

CLARKSTON TOWN
ANNEXATION POLICY PLAN

Adopted October 19, 2021

A. GENERAL ANNEXATION CRITERIA OF CLARKSTON TOWN

In accordance with the provisions of 10-2-401.5, Utah Code Annotated, the Town of Clarkston hereby adopts the following criteria for consideration of possible future annexations. This Annexation Policy Plan is intended to incorporate by reference all of the criteria required and suggested by Sections 10-2-401 et seq., Utah Code Annotated.

1. As part of its ongoing effort to plan and prepare for responsible growth, Clarkston Town has identified territory adjacent to its present town boundaries that could at some time in the future be a part of Clarkston Town. The areas proposed for future annexation are not bordered by other municipalities, nor are they within one half (1/2) mile of another municipality. Areas to be annexed must fall within the areas designated for future annexation in the Annexation Policy Plan of Clarkston Town and shown on the attached expansion are map, which by this reference is made a part hereof. Even though property proposed for annexation is located within the annexation expansion are, there is no guarantee that the annexation request will be approved by Clarkston Town.
2. The character of the community is mixed residential, agricultural and very little commercial. Areas to be annexed should be compatible with this character and in accordance with the Clarkston Masterplan.
3. Areas to be annexed must be contiguous to the corporate limits of Clarkston Town at the time of submission of an annexation request.
4. Areas to be annexed shall not be located within the corporate limits of another incorporated city or be part of a previously filed annexation petition that has not been either denied, accepted, or approved.
5. When feasible, the Town favors annexation along boundaries of water and sewer improvements, or special service districts.

The Town also favors:

- (a) eliminating and/or not creating islands and peninsulas of unincorporated territory;
- (b) consolidating overlapping functions of government;
- (c) promoting efficient delivery of services;
- (d) encouraging the equitable distribution of community resources and obligations; and

- (e) giving consideration to the tax consequences to property owners within the area to be annexed, as well as the property owners within the municipality in order to prevent double taxation and to ascertain that the annexation will not be a tax liability to the taxpayers within the municipality.

The Town does not favor the annexation of areas for which it does not have the capability nor the intention to provide municipal services.

6. It is not Clarkston Town's intent to annex territory for the sole purpose of acquiring revenue.
7. The annexation petition must comply with the requirements of section 10-2-403, Utah Code Annotated.

B. PROCEDURES FOR SUBMISSION OF AN ANNEXATION REQUEST

1. An annexation petition shall be reviewed, processed and finally handled in accordance with the provisions of the Utah State Annexation Law found at Sections 10-2-401, et seq., Utah Code Annotated, 1953, as currently existing and as may be amended in the future.
2. To include tax estimate at the time of annexation petition.

C. EXTENSION OF NEEDED MUNICIPAL SERVICES IN DEVELOPMENT, DEVELOPING AND UNINCORPORATED AREAS AND PAYMENT OF THE SAME

1. In areas where municipal services are not presently extended, services will be extended on an as-needed basis at the cost of the developer. All extensions of municipal services must comply with all town ordinances and policy criteria and will be paid for by the individual developer or property owner.
2. An annexation agreement will be prepared between Clarkston Town, the person(s) requesting annexation, and/or all proposing future individual dwellings or developments consisting of multiple dwellings, outlining specific circumstances relating to water, waste disposal sewage, natural gas, streets, and other specific improvements and services prior to annexation approval. Final approval of proposed annexation will be a majority vote of the Clarkston Town Council. Three (3) "yes" votes being required for affirmative action to occur.

All, or a portion of, (amount to be determined during the annexation process), existing water rights, of the type and quantity acceptable to Clarkston Town, suitable for use as water rights (culinary and/or secondary) shall be required to be conveyed to the municipality of Clarkston Town as a condition of annexation in to the Clarkston Town limits. This condition shall apply to all properties, developed or undeveloped. It is the intent that land annexed to Clarkston Town is to be accompanied by water rights

sufficient to accommodate the needs to the existing and potential occupants of said land when development occurs, which water rights shall be transferred to Clarkston Town.

Water requirements, as referenced by the previous paragraph, will be established on a case-by-case basis utilizing, among other things, Division of Drinking Water standards. Specific requirements will be contained in the annexation agreement and/or annexation Ordinance, but the general guideline of one (1) acre foot of water per residential building permit will be a minimum standard.

