



## Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

# Copperton Planning Commission

## Public Meeting Agenda

**Tuesday, March 15, 2022 6:00 P.M.**

### Location

BINGHAM CANYON LIONS CLUB  
8725 WEST HILLCREST STREET  
COPPERTON, 84006

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.*

*TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

### **BUSINESS MEETING**

- 1) Approval of the February 15, 2022 Planning Commission Meeting Minutes. (Motion/Voting)
- 2) Other Business Items (as needed)

### **PUBLIC HEARING(S)**

**Annexation Policy Plan** - Pursuant to State Code 10-2-401.5, the Planning Commission is holding a public hearing to allow members of the public to review and provide comment on *Copperton's Draft Annexation Policy Plan*. Prior to the opening of the public hearing, Long Range Planner, Kayla Mauldin, will give a brief presentation on the draft. Following the public hearing, the Planning Commission may direct staff to make revisions to the draft in response to public comment and may recommend adoption to the Council. **Presenter:** Kayla Mauldin (Motion/Voting)

**Annexation Ordinance** - Pursuant to State Code 10-9a-205, the Planning Commission is holding a public hearing to allow members of the public to review and provide comment on a drafted *Annexation Ordinance* for Copperton. This proposed Ordinance establishes the language and policies that would allow Copperton to consider an annexation petition or initiate an annexation in the future. Following the close of the public hearing, the Planning Commission may recommend adoption, recommend adoption with revisions, or not recommend the Ordinance to the Council. **Presenter:** Kayla Mauldin (Motion/Voting)

The Planning Commission will act on the proposed Public Hearing items after taking comments from the public during their respective public hearings. Public comments will be provided pursuant to the planning commissions' rules of conduct. Public comments will be limited to three minutes per person.

### **ADJOURN**

# **Rules of Conduct for Planning Commission Meetings**

## **PROCEDURE FOR PUBLIC COMMENT**

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
  - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application
  - b. The applicant will be allowed up to 15 minutes to make their presentation.
  - c. The Community Council representative can present their comments as applicable.
  - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
  - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
  - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
  - g. Surrebuttals may be allowed at the discretion of the Chair.

## **CONDUCT FOR APPLICANTS AND THE PUBLIC**

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.



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### MEETING MINUTE SUMMARY COPPERTON PLANNING COMMISSION MEETING Tuesday, February 15, 2022 6:00 p.m.

**Approximate meeting length:** 26 minutes

**Number of public in attendance:** 2

**Summary Prepared by:** Wendy Gurr

**Meeting Conducted by:** Commissioner Alder

**\*NOTE:** Staff Reports referenced in this document can be found on the State website, or from MSD Planning & Development Services.

### ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
Ranuta Alder (Chair)	x	x	
Ryan Taylor	x	x	
Joel Breinholt (Vice Chair)	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Kayla Mauldin	x	x
Melissa Anderson	x	x
Jay Springer	x	x

*Commissioner Alder read the Chairs Opening Statement.*

### BUSINESS MEETING

**Meeting began at – 6:02 p.m.**

1) Election of Chair and Vice Chair 2022. (Motion/Voting)

Election of Chair for 2022

**Motion:** To nominate Commissioner Alder as Chair for 2022, Commissioner Alder accepted that nomination.

**Motion by:** Commissioner Taylor

**2<sup>nd</sup> by:** Commissioner Breinholt

**Vote:** Commissioners voted unanimous in favor

Election of Vice Chair for 2022

**Motion:** To nominate Commissioner Breinholt as Vice Chair for 2022, Commissioner Breinholt accepted that nomination.

**Motion by:** Commissioner Taylor

**2<sup>nd</sup> by:** Commissioner Alder

**Vote:** Commissioners voted unanimous in favor

2) 2022 Planning Commission Meeting Schedule for Approval. (Motion/Voting)

3) Approval of the September 28, 2021 Planning Commission Meeting Minutes. (Motion/Voting)

**Motion:** To approve the September 28, 2021 Planning Commissioner Meeting Minutes as presented.

**Motion by:** Commissioner Breinholt

**2<sup>nd</sup> by:** Commissioner Taylor

**Vote:** Commissioners voted unanimous in favor

4) Other Business Items (as needed)

*No other business items to discuss.*

**PUBLIC HEARING**

**Hearings began at – 6:08 p.m.**

Pursuant with State Code 10-2-401.5, the Planning Commission is holding a public meeting to allow affected entities to review and provide comment on Copperton's Draft Annexation Policy Plan. Long Range Planner, Kayla Mauldin, will give a brief presentation on the draft. Then, the time will be opened up for affected entities to provide comment, or for staff to read written comment that has been submitted by affected entities unable to attend. **Presenter:** Kayla Mauldin (Motion/Voting)

The Planning Commission will accept input from the Affected Entities on the Annexation Policy Plan. If an affected entity or member of the public is unable to attend the public meeting, they may submit written comments on or before Friday, February 18, 2022.

*Greater Salt Lake Municipal Services District Long Range Planner Kayla Mauldin provided an analysis of the annexation policy plan and provided a PowerPoint presentation.*

*Ms. Stitzer said she has been meeting with Rio Tinto and helped with proposed map and adding additional parcels. Commissioner Breinholt said landowner can request to be annexed and if there is a way, we can ask them. Mr. Springer said protections for property owners, so a large property isn't forced when they don't want to.*

*Went over the adoption process and confirmed the next meeting and hearing is scheduled for March 15<sup>th</sup>.*

*Commissioner Alder adjourned.*

**MEETING ADJOURNED**

**Time Adjourned – 6:28 p.m.**



## NOTICE OF PUBLIC HEARING

### COPPERTON METRO PLANNING COMMISSION

NOTICE IS HEREBY GIVEN Pursuant to Utah Code Title 10, Chapter 2, Section 401.5, that the Copperton Metro Township Planning Commission (the “**Planning Commission**”) will hold a Public Hearing on March 15, 2022, beginning at 6:00 p.m at the Bingham Canyon Lions Club, 8725 West Hillcrest Street. The purpose of the hearing is to receive public comments regarding:

- **Annexation Policy Plan** - Pursuant to State Code 10-2-401.5, the Planning Commission is holding a public hearing to allow members of the public to review and provide comment on *Copperton's Draft Annexation Policy Plan*. Prior to the opening of the public hearing, Long Range Planner, Kayla Mauldin, will give a brief presentation on the draft. Following the public hearing, the Planning Commission may direct staff to make revisions to the draft in response to public comment and may recommend adoption to the Council.
- **Annexation Ordinance** - Pursuant to State Code 10-9a-205, the Planning Commission is holding a public hearing to allow members of the public to review and provide comment on a drafted *Annexation Ordinance* for Copperton. This proposed Ordinance establishes the language and policies that would allow Copperton to consider an annexation petition or initiate an annexation in the future. Following the close of the public hearing, the Planning Commission may recommend adoption, recommend adoption with revisions, or not recommend the Ordinance to the Council.

You may also obtain copies of the Annexation Policy Plan and Annexation Ordinance. You may submit written comments by contacting Wendy Gurr at [wgurr@msd.utah.gov](mailto:wgurr@msd.utah.gov) or (385) 468-6707. Copies of the Annexation Policy Plan and Annexation Ordinance are also available on the Utah Public Notice Website. Individuals needing special accommodations (including ancillary communicative aids and services) during this public Hearing should contact Ms. Gurr three days before the public Hearing.



## **Staff Report: 2022 DRAFT Copperton Annexation Policy Plan and Ordinance**

**Public Body:** Copperton Planning Commission

**Meeting Date:** March 15th, 2022

**Location:** Copperton Metro Township

**Planner:** Kayla Mauldin, Senior Long Range Planner

**Planning Staff Requested Action:** 1. Recommend Approval of the Copperton Annexation Policy Plan to Council. 2. Recommend Adoption of the Annexation Ordinance to the Council.

### **Summary**

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At the regularly scheduled Planning Commission Meeting on March 15th, 2022, planning staff will present the Commission with the drafted Copperton Annexation Policy Plan (see Exhibit A) and drafted Annexation Ordinance (see Exhibit B). A public hearing will be held on each of these items separately, followed by a motion by the Planning Commission on each.

In compliance with Utah State Code §10-2-401.5, the Planning Commission may recommend a drafted Annexation Policy Plan to the Council. Before providing a recommendation, the Commission must follow several steps (in order):

1. Hold a public meeting allowing affected entities to examine and provide input on a drafted Annexation Policy Plan. ([Completed February 15th](#))
2. Accept and consider additional written comments from affected entities for up to ten (10) days after the public meeting. (Complete February 25<sup>th</sup> – no comments received)
3. Direct any revisions to the drafted Annexation Policy Plan, as the Commission deems appropriate. (Completed – no revisions directed)
4. Hold a public hearing on the drafted Annexation Policy Plan, after which recommendation to adopt, adopt with revisions, or not adopt may be given to the Council.

The [March 15th public hearing](#) is intended to accomplish the fourth and final step in this process. No comments from affected entities were received during steps 1 and 2, and the Planning Commission did not direct any further revisions to the drafted Policy Plan (step 3).

On the same date that the Commission considers the Annexation Policy Plan, the body will hold an additional public hearing on the drafted Annexation Ordinance. This Ordinance codifies the

process by which Copperton will receive and consider annexation petitions, as well as the process by which Copperton may initiate an annexation. Neither the Policy Plan nor Ordinance results in an annexation, but both are needed to meet state code requirements and empower the community to consider annexation in the future.

The remainder of this staff report provides background and additional context on the drafted Copperton Annexation Policy Plan and Annexation Ordinance.

## Background

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**Authority:** Copperton incorporated as a Metro Township in 2017, after a vote of Copperton residents in 2015. The Municipality is governed by an elected legislative Council and Mayor. The Council has the authority to enact ordinances and policies to carry out its responsibilities, such as policies related to the consideration of an annexation petition, so long as these ordinances and policies are consistent with the Utah Municipal Code and other state statutes. The Council, as the legislative body, is also granted the authority to adopt plans guiding future development and decision-making for the municipality.

Copperton is a member of the Greater Salt Lake Municipal Services District (GSL-MSD or MSD), a special local district established in 2015. The MSD provides Copperton with planning and development, business license, building inspection, and code enforcement services as part of its membership agreement. Copperton's Planning Commission works with MSD planning staff to make recommendations regarding planning and land use decisions to the Council. The Planning Commission is responsible for making recommendations to the Council regarding the preparation, adoption, and amendment of various plans and policies, including the Annexation Policy Plan and Annexation Ordinance. The Council has the authority to adopt, reject, or revise a recommended Annexation Policy Plan or Ordinance.

**Purpose:** According to Utah State Code §10-2-401.5, *"No municipality may annex an unincorporated area located within a specified county unless the municipality has adopted an annexation policy plan as provided in this section."* Thus, the adoption of an Annexation Policy Plan is critical to empowering the municipality to be able to consider future annexation petitions.

The Annexation Policy Plan is **NOT** an annexation in and of itself. Rather, it establishes policies that the community will consider *if and when* a petition for annexation is submitted. Future annexations have the potential to offer several benefits, including but not limited to:

1. Future annexation may secure critical commercial land to strengthen Copperton's sales tax base and promote fiscal independence.

2. Annexation could be used as a tool to provide a green-space buffer between Copperton and encroaching development.
3. Future annexation could allow for important heritage sites to be incorporated into Copperton's municipal boundaries.

There is an additional benefit to adopting an Annexation Policy Plan. Once identified in an adopted plan, the County legislative body may not approve any urban development in Copperton's expansion area without 1) notifying Copperton of the proposed development, and 2) responding to any objections Copperton provides to the development (§10-2-402).

In addition to approving an Annexation Policy Plan, the Council must adopt an Annexation Ordinance. This Ordinance outlines the policies and procedures related to consideration of an annexation petition or annexation initiated by the municipality. While the Policy Plan provides essential background information, annexation criteria, and proposed future land uses for lands annexed into Copperton, the Ordinance codifies the exact process that must be followed by the municipality in considering and approving an annexation.

**Policy Plan Preparation:** Nearly all of the lands surrounding Copperton are owned by Rio Tinto Kennecott. Thus, Rio Tinto was an important stakeholder in this process. Copperton (through an annexation steering committee) has worked with the mining company off and on over the last several years to identify shared values and potential municipal expansion areas. In December of 2021, MSD Staff were asked by Copperton to formally prepare an Annexation Policy Plan, with an expansion area as identified by the committee and supported by Rio Tinto. The Annexation Policy Plan was prepared with guidance from long range planning, current planning, the Copperton Council, and the legal team.

In their drafting of the Policy Plan, the group considered state code requirements, previous land feasibility studies conducted by the Utah State University Department of Landscape Architecture and Environmental Planning (LAEP), and community engagement received through the General Plan process.



