

NOTICE OF PUBLIC HEARING BY THE CITY COUNCIL
OF THE CITY OF CEDAR HILLS, UTAH

Notice is hereby given that the City Council of the City of Cedar Hills, Utah, will hold a Public Hearing in connection with their regular meeting on **Tuesday, September 21, 2010, at 7:00 p.m.**, at the Cedar Hills Public Safety Building, 3925 W Cedar Hills Drive, Cedar Hills, Utah. The City Council will receive public comment regarding the following items.

- Amendments to the Fiscal Year 2011 Budget (July 1, 2010 to June 30, 2011).
- Amendments to the City's Annexation Policy Plan

Interested persons are invited to attend and make comment. Supporting documentation is posted on the City's Web site at www.cedarhills.org or contact the City Recorder at 801-785-9668 ex 101.

Posted this 3rd day of September, 2010.

Kim E. Holindrake, City Recorder

ANNEXATION POLICY PLAN



City of Cedar Hills Utah County, State of Utah

INTRODUCTION

This Annexation Policy Plan has been composed by the City of Cedar Hills to guide decision-making regarding future annexations and to facilitate coordination with nearby jurisdictions regarding mutually adjacent lands. This plan has been completed in response to HB 155, "Annexation Amendments," enacted by the Utah State Legislature in its 2001 General Session. The plan is intended to facilitate communication between political entities and to establish the City of Cedar Hills overall growth intentions and position on annexable parcels. It is a tool to direct annexations with regards to logical servicing and manageable timing. But, due to the natural uncertainty of the future, it is not a definitive statement on what will and will not be annexed. In some cases, decisions will be left to future leaders to judge based on current conditions. In developing this plan, the Planning Commission and City Council considered:

1. Attempting to avoid gaps between or overlaps with expansion areas of other municipalities.
2. Population growth projections for the municipality and adjoining areas for the next 20 years.
3. In conjunction with the municipality's General Plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development.
4. Reasons for including agricultural lands, forests, recreational areas, and wildlife management areas in the municipality.
5. The following principles regarding each proposed annexation. If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
 - A. along the boundaries of existing special districts for sewer, water, and other services,
 - B. along the boundaries of school districts whose boundaries follow city boundaries, and along the boundaries of other taxing districts.
 - C. to eliminate islands and peninsulas of territory not receiving municipal-type services.
 - D. to facilitate the consolidation of overlapping functions of local government.
 - E. to promote the efficient delivery of service.
 - F. encourage the equitable distribution of community resources and obligations.

PURPOSE

The provisions of 10-2-400, Utah Code Annotated require each Policy Plan to provide all of the following, and this plan is organized according to these requirements:

1. Map of the expansion area that may include territory located outside the county in which the municipality is located.

2. Statement of the specific criteria that will guide the municipality's decision whether or not to grant future annexation petitions, addressing matters relevant to those criteria including:
 - A. the character of the community,
 - B. the need for municipal services in developed and undeveloped unincorporated areas,
 - C. the municipality's plans for extension of municipal services,
 - D. how the services will be financed,
 - E. an estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area,
 - F. the interests of all affected entities.
3. Justification for excluding from the expansion area any area containing urban development within ½ mile of the municipality's boundary; and
4. Statement addressing any comments made by affected entities at or within ten (10) days after the public meeting required by the act.

PART 1: Expansion Area

The City shall adopt and maintain an *Expansion Area Map*, as shown in Exhibit A, which identifies the following two areas.

1. **Annexation Areas.**

These areas are outside the current city limits and may be considered by the City for annexation, but are not guaranteed approval. Requests for annexation must follow existing requirements to petition for annexation, in addition to being included within the annexation area.
2. **Proposed Boundary Adjustment Areas.**

These areas include territory that has been heretofore annexed by an adjacent municipality but boundary adjustments may be favored in accordance to Utah Code Annotated 10-2-419. Any territory proposed for boundary adjustment would require the active agreement of the respective community through the boundary adjustment process. The City of Cedar Hills acknowledges that these areas are located in another municipality.

The City of Cedar Hills supports annexation agreements, inter-local agreements, and boundary line agreements that meet these criteria and achieve the community vision.

Development should be encouraged to occur within the existing City boundaries as a first priority. Annexations should only be approved when they can be shown to have a net positive benefit to the community as a whole, based on evidence that they will not jeopardize the health of thriving neighborhoods or business areas. The City should zone all future annexed properties with the lowest density zoning permitted upon annexation until a suitable plan for development is approved to discourage annexations for purely speculative reasons.

PART II: Annexation Criteria

The following criteria has been established to guide the granting of future annexation petition decisions.

Criteria 1: Community Character.

