completed with legal counsel prior to annexation action.
- New State regulations regarding annexation petitions (Section 403) became effective 11/1/2024. Consult your city attorney for specifics and any needed changes to your current process.
- Changes to the annexation code were adopted during the 2025 session, mainly clean-up language. 2026 legislation is currently being considered.

ORDINANCE NO. 1995 - 4

**AN ORDINANCE ADOPTING AN ANNEXATION POLICY DECLARATION FOR COALVILLE CITY.**

WHEREAS, the State of Utah has enacted legislation which requires municipalities to adopt an Annexation Policy Declaration as a condition precedent to annexing unincorporated territory having more than 5 acres; and

WHEREAS, Coalville City anticipates the probability that it will annex territory adjacent to its boundaries and desires to comply with Utah legislation which requires the adoption of an Annexation Policy Declaration; and

WHEREAS, the Coalville City planning commission has prepared and recommended the adoption of a Policy Declaration with regard to annexation; and

WHEREAS, the Coalville City Council after due notice as required by Section 10-2-414 UCA 1953, as amended, held a public hearing on the proposed adoption of the Policy Declaration and upon completion of the hearing unanimously voted to adopt the Annexation Policy Declaration set forth in this ordinance,

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

**ARTICLE I**

**ANNEXATION POLICY**

The annexation policy declaration of Coalville City is as follows:

**Section 1.** The City desires to annex that portion of the territory hereinafter described which is not now located within the Coalville City limits. The territory is described as follows:

Beginning at the Northwest corner of Section 4, T 2N R 5E of the S184N, and running thence East along the North line of Section 4 and Section 3 to the Northeast corner of said section 3, thence South along the East line of said Section 3 to the Northwest corner of Section 11, thence East along the North line of Section 11 to the NE corner thereof, thence South along the East line of Section 11 to the SE corner thereof, thence West along the South line of said Section 11 to the SW corner thereof, thence South along the East line of Section 15 to the Southeast corner thereof thence West along the South line of Section 15 to thereof, thence South along the center lines of the South quarter corner of said Section 27, thence West of Sections 27, 28 and 29 to the South quarter corner

(continued on following



# Annexation Policy Plan Updates – Best Practices

- Begin with a Legal & Statutory Review of [§10-2-8](#)
  - Include discussions of any recent legislation or legal topics that may impact your process
- Evaluate your current Policy Plan for concurrence with your General Plan
  - Include discussions of specific geographic areas for growth and/or conservation
- Assess infrastructure services, capacity, and capital improvements
  - Include references to your Capital Improvement Planning
- Coordinate with partner agencies
  - Include special districts, school districts, the county, etc.

# Annexation Policy Plan Updates – Best Practices (cont.)

- Analyze fiscal conditions and impacts
  - Consider tax and fee implications, service cost vs. revenue relating to density, etc.
- Discuss policy directives
  - Consider policy focus areas, such as conservation, economic development, housing options, etc.
- Engage the Community
  - Conduct public outreach, meet with stakeholders, prepare and coordinate public messaging
- Ensure proper adoption
  - Double-check check noticing and hearing regulations to ensure valid adoption

# Current Proposed Legislation

# HB 239

*Currently in the House Rules Committee (as of 2/26/2026)*

- Would establish the “Commission on Unincorporated Areas of a County of the First Class.”
  - Commission would consist of local agency mayors and other appointed individuals
- Focuses largely on improving regional planning and coordination relating to municipal boundaries and services
- Would only apply to Salt Lake County, at this time

# HB 457

*Currently in the House for 3<sup>rd</sup> Reading (as of 2/26/2026)*

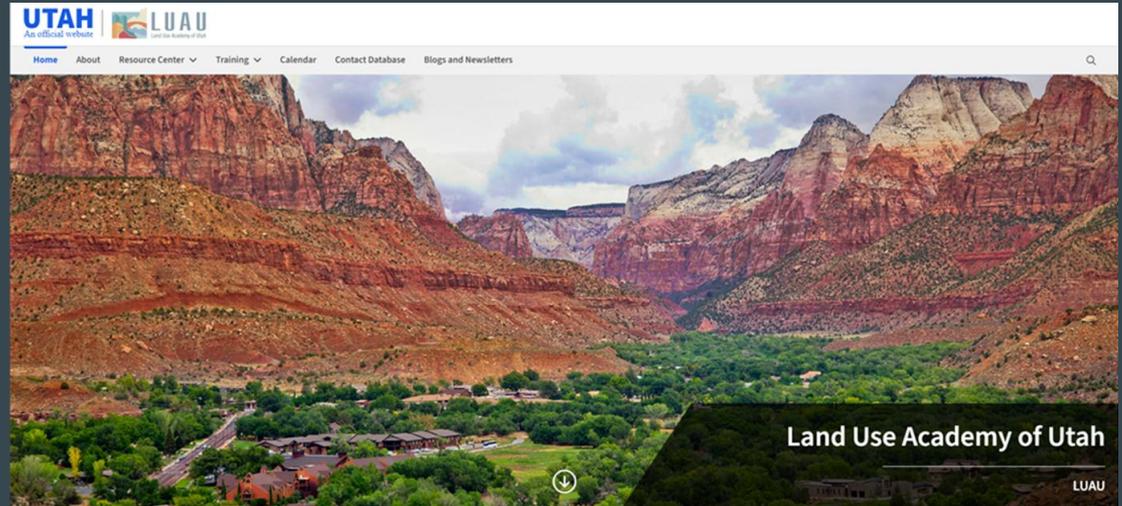
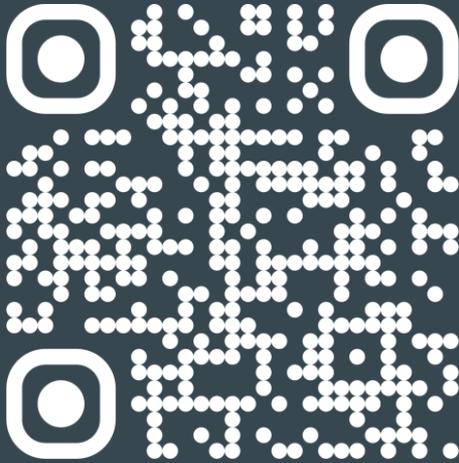
- Would modify how certain unincorporated lands get annexed by neighboring cities not in a First Class County.
- Expands the definition of “unincorporated islands” — small pockets of land not currently part of a city but surrounded by one or more cities — in second-class counties.
  - Addresses automatic annexation for areas of 55 acres or smaller
  - Allows municipalities to exempt certain areas by resolution
- Focuses largely on streamlining smaller annexation areas currently receiving municipal services

# HB 510

*Currently in the House for 3rd Reading (as of 2/26/2026)*

- Would modify the process for creating a “preliminary municipality.”
  - A “Preliminary Municipality” is an alternative form of municipal incorporation that currently allows landowners to form a new town entity without a traditional resident vote under state law.
- Would add or amend requirements and oversight to the preliminary municipality process, including county involvement, application enhancements, and various study regulations.

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