**Table 1: Sources Considered in Annexation Policy Plan Preparation.**

Source	Content	How It was Used
<a href="#">State Code §10-2-Part 4</a>	§10-2-401.5 prohibits a municipality from annexing land until that municipality has adopted an Annexation Policy Plan. The content to be included in the Policy Plan is also defined in this section.	Staff ensured compliance with this section when preparing the Policy Plan. Each requirement outlined in State Code is included in the drafted Plan.
USU Bioregional Studio: Geodesign Project	Students in this studio course completed a geodesign studio focused on the Salt Lake Valley. Part of the project included preparing feasibility maps, which showed what land uses would be appropriate in various locations around the Valley. The report will be published later in 2022.	Planning staff transferred land use feasibility maps into GIS and used them to assess which uses would be feasible in and around Copperton. Feasibility was a major consideration in preparing the future land use map for Copperton's Expansion Areas. Data from the studio course was paired with previous engagement results to determine what would be feasible and <i>desirable</i> .
<a href="#">General Plan Community Engagement</a>	During the 2020 Copperton General Plan process, residents were engaged through a Kick-Off Workshop, Land Use + Transportation Survey, Priorities + Amenities Survey, and General Plan Steering Committee Meetings. These engagement opportunities provided staff with data and feedback regarding the uses that residents would like to see in their community in the future.	Community engagement results helped staff determine what types of uses may be desirable to residents should annexation occur. Potential uses included trails, greenway buffers, and even small-scale commercial uses such as a café or gas station (to provide tax base). These desires were compared to feasible land uses for the area, and the two datasets together informed the future land use map for Copperton's Expansion Areas. Additionally, resident values revealed through the planning process helped staff to determine policies which would protect the character of Copperton long-term.

**Credit:** MSD Long Range Planning, 2022.

**Annexation Ordinance Preparation:** State Code provides municipalities with very little discretion as it relates to the process for receiving and considering an annexation petition or initiating an annexation. Most language in the drafted Ordinance comes directly from State Code §10-2-Part 4. In the few instances where discretion in ordinance language was permitted, planning staff reviewed Annexation Ordinances from other Utah municipalities as well as language used in the drafted Annexation Policy Plan. The MSD and Copperton legal team reviewed the drafted Annexation Ordinance and recommended revisions, which were incorporated by planning staff prior to releasing the public hearing draft.

### **Drafted Annexation Policy Plan Content**

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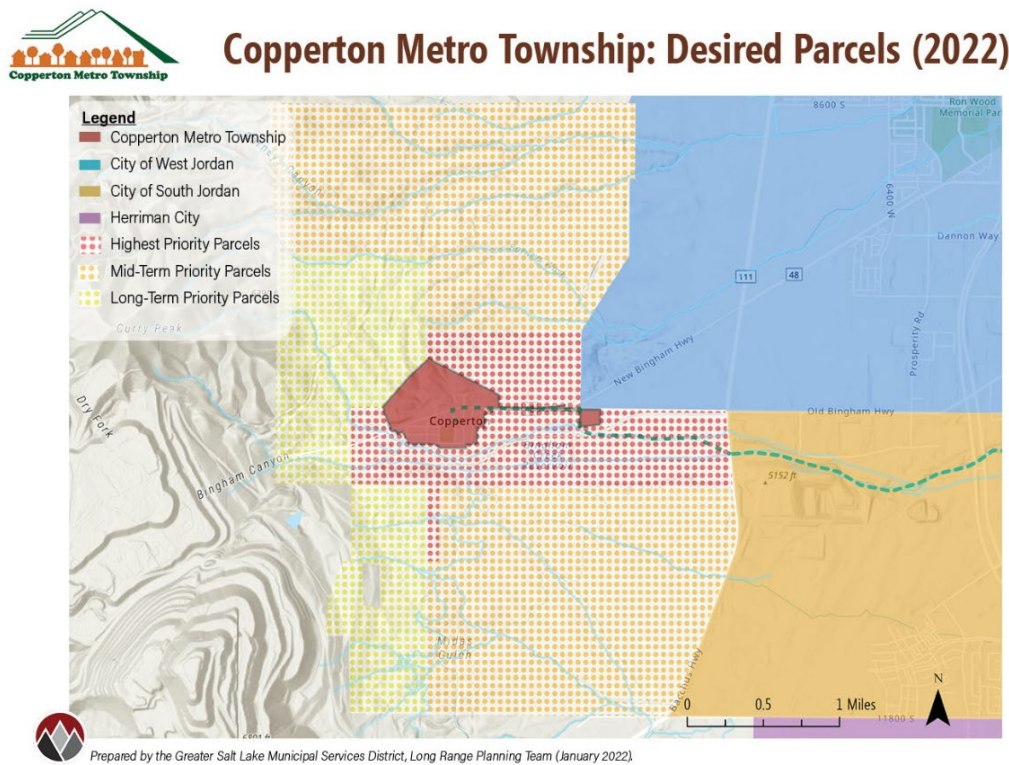
The drafted Annexation Policy Plan includes eleven (11) sections, summarized below. The full draft is included as Exhibit A.

1. **Who Are We?:** an overview of Copperton’s geography, history, and values as identified in the 2020 General Plan.
2. **What Does Annexation Mean to Copperton?:** this section outlines the ways in which future annexation could be beneficial to the municipality, including giving Copperton greater autonomy over its future character and supporting its ability to provide municipal services.
3. **Purposes of this Policy:** lists the purposes of the Annexation Policy Plan, including meeting state code requirements and guiding municipal decision-making on future petitions for annexation.
4. **Copperton Potential Expansion Areas:** this section identifies the lands that Copperton would annex if outlined criteria (policies) are met. The expansion area is divided into three categories of land based on the significance to Copperton. “Highest priority” lands are most critical to the future sustainability of the municipality. “Mid-Term priority” lands have the potential to strongly influence the character of Copperton if developed. “Long-Term priority” lands are desirable to the community for future, long-term growth, but are located farther away from existing municipal boundaries and may host existing mining operations that would need to be remediated.
5. **Expansion Areas – Suitability and Proposed Future Land Uses:** this section provides a summary of how lands in the expansion area would be used if annexed into Copperton. The future land use vision is based on feedback collected in the General Plan and suitability maps prepared by USU LAEP.

6. **Summary of Current and Projected Costs of Infrastructure, Urban Services, and Public Facilities:** describes what services are currently provided by Copperton and Local Districts. This section also summarizes consideration for future service provision should annexation occur.
7. **Statements of Affected Entities:** this section is required by State Code but will remain blank until feedback is gathered from Affected Entities at the February 15<sup>th</sup> meeting and for ten (10) days after. Any statements from Affected Entities, as applicable, should be addressed in the Annexation Policy Plan.
8. **Annexation Criteria:** this establishes the specific policies that Copperton will use when considering a petition for annexation. Criteria cover a range of topics, as mandated by State Code.
9. **Other Considerations:** provides context for any other requirements of State Code not addressed in the sections above, such as the exclusion of developed areas from the expansion areas.
10. **Annexation Process:** summarizes State Code regulations regarding the process of receiving and considering a petition for annexation. Following the adoption of an Annexation Policy Plan, Copperton will need to codify its annexation process.
11. **Appendix:** the appendix includes several helpful resources, including a glossary of terms, a summary of state code requirements (and where to find them in the drafted plan), and links to existing plans and documents.

The drafted Copperton Expansion Areas are shown in Figure 1. Note that this same figure is included in the drafted Annexation Ordinance.

**Figure 1: Copperton Drafted Expansion Areas, 2022 Annexation Policy Plan.**



**Credit:** MSD Long Range Planning.

### Drafted Annexation Ordinance Content

The drafted Annexation Ordinance includes seven (7) sections, summarized below. The full draft is included as Exhibit B. This Ordinance is recommended for placement in Copperton's land use code as a new chapter at the end of the Zoning Ordinance (Title 19, Chapter 95).

1. **19.95.010 Purpose:** declares the purposes of Chapter 19.95, including the establishment of processes for receipt and consideration of an annexation petition or annexation initiated by Copperton.
2. **19.95.020 General Provisions:** outlines applicable state code requirements related to the drawing of annexation boundaries and specifies that all annexations shall comply with the policies established in Chapter 19.95.
3. **19.95.030 Copperton's Expansion Areas:** defines the municipality's expansion areas, consistent with the Annexation Policy Plan.

4. **19.95.040 Copperton's Annexation Policies:** lists the policies that will guide Copperton's review of an annexation petition or municipality-initiated annexation, consistent with the Annexation Policy Plan.
5. **19.95.050 Property Owner Initiation of Annexation:** establishes the process by which a property owner may submit a petition for annexation.
6. **19.95.060 Procedure for Processing Annexation Petitions and Plats:** establishes the process by which the municipality will receive, process, and make a decision on a petition for annexation.
7. **19.95.070 Initiation of Annexation by Copperton:** outlines the procedures and considerations for an annexation initiated by Copperton.

### Planning Staff Analysis

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The MSD Planning Staff has reviewed the drafted Annexation Policy Plan and Annexation Ordinance for consistency with State Code, finding that:

1. The drafted Annexation Policy Plan includes all required sections as identified in §10-2-401.5
2. The identified expansion area is contiguous to the existing municipal boundaries, does not intend to create any islands or peninsulas, and does not exclude any urban development within ½ mile of the existing municipal boundaries.
3. To the extent feasible, Copperton has attempted to avoid gaps and overlaps with the expansion areas of adjacent municipalities. The proposed expansion area only includes lands west of Bacchus Highway and avoids overlap with West Jordan City's identified expansion area. According to an 'Annexation Declaration Map' included in the Drafted West General Plan (SLCo 2022), both Herriman and South Jordan are "willing to annex" lands included in Copperton's proposed expansion area. However, both municipalities' expansion areas entirely surround Copperton (leaving no space for Copperton to grow without overlap) and may have been developed prior to Copperton incorporating as an independent municipality.
4. The procedures for processing and considering an annexation petition, or annexation initiated by the municipality, as outlined in the drafted Annexation Ordinance (19.95), comply with applicable sections of State Code: §10-2-Part 4.

It is important that public comment be heard and considered at the March 15th public hearings, in compliance with State Code, for both the Annexation Policy Plan and Annexation Ordinance. Following the public hearings, the Planning Commission may direct planning staff to make other revisions to the drafted Policy Plan or Ordinance, as they consider appropriate. The planning staff recommends that the Planning Commission make motions recommending adoption to the Council of:

1. The Annexation Policy Plan, as drafted or with any revisions deemed necessary based on findings of the public hearing.
2. The Annexation Ordinance, as drafted or with any revisions deemed necessary based on findings of the public hearing.

# Exhibit A

# Draft – 2022 Copperton Annexation Policy Plan

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## Who Are We?

### Geography

**Copperton is a semi-rural, historic community of 829 people (U.S. Census Bureau, 2020).** The community sits in the southwestern section of the metropolitan Salt Lake County and is nestled in the foothills of the Oquirrh Mountains. Of Copperton's approximately 195 acres, 42 percent of land use is undeveloped, 24 percent is residential, 6 percent is government and institutional, 4 percent is commercial, and 4 percent is park space; roads, utilities, vacant properties, parking, and industrial uses comprise the remaining 20 percent (WFRC SLCo Land Use Parcels, 2018).

The western half of Utah, including part of Salt Lake County and Copperton, inhabits the Great Basin Region. This has several implications for the community's climate and geography:

**Hydrography:** all precipitation in the area either sinks into the earth, flows into lakes (not any ocean), or evaporates (National Park Service, 2017). Most lakes in the region are saline, like the Great Salt Lake; the precipitation in and around Copperton eventually flows into the Great Salt Lake via the Jordan River.

**Topography:** the Great Basin is characterized by north-to-south oriented mountain ranges adjacent to flat valleys (National Park Service, 2017). Copperton sits in the shadows of the Oquirrh Mountain Range and looks out across the Salt Lake Valley at the Wasatch Mountain Range, both examples of north-to-south oriented ranges. The Basin and Range topography introduces unique and localized geologic features in the region. These features have greatly contributed to the prominence of mining industries in the region, including near Copperton (originally a company town for the Utah Copper Company).

**Climate and Wildlife:** like other communities of the Great Basin Desert, Copperton's climate is characterized by hot and dry summers, short springs and autumns, and snowy winters (National Park Service, 2017). The highly variable terrain enables pockets of diverse ecosystems. In the valleys and low foothills where Copperton sits, common trees include the Singleleaf Pinyon, the Utah Juniper, and the Gambel Oak (Utah Division of Wildlife Resources, 2001). Shrubs include Chokecherry and Big Sage, while native grasses include Indian Ricegrass and Desert Needlegrass (Utah Division of Wildlife Resources, 2001). Prairie Aster, Firecracker Penstemon, and White-tufted Evening Primrose are some native flowers (Utah Division of Wildlife Resources, 2001). Animals found in the valley or foothills include mule deer; coyotes; voles, mice, and squirrels of multiple species; and the black-tailed jackrabbit (Natural History Museum of Utah, n.d.). The area around Copperton remains largely undeveloped and provides critical habitat for these species.

## History

The hydrographic, geologic, climatic, and biologic features of Copperton form a beautiful and interesting natural landscape. The first humans to witness this landscape were Native American hunter-gatherers who entered the territory that would become Utah as early as 10,000 B.C.E. (Lewis, n.d.). Five Native American tribes have deep history in Utah: Shoshone, Piute, Ute, Goshute, and Navajo. The Shoshone and Ute peoples inhabited parts of the Salt Lake Valley (Lewis, n.d.) and likely hunted in and travelled through what is today Copperton. Mormon Pioneers did not enter the Salt Lake Valley until 1847 (Lewis, n.d.), and Copperton did not become settled until 1926 (Orchard, 2012).

Copperton's history is tightly tied to mining. In the 1920s, housing demand for employees and their families led the Utah Copper Company to build a new town close to their mining operation. They named this new town, located at the mouth of Bingham Canyon, Copperton. The tiny settlement with 18 houses in 1926 quickly grew to a small town of 200 houses by the 1950s (Deseret News, 1988). Eventually, ownership was transferred, and Copperton ceased to be a company town. Almost all the land surrounding the community is still owned by the Utah Copper Company (UCC), now named Rio Tinto Kennecott. As mining operations expanded, other company towns in the area were demolished. **Copperton is the only UCC Town remaining, and in 1986, it was added to the National Register of Historic Places (Orchard, 2012).**



**Credit:** Utah State Historical Society, 2001.

## Values

In 2020, Copperton Metro Township adopted its first general plan since incorporating as a municipality. The General Plan process included several in-person and virtual community engagement opportunities. The results of these exercises revealed that Copperton is firm and consistent in its values, which are emphasized on the Copperton Long Range Planning Website and repeated throughout the General Plan.