The annexation will allow developers of the annexed property access to culinary water, and other services, provided all developments meet Town specifications and comply with all applicable development ordinances and all improvements are installed pursuant to Clarkston Town standards.

Property taxes with increased valuation of property and sales tax will contribute to the general fund to help defray the added expenses the Town may incur by annexing these properties. Impact fees may also be adopted and improved. In summary, the newly annexed, developing areas shall finance the extension of needed municipal services, such as new utilities, streets, curb and gutters, sidewalks and other capital improvements as development occurs.

Upon annexation, the newly annexed areas shall receive the following services, unless agreed otherwise:

- (a) Fire Protection
- (b) Police Protection
- (c) Planning and Zoning
- (d) Snow removal and street maintenance on deeded, publicly dedicated and accepted streets
- (e) Curbside garbage collection
- (f) Other services provided by the Town.

It is not anticipated that the annexation will cause any adverse consequences to the residents in the Town or in the area annexed, except there may be a slight reduction in general services to the Town residents in the present Town limits as general services are expanded into the newly annexed territory.

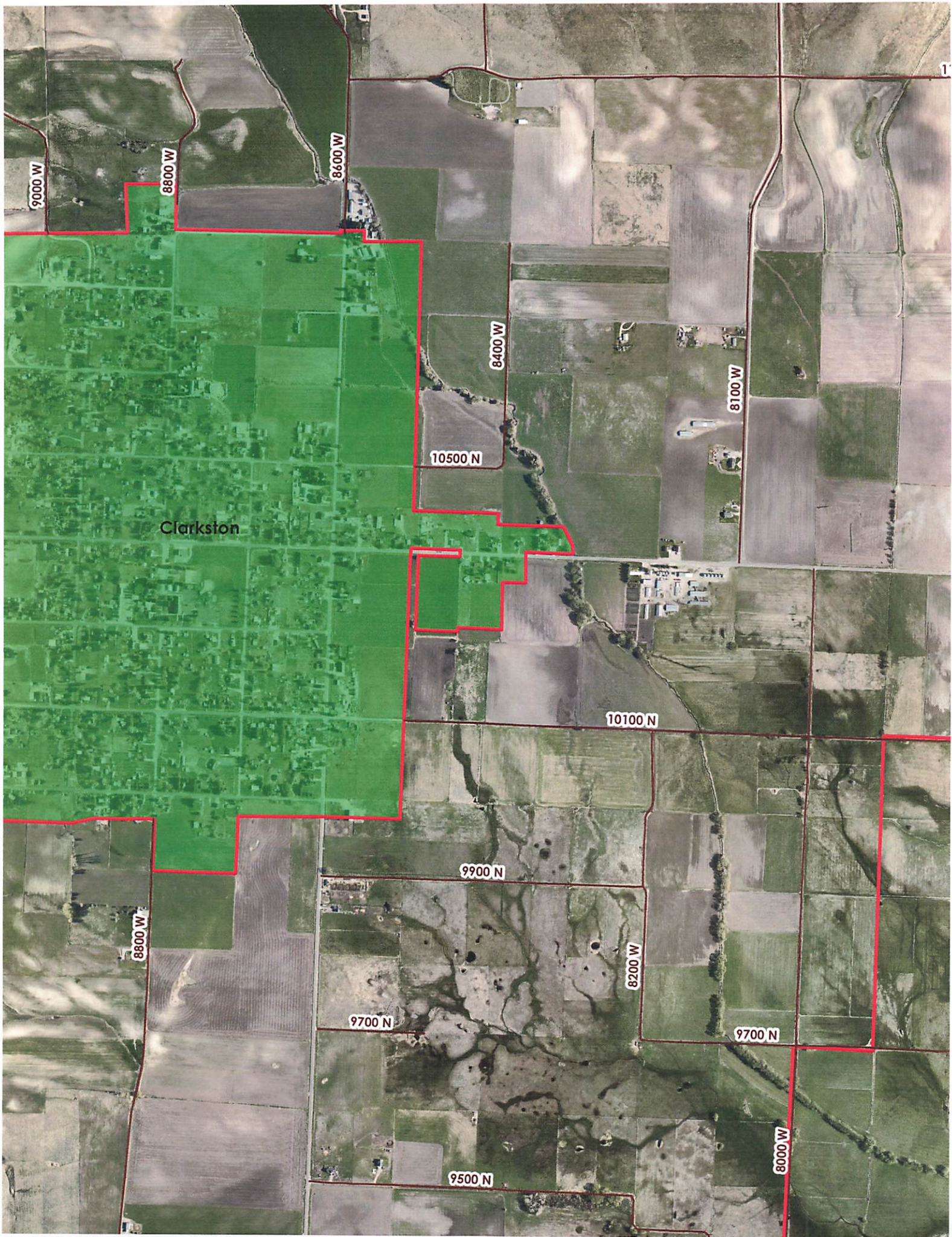
It is anticipated that the residents in the territory to be annexed will experience an increase in their property tax because of the difference in the certified tax rates in the County and Clarkston Town. It is further anticipated that as property taxes are received by the Town, from a newly annexed territory, the Town will increase the total level of services within the total community, thus offsetting any slight reduction that might occur. Additional persons in the newly annexed territory may experience reduction in their fire insurance rates and property insurance rates.

