

TOQUERVILLE CITY
ORDINANCE 2026.XX

AN ORDINANCE APPROVING A PRE-ANNEXATION AGREEMENT BETWEEN TOQUERVILLE CITY, SOLARA COMMUNITIES, LLC, AND RE DEVELOPERS, LLC FOR PROPERTY IDENTIFIED AS TAX ID: 3151-A-1-HV AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

RECITALS

WHEREAS, Solara Communities, LLC and RE Developers, LLC are the owners and/or developers of approximately 200 acres of property identified as Tax ID: 3151-A-1-HV, currently located in unincorporated Washington County, Utah; and

WHEREAS, the property is proposed for residential development and potential annexation into Toquerville City; and

WHEREAS, Utah Code § 10-20-508 authorizes municipalities to enter into development agreements containing any terms the municipality considers necessary or appropriate to accomplish the purposes of the Municipal Land Use, Development, and Management Act, including terms related to annexation and the use and development of land; and

WHEREAS, pursuant to Utah Code § 10-20-501, land use regulations shall be adopted by ordinance; and

WHEREAS, the Toquerville Planning Commission held a public hearing and forwarded a recommendation to the City Council regarding the proposed Pre-Annexation Agreement; and

WHEREAS, the City Council has reviewed the proposed Pre-Annexation Agreement and determined it appropriate, as the City's legislative body and pursuant to applicable provisions of Utah State Code, to approve the agreement and included terms, with the understanding that annexation of the property is subject to a future annexation petition and separate approval;

ORDINANCE

NOW THEREFORE, be it ordained by the City Council of Toquerville City, Utah as follows:

1. **APPROVAL.** The Pre-Annexation Agreement between Toquerville City, Solara Communities, LLC, and RE Developers, LLC, attached as Exhibit A, is hereby approved.
2. **AUTHORIZATION.** The Mayor is authorized to execute the agreement.
3. **REPEALER.** All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period this Ordinance remains effective. This Repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

4. SEVERABILITY. Should any provision, clause or paragraph of this Ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this Ordinance or the Toquerville City Code to which these amendments apply. The valid part of any provision, clause or paragraph of this Ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this Ordinance, together with the regulations contained therein, are hereby declared to be severable.

5. EFFECTIVENESS. This Ordinance shall become effective immediately upon approval by the City Council.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this ____ day of _____ 2026, based upon the following vote:

Councilmember:

Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Valerie Preslar	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jenny Chamberlain	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY
a Utah Municipal Corporation

Attest:

Dan Catlin, Toquerville City Mayor

Emily Teaters, Toquerville City Recorder