**Vision Statement:** Copperton strives to be a community that: preserves its cultural and historical identity; protects open space and wildlife; is dedicated to a healthy, connected, and family-friendly environment; and embraces sustainable economic growth.

### In Copperton, we prioritize:

1. Comprehensive planning for nearby growth.
2. Maintenance and improvement of existing infrastructure systems.
3. Enhancement of community beautification efforts.
4. Access to outdoor recreation.
5. Promotion of small business opportunities.
6. Historic preservation and the celebration of Copperton's cultural roots.

## What Does Annexation Mean to Copperton?

### Control Over Community Future (and Past)

Copperton residents strongly value their autonomy. The community has a clear vision for its future, as evidenced by the 2020 General Plan, and continues to take action to promote this vision. This Annexation Policy Plan is critical to ensuring that future development and annexations protect Copperton's identity and values while supporting private property rights.

**Maintain Physical and Cultural Independence:** Copperton's historic homes, centered around the beloved community park, represent a culture and pattern of development in the Salt Lake Valley that is distinguishable from other communities. Recent residential developments in response to Utah's rapid growth is encroaching on land surrounding Copperton, and the community expects continued development pressures. For the most part, these residential developments have not occurred around a community center, and the borders between the other rapidly- developing municipalities in the area around Copperton are becoming indistinguishable. It is in Copperton's interest to expand modestly in all directions in order to secure land that can physically separate the historic center of the community from these encroaching developments. Doing so will protect the integrity of the Historic District and allow the community to visually represent its position as an independent municipality.

**Figure 2: Original Company Town homes remain intact in Copperton's Residential Neighborhoods.**



**Credit:** Sparkle Photography, SLCo.

**Buffer Incompatible Land Uses:** In addition to defining its boundaries, annexation can help Copperton maintain a buffer between incompatible land uses. Currently, residential properties abut the borders of the municipality. Not far from these borders, active mining operations are ongoing. Copperton expects these operations to continue decades into the future. It is necessary to protect lands that provide physical separation between extraction activities and residential properties and to minimize opportunities for trespassing on active operation sites. Because these critical properties are under the jurisdiction of Salt Lake County, Copperton currently has no influence over their future land use.



**Figure 3: View of Mining Operations from Copperton.**



**Credit:** Sparkle Photography, SLCo.

**Preserve Critical Natural Lands and Slopes:** Copperton also has a vested interest in protecting the geographic and environmental qualities that make it such a desirable place to live. Unincorporated areas surrounding Copperton are almost universally zoned for Manufacturing Uses (M-2), despite the fact that some of these lands contain critical habitat and others feature slopes greater than thirty percent.

**Figure 4: Looking South Toward Copperton, from Bacchus Highway.**



**Credit:** Google Maps, 2021.

**Celebrate Rich History:** Finally, it is important to Copperton to pursue opportunities that preserve and celebrate its rich history. The story of Copperton is inextricably tied to the Oquirrh Mountains and the mining activities of Bingham Canyon. As such, Copperton hopes to play a part in the eventual remediation and historic recognition of these areas. When Copperton incorporated as a Metro Township, its borders excluded sites significant to the community's history, including the old Bingham High School "B". In the long-term, Copperton envisions annexing these sites into its municipal boundaries.

**Figure 5: Original Company Town Sign, Copperton Park.**



**Credit:** Sparkle Photography, SLCo.

#### Ability to Sustain Services and Meet Demands

While the previous section focused primarily on preservation of significant historic spaces and critical open space, it is also important to note that Copperton’s annexation strategy can help ensure its economic viability into the future. Increased development opportunity is essential to expanding Copperton’s revenue sources and sustaining the community’s ability to provide services to residents.

**Projected 20-Year Population Growth:** the 2020 population of Copperton is estimated at 829 people (U.S. Census Bureau, 2020). Although the State of Utah and Salt Lake Valley are growing rapidly, growth of Copperton is expected to remain incremental. Most of the land within the municipality is already developed and the remaining undeveloped land is owned by Rio Tinto Kennecott, which does not have any current plans to develop that property, leaving few opportunities left for increasing housing stock. Between 2000 and 2020, Census Data shows an increase of 117 residents (Table A). The population is expected to grow to just over 900 residents by 2040.

**Table A: Copperton Metro Township Historic and Projected Population**

Historic or Target Year	Population Estimate or Projection
2000	712
2020	829
2030 Projected	870
2040 Projected	912

**Credit:** MSD Long Range Planning, 2022.

*\*Population projections are based on the average of five different types of population projections (linear, exponential, shift-share, share-of-growth, and constant-share) for the years 2030 and 2040. The base years were 2000 and 2020, with population data from the U.S. Census Bureau’s Decennial Census.*

### **Anticipated Demand for Land Uses (20-Year Horizon):**

Although growth will occur slowly, it will spur some demand for new land uses.

**Residential:** In 2020, Copperton held 307 housing units, of which only eight (8) were vacant (U.S. Census Bureau, 2020). With an average household size of 2.66, the number of vacant residential units is not enough to satisfy the housing demand of the additional 83 residents that Copperton expects to add by 2040. Additional land will need to be set aside for residential units. While some vacant land remains in the northwest section of the Metro Township, the land is owned by Rio Tinto Kennecott, who as of the writing of this Policy Plan has no intention to develop.

**Commercial:** A small amount of land will also be needed in the future for commercial activities, both to serve the needs of residents and to sustain the revenue of the newly-formed municipality. In 2020, Copperton only had 7.3 acres of land being used for commercial purposes. A third of that acreage is occupied by a parking lot and the Bingham Canyon Lions Club, neither of which generate sales tax revenue. Other existing commercial businesses include landscaping suppliers, which are welcome but do not serve the immediate needs of residents. The 2020 General Plan revealed that residents desire the addition of a limited number of civic and commercial amenities, such as a gas station, café, library, and community center / event space.

Few of the remaining lands within Copperton are viable for commercial space, thus expansion is desired to the east along Old Bingham Highway, and to the south along Bacchus Highway. Copperton maintains all the authority of a municipality with the exception of some powers of taxation. The community cannot levy a property tax, so revenue is limited primarily to sales tax and Class B and C Road Funds. These funds are critical for emergency management, plan implementation, special projects, and community services.

**Parks and Open Space:** In a 2020 survey, Copperton residents were asked which of several items they would be most excited to see in the community in the future. The top response, receiving 59% of votes, was an “Outdoor Trail System” (Copperton Amenities and Priorities Survey, 2020). The only recreational opportunity within Copperton currently is the community park. This is a beloved community gathering space, used for almost all municipal events. Future expansion could enhance Copperton’s recreational amenities by connecting Copperton Park to the nearby Oquirrh Mountains and other regional destinations through non-motorized trails. One such trail is already being planned along Bingham Creek, in partnership with multiple jurisdictions and land holders.

## Purposes of this Policy

The purposes of this Annexation Policy Plan are as follows:

1. To establish an “Annexation Policy Plan” as required by UCA §10-2-401.5 to provide for the expansion of Copperton Metro Township at such time as the property owner and municipality determine expansion has become desirable and feasible;
2. To aid the Copperton Council in its deliberations concerning the acceptance or rejection of any proposed annexation;
3. To assure that Copperton has adequate time to prepare for any budgetary and operational impacts of annexation;
4. To minimize disruptions to Copperton’s operations caused by the processing and evaluation of a proposed annexation and any adverse impact on the municipality arising from any approved annexation; and
5. To identify instances in which annexation may serve the interests of Copperton and of the private property owner.

In the preparation and adoption of this Annexation Policy Plan, there are several items that state code requires the municipality to include and consider. The full list of state code requirements can be found on pg.27 of the Appendix. Copperton has addressed each of these items in this Annexation Policy Plan.

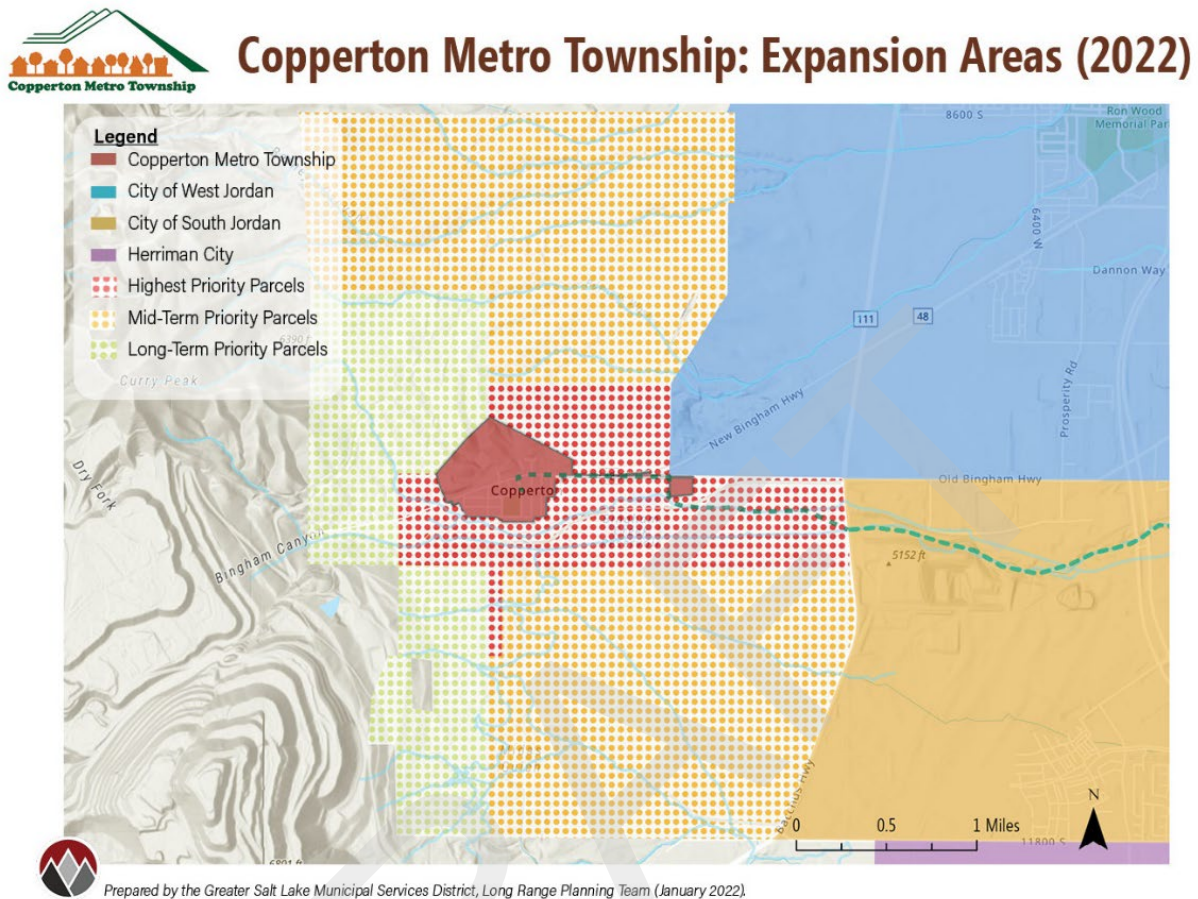
## Copperton Potential Expansion Areas

Copperton’s potential expansion areas (Figure 6) include approximately 5,735 acres of land in Unincorporated Salt Lake County. Nearly all the land is currently owned by Rio Tinto Kennecott. It is important to note that the transition of these lands into the municipality of Copperton could be relatively seamless. Copperton and the Unincorporated County share many of the same service providers, including the Municipal Services District, which provides or contracts out services related to:

- Animal Services;
- Engineering;
- Indigent Legal defense;
- Justice Courts;
- Municipal Parks;
- Municipal Prosecution;
- Planning and Development Services;
- Stormwater;
- Addressing; and
- Public Works Operations.