As areas become more densely populated, demand for services increases. Once this policy plan is adopted and areas begin to develop, continual planning by Clarkston Town

should allow development to occur in an economical manner, since homes, buildings, streets and other amenities will be developed in accordance with Clarkston Town specifications. The plan and time frame for the extension of municipal services may also be influenced and/or determined by the interest of the property owners to subdivide their property.

D. AFFECTED ENTITIES

It is not expected that the interests of any currently affected entity will be adversely affected as they currently consist of Cache County Corporation; and Cache County School District. All property shown on the expansion area map will remain in Cache County and within the boundaries of the Cache County School District. Future concerns that may arise will be handled on a case-by-case basis.



**CLARKSTON TOWN CORP.
ORDINANCE 21-10**

**AN ORDINANCE ADOPTING THE CLARKSTON
TOWN ANNEXATION POLICY PLAN**

WHEREAS, Utah State Code 10-2-401.5 states that no municipality may annex an unincorporated area located within a specified county unless the municipality has adopted an annexation policy; and

WHEREAS, the Annexation Policy Plan is designed and enacted to help Clarkston Town plan for future expansion, growth and development of the town; and

WHEREAS, the Annexation Policy Plan is designed and enacted to protect the general health, safety, and welfare of Clarkston Town's citizens and property owners; to maintain the quality of life for its residents and to preserve the community's unique character and values.

See Attachment

NOW THEREFORE BE IT ORDAINED by the Clarkston Town Council that the Clarkston Town Annexation Policy Plan shall be implemented.

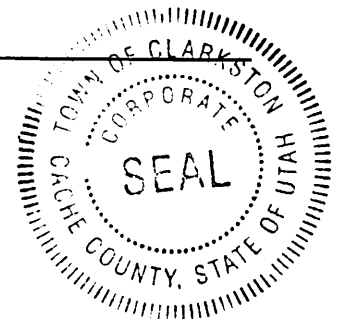
Adopted and effective this day by motion from Councilmember J. Buttars and seconded by Councilmember D. Smith.

Dated this 19th day of October 2021.

N. Craig Hidalgo
MAYOR

ATTEST:

Kristi Hidalgo
TOWN CLERK



Voting as follows:

Mayor Hidalgo	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember N. Sparks	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember D. Smith	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember M. Fawcett	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember J. Buttars	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent

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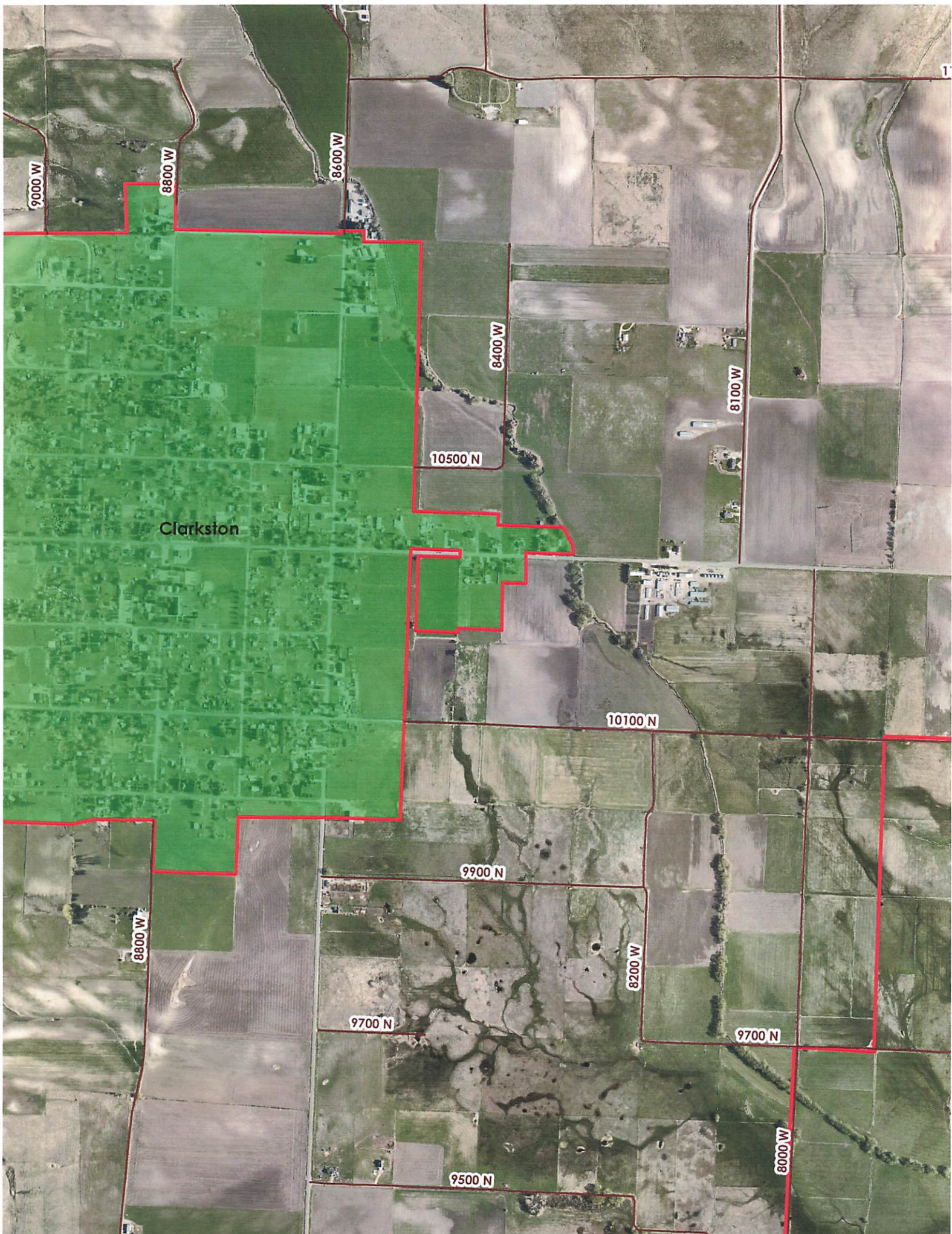
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RESOLUTION 21-12

A RESOLUTION SUPPORTING WI-FIBER'S APPLICATION FOR UTAH BROADBAND ACCESS GRANT FUNDING TO EXPAND HIGH-SPEED INTERNET ACCESS IN UNDERSERVED RURAL COMMUNITIES

Whereas high-speed internet access is a critical component of modern educational and economic opportunity;

Whereas under Utah Code 63N-17-102 "Unserved area" means an area of the state that is rural and unserved in terms of the area's access to broadband service and defined as a designated geographic area in which households or businesses are without a fixed, terrestrial connection supporting at least 100 Mbps download and 20 Mbps upload speeds; and "Rural" is defined as a county of the third, fourth, fifth, or sixth class;

Whereas the community of Clarkston Town is located in Cache County, a county of the third class;

Whereas the community routinely records maximum internet connections below the "underserved" threshold of 100 Mbps download and 20 Mbps upload speeds;

Whereas the community's dispersed, rural population is unlikely to benefit from private investment in high-speed internet expansion due to high costs and low profitability;

Whereas the State of Utah, Governor's Office of Economic Opportunity provides a Broadband Access Grant to provide financial assistance to underserved communities;

Now let it be resolved that the community of Clarkston Town supports the efforts of Wi-Fiber to apply for the Utah Broadband Access Grant in accordance with Utah Administrative Code R357-40-101 et seq. and Utah Code 63N-17-301 et seq. to extend high-speed internet infrastructure to individuals and businesses in rural, underserved communities.

Approved and signed this 19th day of October, 2021

CLARKSTON TOWN

N. Craig Hidalgo
N. Craig Hidalgo, Mayor

ATTEST:

Kristi Hidalgo
Kristi Hidalgo, Clerk



Attachment B