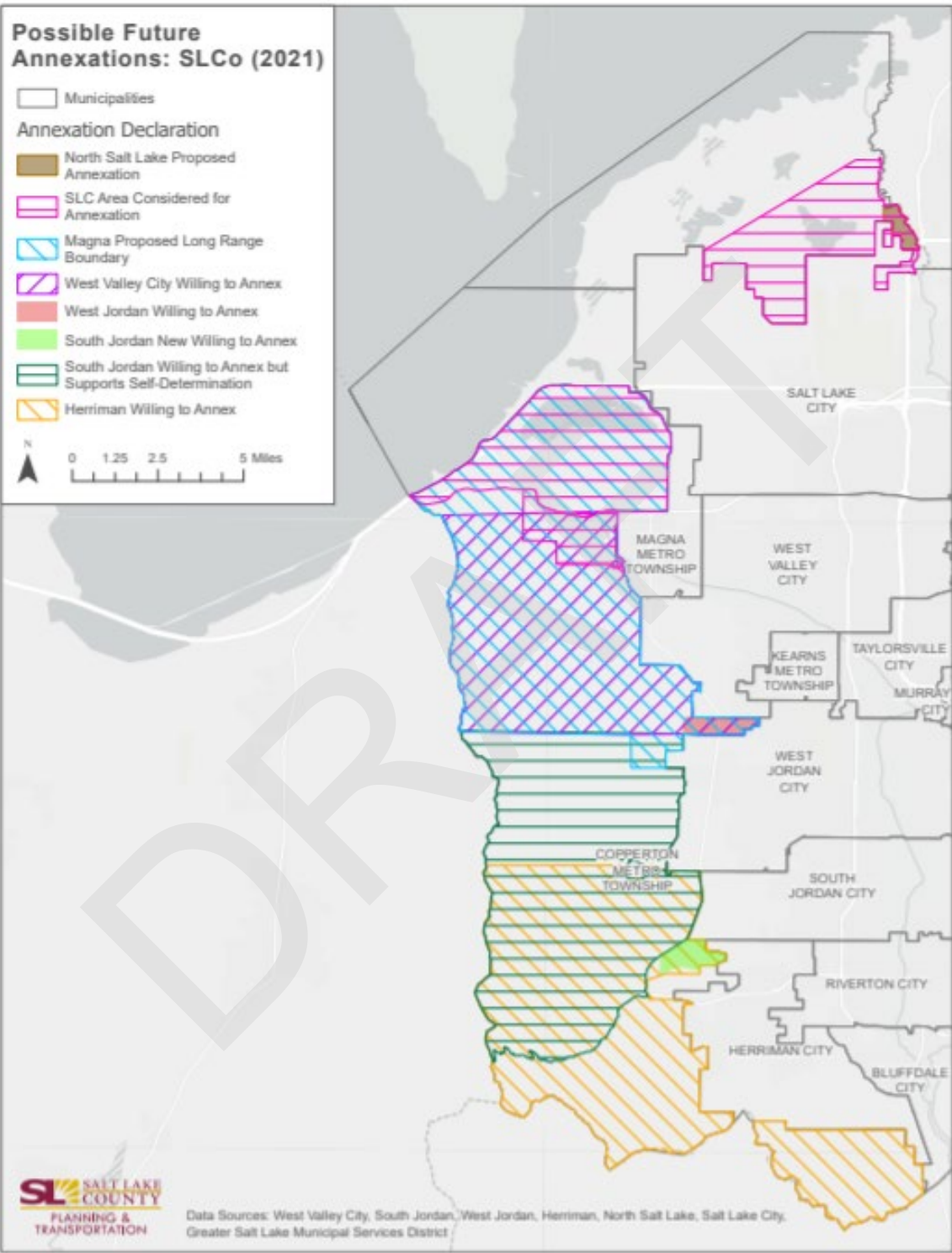
Figure 6: Copperton Potential Expansion Areas



Credit: MSD Long Range Planning, 2021.

**Gaps and Overlaps with the Expansion Areas of Other Municipalities:** Copperton’s proposed expansion areas in general avoid gaps and overlaps with the expansion areas of other municipalities. However, at the time of this writing, conflicting information was available regarding expansion areas along Salt Lake County’s West Bench. In 2021, Salt Lake County prepared a map showing possible future annexations in the area (see Figure 7). The map shows that both South Jordan and Herriman are willing to annex lands identified within Copperton’s expansion areas. In both instances, the municipalities are identified as “willing to annex” and have not necessarily included areas surrounding Copperton in their Annexation Policy Plans. Municipalities with defined expansion areas are represented on the map with language such as, “proposed annexation” and “proposed Long-Range boundary” (Figure 7).

Figure 7: West Bench Salt Lake County, Possible Future Annexations.



Credit: Salt Lake County West General Plan Draft, 2022.

### Highest Priority Lands Description

Parcels in the 'Highest Priority' category are those that are most critical to the sustainability of Copperton and which the municipality is willing to annex within the next 5 years. They include lands directly north and south of Copperton's boundaries, particularly along Old Bingham Highway (see Figure 6).

A few of the parcels include moderate improvements, such as service roads and infrastructure supporting the area's mining industry. Kennecott's Concentrator Parking Lot and Bingham Creek Leakage Ponds are located just to the west of Copperton's cemetery and are identified within this "highest priority" category. This area also includes the ravine and abandoned rail line just south of Copperton park. 'Highest Priority' parcels surround Copperton and have the greatest potential to influence the community's character.

### Mid-Term Priority Lands Description

Parcels in the 'Mid-Term Priority' category, while not absolutely critical to the sustainability of Copperton, do have the potential to strongly influence the community's quality of life through future development. Copperton is willing to annex these lands within the next fifteen (15) years. Mid-Term Priorities include expansion areas north and south of Copperton, near Bacchus Highway (see Figure 6).

South of Copperton, expansion into mid-term priority lands can provide additional commercial opportunities along Bacchus Highway. Service roads currently run through some of this area, and lands are nearby to other commercial and industrial uses, such as the Trans-Jordan Landfill and Bullfrog Spas Factory Store. These mid-term priority parcels south of Copperton are also within close proximity to the western edge of Daybreak. The land has the potential to offer wildlife refuge, and additional buffer between the two communities.

To the north, mid-term priority parcels include areas of great topography between Bacchus Highway and the Oquirrh Mountains. Some of this land hosts high-intensity mining operations and may require future remediation if those activities someday cease. Included in this area are natural features of significance to Copperton residents, such as Barney's Canyon and Creek.

### Long-Term Priority Lands Description

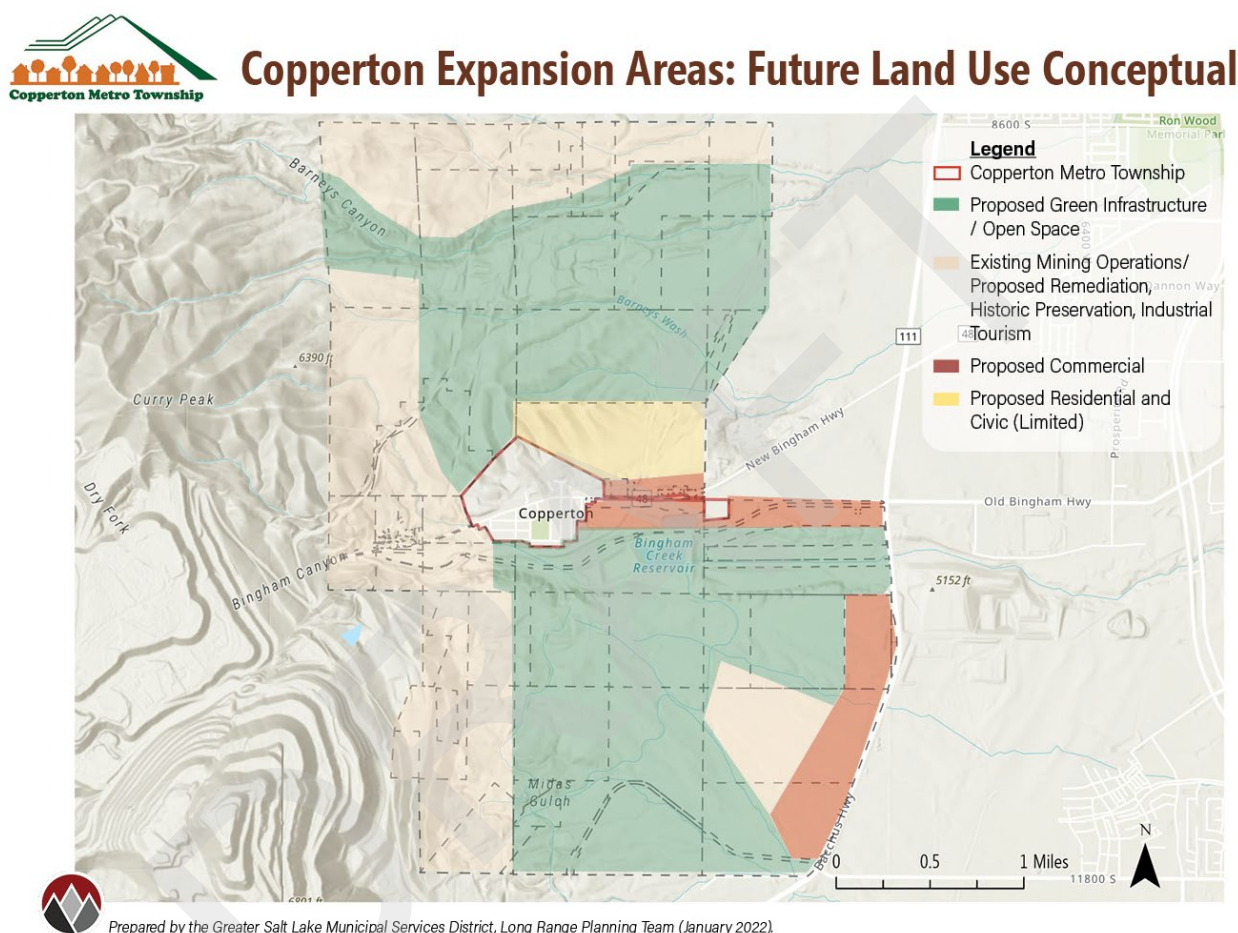
Parcels in the 'Long-Term Priority' category are desirable to the community for future, long-range growth. Because of ongoing mining operations on or near these lands, Copperton expects that annexation would be desirable fifteen (15) years in the future or even later. However, the municipality would be willing to annex these lands sooner if conditions change. Parcels in this category generally include or abut large-scale mining operations, such as the Bingham Copper Mine. Remediation of these areas will be necessary if operations eventually discontinue.



## Expansion Areas: Suitability and Proposed Future Land Uses

Copperton Metro Township believes strongly in making data-informed and community-engaged decisions. The future land use vision for Copperton's Expansion Areas (Figure 8) is justified by suitability maps from Utah State University's Bioregional Studio, community engagement from the 2020 General Plan process, and regional plans for the Copperton area.

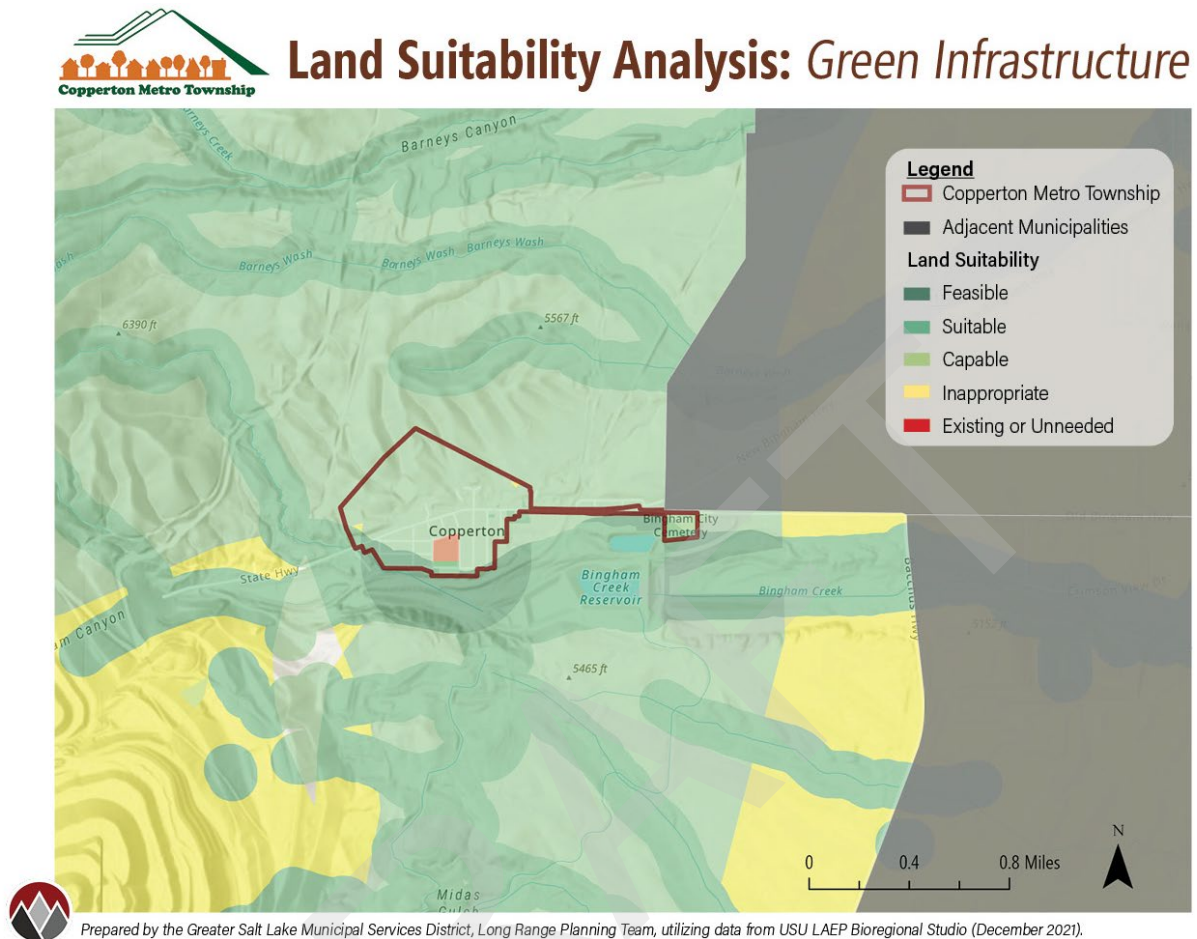
**Figure 8: Proposed Future Land Uses in Copperton Expansion Area**



**Credit:** MSD Long Range Planning, 2022.

**Methodology:** In identifying desired future land uses for Copperton's Expansion Areas, the municipality started by recognizing the most critical lands for habitat protection and green infrastructure. These were selected based on a Green Infrastructure Suitability Map (Figure 9) created by students in Utah State University's Bioregional Studio. Suitability was ranked based on numerous factors, including natural water systems, animal habitat, proximity to existing land preserves, and existing land uses. Lands most critical for Green Infrastructure were identified in Figure 8 as 'Proposed Green Infrastructure / Open Space'. These include features of scenic and recreational importance to Copperton residents, such as Bingham Creek and Barney's Canyon (Copperton General Plan, 2020).

Figure 9: Green Infrastructure Suitability Map, 2021.



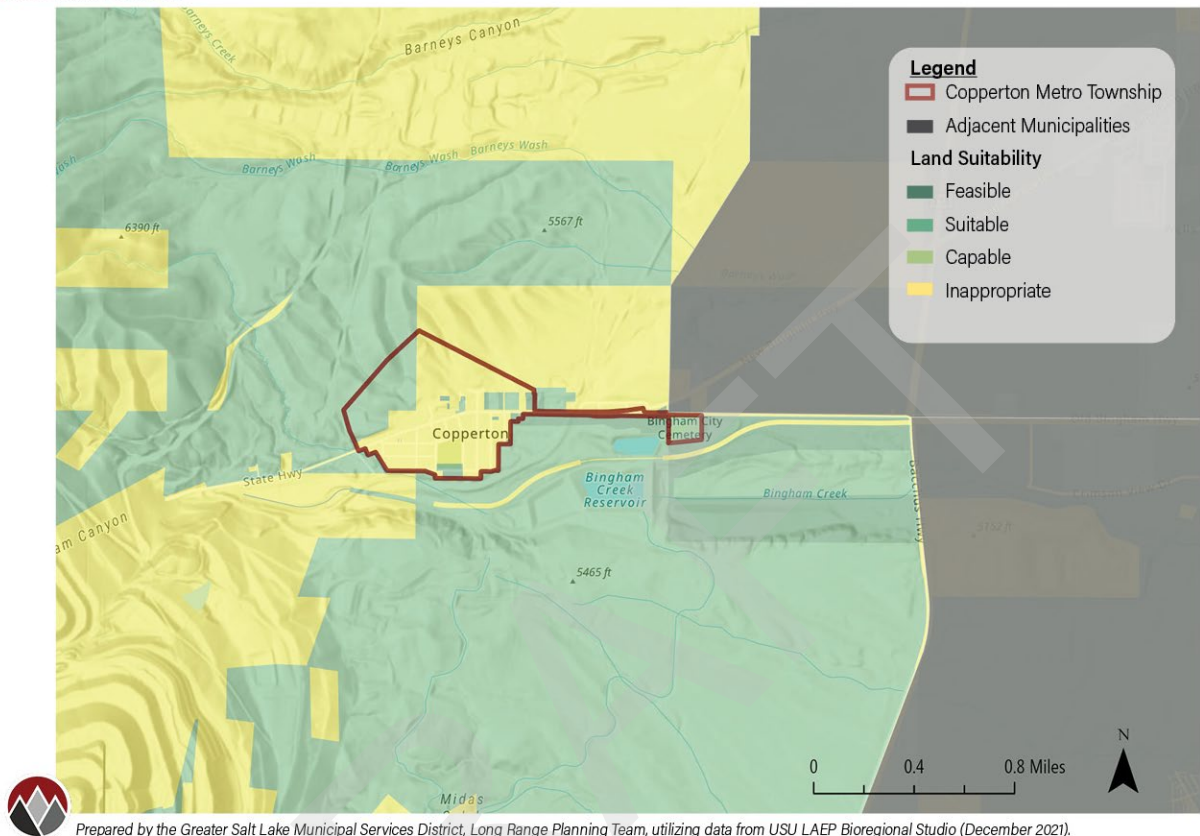
**Credit:** USU Department of Landscape Architecture and Environmental Planning, Bioregional Studio (2021).

Next, Copperton carved out lands most suitable and desirable for commercial development. Again, suitability maps from Utah State University students were utilized. Commercial suitability was assessed based on proximity to transportation systems, existing land uses, zoning, and commercial and industrial clusters. Figure 10 shows suitability for Commercial and Industrial development. Furthermore, the municipality examined Regional Land Use Centers, identified by Wasatch Front Regional Council in the Wasatch Choice 2050 vision (Figure 11). Copperton found that these land use centers corresponded well with the proposed expansion areas and lands identified as suitable for commercial and industrial development. The lands identified as 'Proposed Commercial' in Figure 8 consider places where commercial and industrial development is suitable, desirable, and matches the regional context. The 2020 General Plan acknowledged the need for additional commercial spaces in Copperton to increase sustainability of services, sales tax being one of the municipality's only revenue sources.

Figure 10: Commercial and Industrial Land Suitability



## Land Suitability Analysis: *Commercial + Industrial Uses*



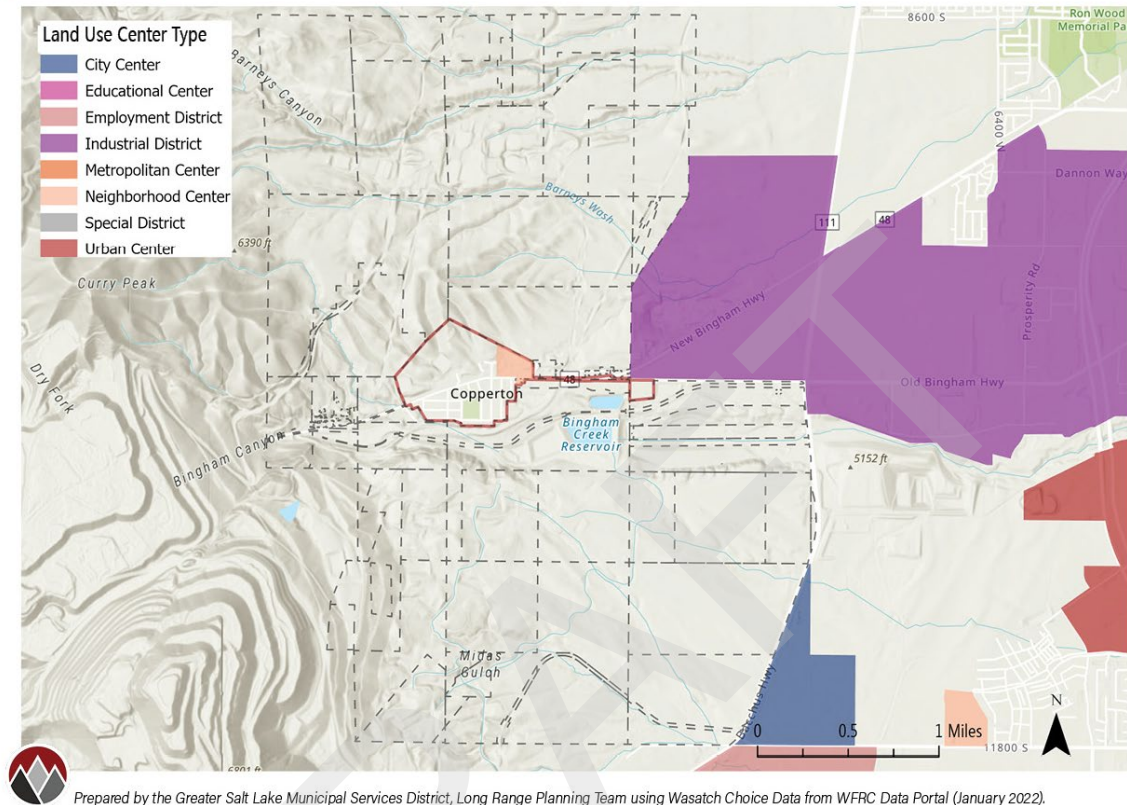
**Credit:** MSD Long Range Planning – utilizing data from USU Bioregional Studio, 2021.



Figure 11: Wasatch Choice 2050 Regional Land Use Centers.



## WFRC Regionally Significant Land Use Centers (2021)



**Credit:** MSD Long Range Planning, using data from WFRC Wasatch Choice, 2022.

Copperton's twenty-year growth trajectory also shows a need for additional residential land. The community values centralized development rather than sprawl, meaning that desirable locations for residential development would be located adjacent to existing municipal boundaries and neighborhoods. Furthermore, many of the lands in Copperton's proposed expansion area contain mining and industrial operations that would require remediation prior to the development of residential housing or community amenities. Only one area within the expansion boundaries remained that was adjacent to Copperton's boundaries and that did not require extensive remediation. This area is labeled as 'Proposed Residential and Civic (Limited)' in Figure 8.

Expansion areas not identified for residential, commercial, or green infrastructure uses were reserved under the 'Existing Mining Operations. . .' category (Figure 8). Future uses will depend on the life span of existing mining, extraction, and industrial operations. If annexed into Copperton, future land uses could include remediation, open space, historic preservation, and industrial tourism.

## Summary of Current and Projected Costs of Infrastructure, Urban Services, and Public Facilities:

With the exception of roads and stormwater services, local districts or private utilities provide all other utility services to Copperton. More specifically, the Copperton Improvement District provides culinary water service to Copperton and certain portions of the surrounding unincorporated areas, and the South Valley Sewer District provides sewer services. Because those districts are separate from Copperton, some annexation petitions may require separate petitions with these districts to join their service areas.

Copperton also contracts with the Wasatch Front Waste and Recycling District for waste management services, the Unified Fire Authority for fire services, and the Unified Police Department for law enforcement services. For all other municipal services, it contracts with the Greater Salt Lake Municipal Services District or Salt Lake County. These entities currently provide the same services to much of the unincorporated land that surrounds Copperton, meaning that those lands could annex into Copperton without changing their current municipal service providers.

Although existing Copperton residents receive culinary water from the Copperton Improvement District, the District has few water shares left to accommodate growth. Land annexed into Copperton and proposed for development should carry water rights with it, to ensure adequate resource availability. Lands that will require the greatest infrastructure, services, and public facilities are the 'Highest Priority' and 'Mid-Term Priority' lands proposed for Commercial or Residential Development. These lands compose less than a third of Copperton's proposed expansion area. Lands left for open space, green infrastructure, and remediation will require very few municipal or district services.

## Statements of Affected Entities

On February 15<sup>th</sup>, 2022, the Copperton Planning Commission hosted a public meeting providing opportunity for affected entities to give input on the drafted Annexation Policy Plan. In addition, written comments were accepted for ten (10) days after public meeting as required by Utah Code. No statements from affected entities were received.



## Annexation Criteria

The following criteria will guide Copperton Metro Township in their consideration of future annexation petitions. These criteria meet the requirements of Utah State Code 10-2-Part 4.

### 1. General Policies

In considering whether or not to annex, Copperton shall proceed in such a way that:

**Policy 1.1:** Where feasible and consistent with Copperton's goals, the annexation avoids gaps between or overlaps with the expansion areas of other municipalities.

**Policy 1.2:** The annexation eliminates islands and peninsulas of unincorporated territory that are not receiving municipal services, provided that the Copperton Council may authorize the annexation of a peninsula in the "Highest Priority" category if it determines that the annexation is in the best interests of Copperton and its residents and is not detrimental to the public welfare.

**Policy 1.3:** The annexation facilitates the consolidation of overlapping functions of local government.

**Policy 1.4:** The annexation promotes the efficient delivery of services.

**Policy 1.5:** The annexation encourages the equitable distribution of community resources and obligations.

**Policy 1.6:** Where it is in the public interest to preserve lands from development, annexations may be used to retain those lands in a natural state if the annexation is consistent with Copperton's General Plan.

### 2. Consistency with the Character of the Community

In considering a future annexation petition, Copperton should proceed in such a way that is compatible with the character of the Copperton community as defined in the General Plan and this Annexation Policy Plan.

**Policy 2.1:** The annexation shall be contiguous with Copperton and new municipal boundaries should conform, wherever possible, with natural topographic features, such as ridge lines, streams, and creeks. Care should be taken not to create topographically isolated areas or areas which would be difficult or costly to service.

**Policy 2.2:** Annexation petitioners will be required to adhere to the municipality's subdivision regulations, zoning ordinances and construction standards. All streets should be consistent with the Copperton General Plan and with applicable zoning and allowed uses.

**Policy 2.3:** The annexation area should be of substantial width to promote access to the annexed area by a public street entirely within the municipality; narrow strips should not be annexed for the sake of 'creating adjacency' to a larger area not contiguous to Copperton's boundaries.

**Policy 2.4:** Before approving an annexation, Copperton must determine that the annexation will not negatively impact Copperton by considering possible impacts to community facilities, traffic, fire protection (particularly in wildfire/wildland interface areas), stormwater systems, usable open space and recreation areas, protection of sensitive lands, conservation of natural resources, protection of view corridors, protection and preservation of historic resources, affordable housing, the balance of housing types and ownership, the capacity of water and sewer systems, and any other factors that have the potential to adversely impact Copperton and its community character.

**Policy 2.5:** Upon annexation, the annexation area shall be zoned in such way that is compatible with surrounding Copperton uses and that promotes the future land uses identified in Figure 8.

### 3. The Need for Municipal Services in Developed and Undeveloped Unincorporated Areas

In considering a future annexation petition, Copperton should take into consideration the service needs of the Unincorporated Area. Many of the services currently provided in these areas are expected to continue, and providers will most likely remain the same.

**Policy 3.1:** Subject to the criteria in Section 5, Copperton may consider and approve in its sole discretion an annexation because the area subject to the proposed annexation lacks municipal services that Copperton can provide.

### 4. Copperton's Plans for the Extension of Municipal Services

In considering a proposed annexation, Copperton should consider whether or not it can provide services to the annexed area in the same manner it provides services within its incorporated boundaries.

**Policy 4.1:** In addition to services provided by existing districts, such as public schools, water, sewer, fire protection, law enforcement, waste removal, and animal services, Copperton must determine that it can provide the following municipal services to the annexed area in a manner consistent with those normally provided within its incorporated boundaries:

- a. Snow removal on public streets, subject to Standard Copperton snow removal policies;
- b. Maintenance of public streets, provided that such streets have been constructed or reconstructed to Copperton street standards or are otherwise acceptable to the municipal Engineer and Council;
- c. Stormwater services;
- d. Planning, zoning, and municipal code enforcement; and
- e. Access to municipal sponsored parks and recreational activities and cultural events and facilities.

**Policy 4.2:** Copperton must determine that it can economically provide services to the annexed area and that such provision will not burden the existing municipal service system beyond its capacity.

**Policy 4.3:** The annexation will allow for the orderly extension of utilities by providing easements, rights-of-way or street dedications, and any other such actions needed for Copperton to provide municipal services to the annexation area.

**Policy 4.4:** The annexation will bring with it water rights and facilities required by the users or any intended development. An annexation shall not be approved which materially detracts from the supply of the Copperton Improvement District.

## 5. How Needed Service Expansions for the Annexation Will Be Financed

In evaluating an annexation proposal, Copperton should consider how needed service expansions will be financed.

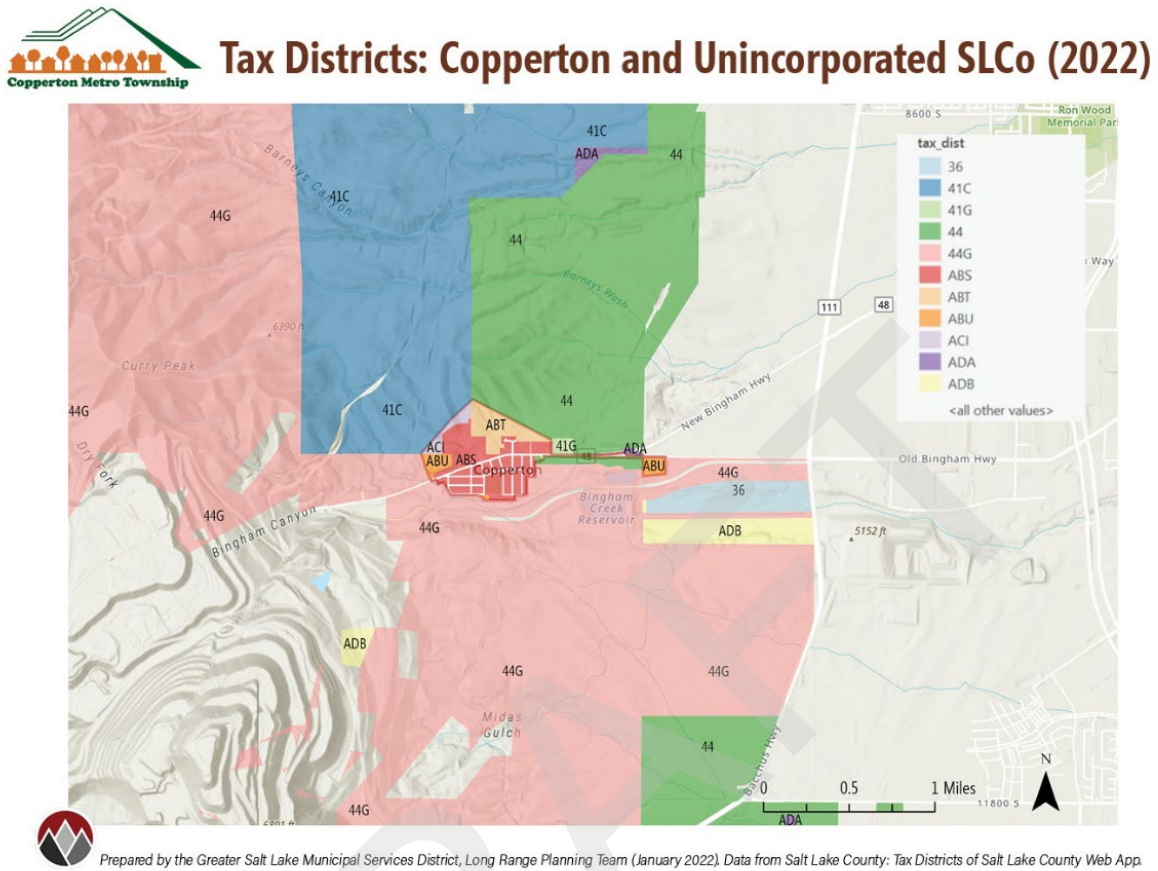
**Policy 5.1:** Developments in a proposed annexation will provide all necessary stormwater and other extensions needed to connect to utilities at the developers' sole cost and expense.

**Policy 5.2:** Copperton will provide stormwater and other required municipal services to developments in a proposed annexation with reimbursement through user fees or impact fees, as applicable.

## 6. Estimated Tax Consequences for Copperton and Expansion Area

Parcels in Copperton and the proposed Expansion Areas fall within different tax districts, as evidenced by Figure 12. However, the differences in the combined tax rates between Copperton and Unincorporated Areas are minimal. Annexation may lead to a lower or higher tax rate for the subject property, depending on that property's location. The maximum difference in tax rates between properties in the Unincorporated Area and within the existing boundaries of Copperton Metro Township is .001095 (Table B). It is the responsibility of the petitioner of an annexation to identify possible changes in tax rate, if any.

Figure 12: Tax Districts in and Around Copperton Metro Township, 2022.



**Credit:** MSD Long Range Planning, Utilizing Data from Salt Lake County Tax District Web Map (2022).

**Table B: Tax Rates for Districts in and Around Copperton Metro Township, 2022.**

	Copperton Metro Township				Unincorporated SLCo			
General Rate or Judgement	Rate for Tax District ABU	Rate for Tax District ABT	Rate for Tax District ACI	Rate for Tax District ABS	Rate for Tax District 44G	Rate for Tax District 44	Rate for Tax District 41C	Rate for Tax District 41G
Jordan School District	0.004366	0.004366	0.004366	0.004366	0.004366	0.004366	0.004366	0.004366
State Basic School Levy	0.001661	0.001661	0.001661	0.001661	0.001661	0.001661	0.001661	0.001661
UT Charter School-Jordan	0.000141	0.000141	0.000141	0.000141	0.000141	0.000141	0.000141	0.000141
SL County General Fund	0.001313	0.001313	0.001313	0.001313	0.001313	0.001313	0.001313	0.001313
SL County Capital Impr	0.000067	0.000067	0.000067	0.000067	0.000067	0.000067	0.000067	0.000067
SL County Bond Int/Sink	0.000175	0.000175	0.000175	0.000175	0.000175	0.000175	0.000175	0.000175
SL County Flood Control	0.000054	0.000054	0.000054	0.000054	0.000054	0.000054	0.000054	0.000054
SL County Govt Immunity	0.000014	0.000014	0.000014	0.000014	0.000014	0.000014	0.000014	0.000014
SL County Health Dept	0.00013	0.00013	0.00013	0.00013	0.00013	0.00013	0.00013	0.00013
SL County Clark Planetar	0.000024	0.000024	0.000024	0.000024	0.000024	0.000024	0.000024	0.000024
SL County Municipal Svce					0.000051	0.000051	0.000051	0.000051
SL County Library	0.000474	0.000474	0.000474	0.000474	0.000474	0.000474	0.000474	0.000474
SO SL Valley Mosquito	0.000012	0.000012	0.000012	0.000012	0.000012	0.000012	0.000012	0.000012
Copperton Improvement			0.000794	0.000794			0.000794	0.000794
South Valley Sewer		0.00025		0.00025		0.00025		0.00025
Central UT Water Conserv	0.0004	0.0004	0.0004	0.0004	0.0004	0.0004	0.0004	0.0004
Multi County Assess/Coll	0.000012	0.000012	0.000012	0.000012	0.000012	0.000012	0.000012	0.000012
County Assess/Coll Levy	0.000196	0.000196	0.000196	0.000196	0.000196	0.000196	0.000196	0.000196
Unified Fire Svce Area	0.001592	0.001592	0.001592	0.001592	0.001592	0.001592	0.001592	0.001592
Unified Fire Svce Jdg	0.000002	0.000002	0.000002	0.000002	0.000002	0.000002	0.000002	0.000002
SL Vly Law Enforcement	0.001973	0.001973	0.001973	0.001973	0.001973	0.001973	0.001973	0.001973
<b>Total Tax Rate</b>	<b>0.012606</b>	<b>0.012856</b>	<b>0.0134</b>	<b>0.01365</b>	<b>0.012657</b>	<b>0.012907</b>	<b>0.013451</b>	<b>0.013701</b>

**Credit:** Salt Lake County, 2022.

In evaluating a proposed annexation, Copperton should consider the tax consequences of the annexation both for existing residents and for affected parties in the annexed area.

**Policy 6.1:** The petitioner of an annexation will recognize a tax increment increase, if any.

**Policy 6.2:** The property certified tax rate for existing parcels within Copperton's existing municipal boundaries will not be increased to provide for the annexation of any area.

## 7. Interests of All Affected Entities

In evaluating a proposed annexation, Copperton should consider the interests of all affected entities.

**Policy 7.1:** The annexation does not extend beyond the limits of the adopted annexation policy plan.

**Policy 7.2:** Other services needed for the annexation, e.g., natural gas, electrical power, internet, and communications, are available or reasonably available for the proposed annexation.

**Policy 7.3:** The petitioners of annexation have entered into agreement(s) with affected entities, as applicable, for the provision of required infrastructure and services.

**Policy 7.4:** The annexation does not create boundary alignment issues with any public or charter schools, or affected entities, unless interlocal agreements have been created to address the alignment issues.

## Other Considerations

### **Justification for Excluding Lands from Copperton's Potential Expansion Area:**

No developed lands within one-half mile of Copperton's existing boundary are excluded from the Potential Expansion Area, with the exception of those lands already incorporated in another municipality.

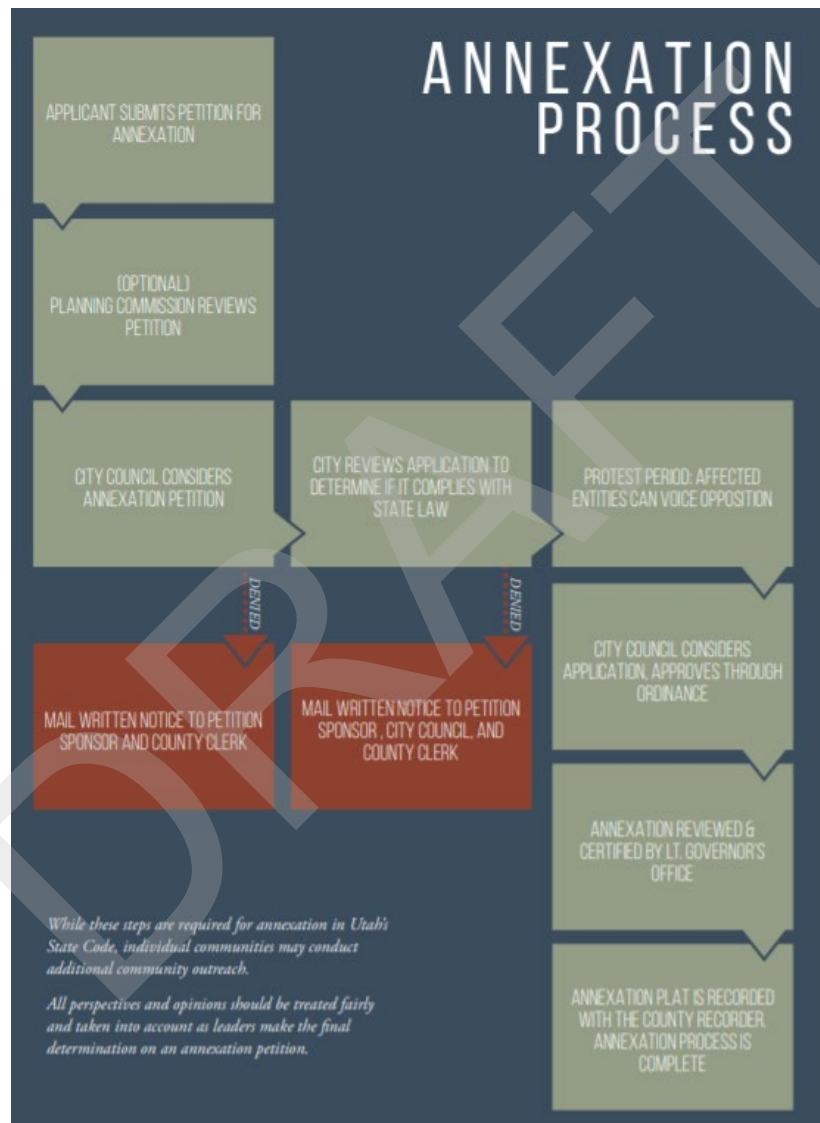
### **Consideration of Reasons for the Inclusion of Agricultural Lands, Forests, Recreational Areas, and Wildlife Management Areas in the Municipality:**

Copperton's proposed expansion areas do not include any existing agricultural, forest, recreational area, or wildlife management lands. In the future, annexation may be desirable to preserve lands used by Copperton residents for open space and recreation, even if these lands are not currently designated for such purposes.

## Annexation Process

The annexation process is codified by Utah State Code §10-2-Part 4. Figure 13 provides the general outline for the annexation process, although Copperton may, at its discretion, incorporate additional community outreach into the process. In almost all cases, annexation is initiated with a petition filed by an owner of land wishing to annex into the municipality. The only exception to this rule is in special instances where annexation of an island or peninsula occurs without petition (§10-9a-418).

**Figure 13: Utah Annexation Process**



**Credit:** Housing and Community Development Division of the Utah Department of Workforce Services, 2018.

## Appendix

### Policies Listed

**Policy 1.1:** Where feasible and consistent with Copperton's goals, the annexation avoids gaps between or overlaps with the expansion areas of other municipalities.

**Policy 1.2:** The annexation eliminates islands and peninsulas of unincorporated territory that are not receiving municipal services, provided that the Copperton Council may authorize the annexation of a peninsula in the "Highest Priority" category if it determines that the annexation is in the best interests of Copperton and its residents and is not detrimental to the public welfare.

**Policy 1.3:** The annexation facilitates the consolidation of overlapping functions of local government.

**Policy 1.4:** The annexation promotes the efficient delivery of services.

**Policy 1.5:** The annexation encourages the equitable distribution of community resources and obligations.

**Policy 1.6:** Where it is in the public interest to preserve lands from development, annexations may be used to retain those lands in a natural state if the annexation is consistent with Copperton's General Plan.

**Policy 2.1:** The annexation shall be contiguous with Copperton and new municipal boundaries should conform, wherever possible, with natural topographic features, such as ridge lines, streams, and creeks. Care should be taken not to create topographically isolated areas or areas which would be difficult or costly to service.

**Policy 2.2:** Annexation petitioners will be required to adhere to the municipality's subdivision regulations, zoning ordinances and construction standards. All streets should be consistent with the Copperton General Plan and with applicable zoning and allowed uses.

**Policy 2.3:** The annexation area should be of substantial width to promote access to the annexed area by a public street entirely within the municipality; narrow strips should not be annexed for the sake of 'creating adjacency' to a larger area not contiguous to Copperton's boundaries.

**Policy 2.4:** Before approving an annexation, Copperton must determine that the annexation will not negatively impact Copperton by considering possible impacts to community facilities, traffic, fire protection (particularly in wildfire/wildland interface areas), stormwater systems, usable open space and recreation areas, protection of sensitive lands, conservation of natural resources, protection of view corridors, protection and preservation of historic resources, affordable housing, the balance of housing types and ownership, the capacity of water and sewer systems, and any other factors that have the potential to adversely impact Copperton and its community character.

**Policy 2.5:** Upon annexation, the annexation area shall be zoned in such way that is compatible with surrounding Copperton uses and that promotes the future land uses identified in Figure 8.



**Policy 3.1:** Subject to the criteria in Section 5, Copperton may consider and approve in its sole discretion an annexation because the area subject to the proposed annexation lacks municipal services that Copperton can provide.

**Policy 4.1:** In addition to services provided by existing districts, such as public schools, water, sewer, fire protection, law enforcement, waste removal, and animal services, Copperton must determine that it can provide the following municipal services to the annexed area in a manner consistent with those normally provided within its incorporated boundaries:

- a. Snow removal on public streets, subject to Standard Copperton snow removal policies;
- b. Maintenance of public streets, provided that such streets have been constructed or reconstructed to Copperton street standards or are otherwise acceptable to the municipal Engineer and Council;
- c. Stormwater services;
- d. Planning, zoning, and municipal code enforcement; and
- e. Access to municipal sponsored parks and recreational activities and cultural events and facilities.

**Policy 4.2:** Copperton must determine that it can economically provide services to the annexed area and that such provision will not burden the existing municipal service system beyond its capacity.

**Policy 4.3:** The annexation will allow for the orderly extension of utilities by providing easements, rights-of-way or street dedications, and any other such actions needed for Copperton to provide municipal services to the annexation area.

**Policy 4.4:** The annexation will bring with it water rights and facilities required by the users or any intended development. An annexation shall not be approved which materially detracts from the supply of the Copperton Improvement District.

**Policy 5.1:** Developments in a proposed annexation will provide all necessary stormwater and other extensions needed to connect to utilities at the developers' sole cost and expense.

**Policy 5.2:** Copperton will provide stormwater and other required municipal services to developments in a proposed annexation with reimbursement through user fees or impact fees, as applicable.

**Policy 6.1:** The petitioner of an annexation will recognize a tax increment increase, if any.

**Policy 6.2:** The property certified tax rate for existing parcels within Copperton's existing municipal boundaries will not be increased to provide for the annexation of any area.

**Policy 7.1:** The annexation does not extend beyond the limits of the adopted annexation policy plan.

**Policy 7.2:** Other services needed for the annexation, e.g., natural gas, electrical power, internet, and communications, are available or reasonably available for the proposed annexation.

**Policy 7.3:** The petitioners of annexation have entered into agreement(s) with affected entities, as applicable, for the provision of required infrastructure and services.

**Policy 7.4:** The annexation does not create boundary alignment issues with any public or charter schools, or affected entities, unless interlocal agreements have been created to address the alignment issues.

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## Glossary

**Affected Entity:** (according to Utah State Code §10-2-401)

1. a county of the first or second class in whose unincorporated area the area proposed for annexation is located;
2. a county of the third, fourth, fifth, or sixth class in whose unincorporated area the area proposed for annexation is located, if the area includes residents or commercial or industrial development;
3. a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, whose boundary includes any part of an area proposed for annexation;
4. a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and
5. a municipality whose boundaries are within 1/2 mile of an area proposed for annexation.

**Annexation:** process of expanding municipal limits through the incorporation of previously unincorporated land or territory.

**Annexation Petition:** means a petition under Utah §10-2-403 proposing the annexation to a municipality of a contiguous, unincorporated area that is contiguous to the municipality.

**Expansion Area:** means the unincorporated area that is identified in the annexation policy plan under Utah §10-2-401.5 as the area that the municipality anticipates annexing in the future.

**Island:** area of unincorporated land completely surrounded by incorporated territory (Housing and Community Development Division Utah, 2018).

**Peninsula:** Area of unincorporated land that is surrounded on more than half its boundary distance by incorporated territory. Furthermore, the unincorporated area must be situated in a manner such that a line drawn across the area, from incorporated area to incorporated area, must be less than 25% of the length of the aggregate boundaries of the unincorporated area (Housing and Community Development Division Utah, 2018).

## Key Resources

**State Code on Annexation:** the annexation process and the required Annexation Policy Plan are detailed in Utah Code §10-2-Part 4. Specifically, state code requires all municipalities to prepare an Annexation Policy Plan in compliance with §10-2-401.5 prior to annexing an unincorporated area within a specified County.

In preparing an Annexation Policy Plan, the municipality must **include and address the following:**

1. Map of the expansion area (see Figure 6, pg.10 of this document)
2. Character of the community (see pg.18 of this document)
3. Need for municipal services in developed and undeveloped unincorporated areas (see pg.19 of this document)
4. Plans for extension of municipal services (see pg.19 of this document)
5. How the services will be financed (see pg.20 of this document)

6. Estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area (see pg.20 of this document)
7. Interests of all affected entities (see pg.22 of this document)

In the **development, consideration, and adoption** of its Annexation Policy Plan, the municipality must also:

1. Avoid gaps between or overlaps with the expansion areas of other municipalities (see pg.18 of this document)
2. Consider population growth projections for the municipality and adjoining areas for the next 20 years, as well as residential, commercial, and industrial land needs in that time (see pg.7 of this document)
3. Consider current and projected costs of infrastructure, urban services and public facilities (see pg.17 of this document)
4. Consider the reasons to include agricultural lands, forests, recreational areas, and wildlife management areas (see pg.23 of this document)

**2020 Copperton General Plan:** this Annexation Policy Plan is supported by the adopted 2020 Copperton General Plan. The General Plan identifies annexation as a possible strategy for enhancing commercial opportunities and the ability of the municipality to provide desired amenities to residents and property owners in the surrounded unincorporated areas. Future land uses proposed for Copperton's Expansion Areas (Figure 6) are compatible with the Copperton's future land use map, as adopted through the General Plan. To read the full General Plan, please visit [bit.ly/lrp-cp](http://bit.ly/lrp-cp).

### Contact Information

Questions about Copperton's Annexation Policy Plan may be directed to:

Tessa Stitzer  
Deputy Mayor, Vice Chair of Copperton Council  
[tessastitzer@coppertonutah.org](mailto:tessastitzer@coppertonutah.org)

Questions about the adopted 2020 Copperton General Plan may be directed to:

Kayla Mauldin  
Senior Long Range Planner, Greater Salt Lake Municipal Services District  
[KMauldin@msd.utah.gov](mailto:KMauldin@msd.utah.gov)

# **Exhibit B**

**19.95 Annexation**

**19.95.010 Purpose**

The purposes of this Chapter are to establish a process for the receipt and consideration of annexation petitions or of annexations initiated by the Copperton. These sections are intended to :

- A. Provide for the expansion of Copperton at such time as the property owner and municipality determine expansion has become desirable and feasible;
- B. Aid the Council in its deliberations concerning the acceptance or rejection of any proposed annexation;
- C. Assure that Copperton has adequate time to prepare for any budgetary and operational impacts of annexation;
- D. Minimize disruptions to Copperton's operations caused by the processing and evaluation of a proposed annexation and any adverse impact on the municipality arising from any approved annexation;
- E. Protect the general interests and character of the community;
- F. Maintain consistency with the Copperton General Plan, the Copperton Annexation Policy Plan, and Utah State Code.

**19.95.020 General Provisions**

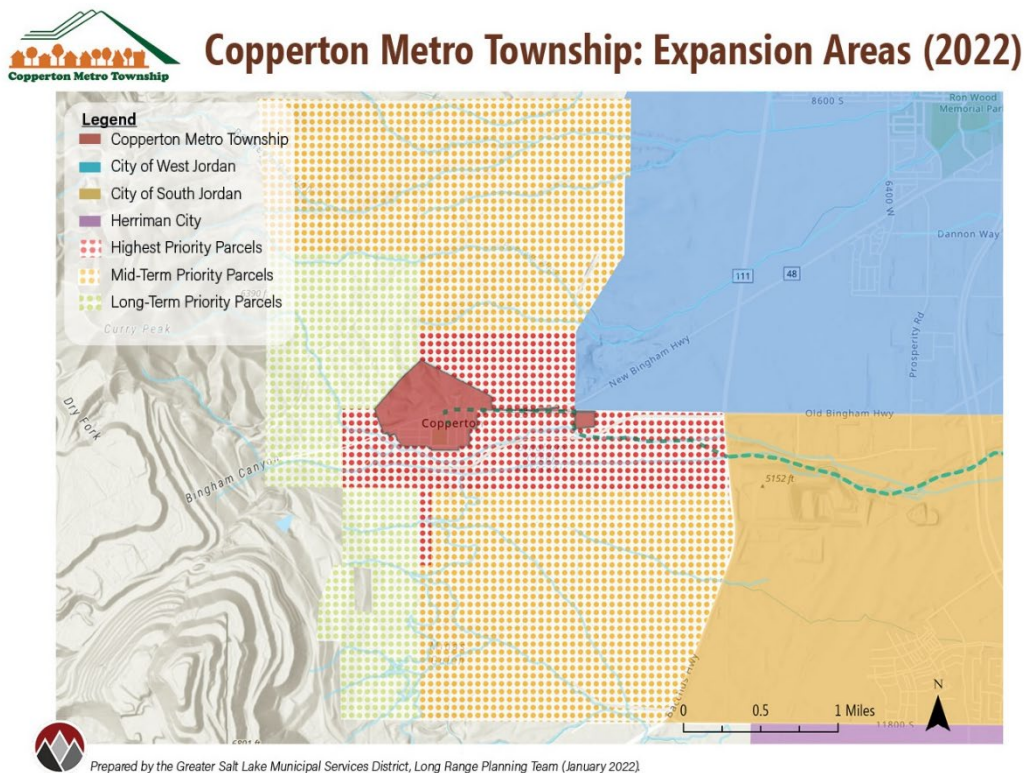
- A. As practical and feasible, boundaries of an area proposed for annexation shall be drawn:
  - a. Within Copperton's Expansion Area as identified in the Annexation Policy Plan and Section 19.95.030;
  - b. Along the boundaries of existing special districts, service districts, school districts, and other taxing entities;
  - c. In such manner as to eliminate islands and peninsulas of territory that are not receiving municipal services, provided that the Copperton Metro Township Council ("Council") may authorize the annexation of a peninsula in the "Highest Priority" category if it determines that the annexation is in the best interests of Copperton and its residents and is not detrimental to the public welfare;
  - d. To facilitate the consolidation of overlapping functions of local government;
  - e. To promote the efficient delivery of services; and
  - f. To encourage the equitable distribution of community resources and obligations.

- B. All petitions for annexation or annexations initiated by Copperton shall comply with Copperton's Annexation Policies established in this Chapter.

#### **19.95.030 Copperton's Expansion Areas (Annexation Declaration Area Map)**

The Annexation Declaration Area Map is included as Figure 19.95.030. The map may be altered to change the proposed expansion areas of Copperton upon action by the Council following recommendation by the Planning Commission.

**Figure 19.95.030: Copperton's Expansion Areas.**



Credit: MSD Long Range Planning, 2022.

#### **19.95.040 Copperton's Annexation Policies**

The following standards, adopted through the Copperton Annexation Policy Plan, shall guide the municipality's consideration of an annexation petition or annexation initiated by Copperton.

- A. Policy 1.1: Where feasible and consistent with Copperton's goals, the annexation avoids gaps between or overlaps with the expansion areas of other municipalities.
- B. Policy 1.2: The annexation eliminates islands and peninsulas of unincorporated territory that are not receiving municipal services, provided that the Copperton Council may authorize the annexation of a peninsula in the "Highest Priority" category if it determines that the annexation is in the best interests of Copperton and its residents and is not detrimental to the public welfare.

- C. Policy 1.3: The annexation facilitates the consolidation of overlapping functions of local government.
- D. Policy 1.4: The annexation promotes the efficient delivery of services.
- E. Policy 1.5: The annexation encourages the equitable distribution of community resources and obligations.
- F. Policy 1.6: Where it is in the public interest to preserve lands from development, annexations may be used to retain those lands in a natural state if the annexation is consistent with Copperton's General Plan.
- G. Policy 2.1: The annexation shall be contiguous with Copperton and new municipal boundaries should conform, wherever possible, with natural topographic features, such as ridge lines, streams, and creeks. Care should be taken not to create topographically isolated areas or areas which would be difficult or costly to service.
- H. Policy 2.2: Annexation petitioners will be required to adhere to the municipality's subdivision regulations, zoning ordinances and construction standards. All streets should be consistent with the Copperton General Plan and with applicable zoning and allowed uses.
- I. Policy 2.3: The annexation area should be of substantial width to promote access to the annexed area by a public street entirely within the municipality; narrow strips should not be annexed for the sake of 'creating adjacency' to a larger area not contiguous to Copperton's boundaries.
- J. Policy 2.4: Before approving an annexation, Copperton must determine that the annexation will not negatively impact Copperton by considering possible impacts to community facilities, traffic, fire protection (particularly in wildfire/wildland interface areas), stormwater systems, usable open space and recreation areas, protection of sensitive lands, conservation of natural resources, protection of view corridors, protection and preservation of historic resources, affordable housing, the balance of housing types and ownership, the capacity of water and sewer systems, and any other factors that have the potential to adversely impact Copperton and its community character.
- K. Policy 2.5: Upon annexation, the annexation area shall be zoned in such way that is compatible with surrounding Copperton uses and that promotes the future land uses identified in the Annexation Policy Plan.
- L. Policy 3.1: Subject to the criteria in Section 5, Copperton may consider and approve in its sole discretion an annexation because the area subject to the proposed annexation lacks municipal services that Copperton can provide.
- M. Policy 4.1: In addition to services provided by existing districts, such as public schools, water, sewer, fire protection, law enforcement, waste removal, and animal services, Copperton must determine that it can provide the following municipal services to the annexed area in a manner consistent with those normally provided within its incorporated boundaries:



- a. Snow removal on public streets, subject to Standard Copperton snow removal policies;
  - b. Maintenance of public streets, provided that such streets have been constructed or reconstructed to Copperton street standards or are otherwise acceptable to the municipal engineer and Council;
  - c. Stormwater services;
  - d. Planning, zoning, and municipal code enforcement; and
  - e. Access to municipal sponsored parks and recreational activities and cultural events and facilities.
- N. Policy 4.2: Copperton must determine that it can economically provide services to the annexed area and that such provision will not burden the existing municipal service system beyond its capacity.
- O. Policy 4.3: The annexation will allow for the orderly extension of utilities by providing easements, rights-of-way or street dedications, and any other such actions needed for Copperton to provide municipal services to the annexation area.
- P. Policy 4.4: The annexation will bring with it water rights and facilities required by the users or any intended development. An annexation shall not be approved which materially detracts from the supply of the Copperton Improvement District.
- Q. Policy 5.1: Developments in a proposed annexation will provide all necessary stormwater and other extensions needed to connect to utilities at the developers' sole cost and expense.
- R. Policy 5.2: Copperton will provide stormwater and other required municipal services to developments in a proposed annexation with reimbursement through user fees or impact fees, as applicable.
- S. Policy 6.1: The petitioner of an annexation will recognize a tax increment increase, if any.
- T. Policy 6.2: The property certified tax rate for existing parcels within Copperton's existing municipal boundaries will not be increased to provide for the annexation of any area.
- U. Policy 7.1: The annexation does not extend beyond the limits of the adopted annexation policy plan.
- V. Policy 7.2: Other services needed for the annexation, e.g., natural gas, electrical power, internet, and communications, are available or reasonably available for the proposed annexation.
- W. Policy 7.3: The petitioners of annexation have entered into agreement(s) with affected entities, as applicable, for the provision of required infrastructure and services.
- X. Policy 7.4: The annexation does not create boundary alignment issues with any public or charter schools, or affected entities, unless interlocal agreements have been created to address the alignment issues.

#### **19.95.050 Property Owner Initiation of Annexation**

- A. **The Property Owner(s) Shall Submit a Petition for Annexation to Copperton.** The petition shall meet all criteria as established in this Chapter and shall be submitted in such form as established by Copperton and in compliance with State Code. Each petition shall:
- a. Be preceded by the required notice of intent to file a petition to Salt Lake County
  - b. Be filed with the Clerk of Copperton ;
  - c. Contain the signatures of, if all the real property within the area proposed for annexation is owned by a public entity other than the federal government, the owners of all the publicly owned real property, or the owners of private real property that:
    - i. Is located within the area proposed for annexation;
    - ii. (A) Subject to Subsection (A)(b)(ii)(C), covers a majority of the private land area within the area proposed for annexation;  
  
(B) Covers 100% of rural real property within the area proposed for annexation; and  
  
(C) Covers 100% of the private land area within the area proposed for annexation, if the area is within an agriculture protection area created under Utah State Code Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas, or a migratory bird production area created under Utah State Code Title 23, Chapter 28, Migratory Bird Production Area; and
    - iii. Is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation.
- B. **Annexation petitions filed with the Metro Township Clerk shall:**
- a. Be accompanied by an accurate and recordable map that is prepared and signed by a licensed surveyor;
  - b. Contain a copy of the notice sent to affected entities and a list of the affected entities to which notice was sent, as required by Utah State Code §10-2-403(2);
  - c. Contain on each signature page a notice in bold and conspicuous terms that states substantially the following:
    - i. "Notice: There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election. If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the Metro Township Clerk ("Clerk"). If you choose to withdraw your signature, you shall do so no later than 30 days after Copperton receives notice that the petition has been certified."

- d. Designate up to five (5) of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor and indicate the mailing address of each sponsor.
- e. On the date of filing with Copperton, the petition's sponsors shall also deliver or mail a copy of the annexation petition to the clerk of Salt Lake County.
  - i. If the petition proposes a cross-county annexation, as defined in Utah State Code §10-2-402.5, be accompanied by a copy of the resolution described in State Code §10-2-402.5(4)(a)(iii)(A).
- C. A petition under this Section shall not propose the annexation of all or part of an area proposed for annexation to Copperton in a previously filed petition that has not been denied, rejected, or granted.

**19.95.060 Procedure for Processing Annexation Petitions and Plats**

- A. The Clerk, upon receiving a petition for annexation, shall submit the petition to the Copperton Metro Township Council ("Council"). The Council shall accept the petition for further consideration or reject the petition within fourteen (14) days.
- B. If the petition is rejected by the Council, notification shall be sent to the County Clerk and to the sponsors of the petition within five (5) days of the denial.
- C. If accepted by the Council, the petition shall be reviewed by the Clerk and municipal attorney for completeness and compliance with applicable law, including the *Copperton Annexation Policy Plan*. Review and certification shall be completed within thirty (30) days of acceptance. If the petition complies, the Clerk shall certify the petition and provide written notice of same to the Council, petition sponsor(s), and County Council.
- D. If the Clerk rejects a petition, the petition may be modified to correct the deficiencies for which it was rejected and then refiled with the Clerk.
  - a. A petition refiled under this subsection after having been rejected by the Clerk shall be treated as a newly filed petition.
- E. Within ten (10) days of the Council receiving notice of certification, notification of the proposed annexation shall be:
  - a. Mailed to each residence and owner of real property located within the area proposed for annexation and the unincorporated area within ½ mile of the area proposed for annexation.
  - b. Posted in at least one physical location within the area proposed for annexation.
  - c. Posted on the Utah Public Notice Website for at least three (3) weeks.
  - d. Posted on the municipal website for at least three (3) weeks.
- F. Within twenty (20) days of the Council receiving notice of certification, written notification of the proposed annexation shall be mailed to each affected entity.

- G. Upon certification by the Clerk, the petition may be submitted to the Copperton Metro Township Planning Commission ("Planning Commission") for analysis and review according to the Copperton Annexation Policy Plan and for recommendations with respect to the appropriate zoning.
- H. Protests to the proposed annexation shall:
  - a. Be filed with the Salt Lake County Boundary Commission ("Boundary Commission") no later than thirty (30) days after the Council receives notice of certification from the Clerk.
    - i. On the same date, the party filing a protest shall deliver or mail a copy of the protest to the Clerk.
  - b. Be filed by:
    - i. The legislative body or governing board of an affected entity;
    - ii. An owner of private real property that:
      - 1. Is located in the unincorporated area within ½ mile of the area proposed for annexation;
      - 2. Covers at least 25% of the private land area located in the unincorporated area within ½ mile of the area proposed for annexation; and
      - 3. Is equal in value to at least 15% of all real property located in the unincorporated area within ½ mile of the area proposed for annexation.
    - iii. An owner of private real property located in a mining protection area.
  - c. State each reason for the protest of the annexation petition.
  - d. Contain other information that the Salt Lake County Boundary Commission by rule requires or that the party filing the protest considers pertinent.
  - e. Contain the name and address of a contact person who is to receive notices sent by the Boundary Commission with respect to the protest proceedings.
- I. If protests are filed, the Council may deny the annexation at its next regularly-scheduled meeting (after expiration of the deadline to receive protests), or it may await the decision by the Boundary Commission.
  - a. If the Council denies the annexation petition, applicable notice shall be sent within five (5) days after the denial, as outlined in Utah State Code §10-2-407(5).
- J. If no protests are filed and following the Council's receipt of the Planning Commission's recommendations on zoning for the proposed annexation, the Council may approve the annexation at a public hearing held after providing required notice as stated in Utah State Code §10-2-407(7).

- K. The Council may deny or grant annexation after receiving the decision of the Boundary Commission approving the annexation. In the event of denial of the annexation by the Boundary Commission, the Council shall deny the annexation.
- L. In all cases, the Council shall evaluate the annexation against the policies and criteria established in the *Copperton Annexation Policy Plan*, as referenced in Section 19.95.030, and shall not approve an annexation that conflicts with the standards of this Chapter.

#### **19.95.070 Initiation of Annexation by Copperton**

- A. The Municipality may annex an unincorporated area without an annexation petition if:
  - a. For an unincorporated area within the expansion area of more than one municipality, each municipality agrees to the annexation; and
    - i. If the area to be annexed consists of one or more unincorporated islands within or peninsulas contiguous to the municipality:
      - 1. The majority of each island or peninsula consists of residential or commercial development;
      - 2. The area proposed for annexation requires the delivery of municipal-type services; and
      - 3. The municipality has provided most or all of the municipal-type services to the area for more than one year.
    - ii. Or, the area to be annexed consists of one or more unincorporated islands within or peninsulas contiguous to the municipality, each of which having less than 800 residents, and the municipality has provided one or more municipal-type services to the area for at least one year.
- B. The Municipality may annex a portion of an unincorporated island or peninsula under Subsection A, leaving the remainder of the island or peninsula unincorporated if:
  - a. The Council determines that not annexing the entire unincorporated island or peninsula is in Copperton's best interests; and
  - b. The entire island of unincorporated area, of which a portion is being annexed, complies with the requirements of Subsection A relating to the number of residents.
- C. Annexation under this Section is subject to Salt Lake County's agreement to an annexation, if the majority of private property owners (as defined in Utah State Code §10-2-418(4)) within the area to be annexed give written consent to the annexation.
- D. Prior to an annexation taking place, the Council shall:
  - a. Adopt a resolution indicating the Council's intent to annex the area, describing the area proposed to be annexed; and

- b. Hold a public hearing (in compliance with Utah State Code §10-2-418) on the proposed annexation no sooner than thirty (30) days after the adoption of the resolution.
- E. Upon conclusion of the public hearing, the Council may adopt an ordinance approving the annexation unless written protests to the annexation have been filed accordingly with the Clerk.
- F. Notwithstanding Subsection E, the Council may adopt an ordinance approving the annexation without allowing or considering protests:
  - a. If the owners of at least 75% of the total private land area within the area proposed for annexation, representing at least 75% of the value of private real property within the area, have consented in writing to the annexation; or
  - b. If the County Council recommends annexation into the municipality without allowing or considering protests under a formal finding by the County Council that:
    - i. The area to be annexed can be more efficiently served by the Municipality than by the County;
    - ii. The area to be annexed is not likely to be naturally annexed by the municipality in the future as the result of urban development;
    - iii. Annexation of the area is likely to facilitate the consolidation of overlapping functions of local government; and
    - iv. Annexation of the area is likely to result in an equitable distribution of community resources and obligations.
- G. Except as provided in Subsection F, if legally valid protests are timely filed, the Council may not adopt an ordinance approving the annexation of the area and the annexation proceedings shall be considered terminated.
- H. Subsection G does not prohibit the Council from excluding from a proposed annexation the property within an unincorporated island for which protests have been filed and proceeding under the standards of this Section to annex some or all the remaining portion of the unincorporated island.
- I. Copperton shall not initiate an annexation that fails to comply with the policies established in this Chapter.
- J. Before approving the annexation, the Council shall seek recommendations from the Planning Commission regarding the zoning to be applied to the annexed land.