The City of Cedar Hills is located at the base of the central portion of the Wasatch Mountain Range. Directly east of the City is 9,001 foot high Mahogany Mountain, flanked by the majestic Mt. Timpanogos reaching 11,750 feet above sea level. The City is located roughly 15 miles from the Provo/Orem urbanized area. It is close enough to both these cities and Salt Lake City to be an easy commute and residents are employed outside the city limits. Similarly, the majority of shopping and entertainment opportunities also lie outside the city, but leaders hope this will change as the population grows. Growth will likely generate more residential, greater demand for retail and a small amount of commercial and business operations. The City of Cedar Hills still considers itself a small town and prides itself on keeping its historic core healthy and vibrant. It also prides itself on a planned free-flowing street network that will handle the traffic and support the build-out population. Finally, the community has begun to develop an open space and trail network that connects to the regional network. Future annexations should respect these connections and be opportunistic in acquiring or leveraging additional resources as annexations occur.

Future administrations should consider all these factors before deciding to annex. They must also consider the Land Use Element and Transportation Element of the General Plan to understand how new areas will fit into the fabric of the community.

Criteria 2: Need for Municipal Services in developed and undeveloped unincorporated areas.

The City of Cedar Hills has culinary water and a sanitary sewer system for a total of 2,700 households. At present, the City is able to adequately serve all properties within its current boundaries. As new annexations are processed, the City will review each application for its impact on municipal services and applicants will be expected to mitigate any negative impacts on the City's systems. Mitigation efforts may include but not be limited to: paying for utility extensions, dedication of water shares, payment of on- and off-site fees, payment of impact fees, land dedications, exactions, and annexation agreements.

Criteria 3: Municipal plans for extension of municipal services.

The City of Cedar Hills has developed a *Capital Facilities Master Plan* for water, sewer, storm water, and streets. The plan currently extends to all areas included within the City boundaries as well as the expansion area proposed within the *Annexation Policy Plan*. Line capacities should consider the future expansion areas to determine appropriate sizing. The City currently intends to expand its municipal services to the newly annexed areas as needed, but typically at the expense of the party developing the parcel.

Criteria 4: Financing future Municipal Services.

Future municipal services will be financed by the developer installing the improvements and will be funded by impact fees as outlined in the City impact fees schedule. Additional funding may be sought from enterprise funds, grants, bonding and tax increment financing on a case-by-case basis.

Criteria 5: Tax Consequences to residents currently within the municipal boundaries and in the expansion area.

Future annexations will likely include areas that are suitable for residential as well as areas with commercial and retail potential. While taxes on commercial and retail enterprises will increase the City's revenues, taxes on new residential properties are often insufficient to fully cover the extension of new services. Collecting impact fees assures that newly annexed properties pay a proportionate share of their impact on municipal services. Impact fees also reduce the chance of increasing taxes or reducing municipal services to existing residents, but legally they must be properly calculated to fairly represent the financial burden of new services. In addition, property owners in the expansion area will be subject to the City's municipal levee of .002142 (based on 2001 tax data). This translates into a tax increase of about \$312 per year for every \$100,000 of value of an assessed residential property. Overall, if residential and business uses grow in tandem, and appropriate impact fees are assessed, existing residents of the community should see negligible or possible net positive tax consequences.

Criteria 6: Interests of all affected entities.

There are a number of possible affected entities for annexations surrounding the City of Cedar Hills. These entities may submit comments up to ten (10) days following the public hearing on the *Annexation Policy Plan*. Their comments will be listed in Part IV below. The affected entities include:

Highland City. Highland City and the City of Cedar Hills share a common boundary.

Pleasant Grove City. Pleasant Grove City and the City of Cedar Hills share a common boundary. A boundary line agreement is currently being developed for where future services will be extended respectively.

American Fork City. American Fork City and the City of Cedar Hills share a common boundary.

Utah County. Utah County has maintained a policy of encouraging development to take place within municipal boundaries. All lands currently under the jurisdiction of Utah County within the expansion areas will be annexed into the City before urban development densities and services are considered.

Alpine School District. The City of Cedar Hills' expansion areas are entirely within Alpine School District and it is anticipated that they will provide school service to the area.

Timpanogos Special Services District. The City of Cedar Hills' sewer services are provided by the Timpanogos Special Services District. It is anticipated that they will service the expansion areas as well. Additional capacity to support new development has been assured for the expansion areas.

Central Utah Water Conservancy District. This agency is responsible for the development of water resources through much of the State of Utah including Utah County. The City of Cedar Hills has contracted for the purchase of water from the District.

North Utah County Water Conservancy District. This agency is responsible for improving the agricultural water supply for North Utah County.

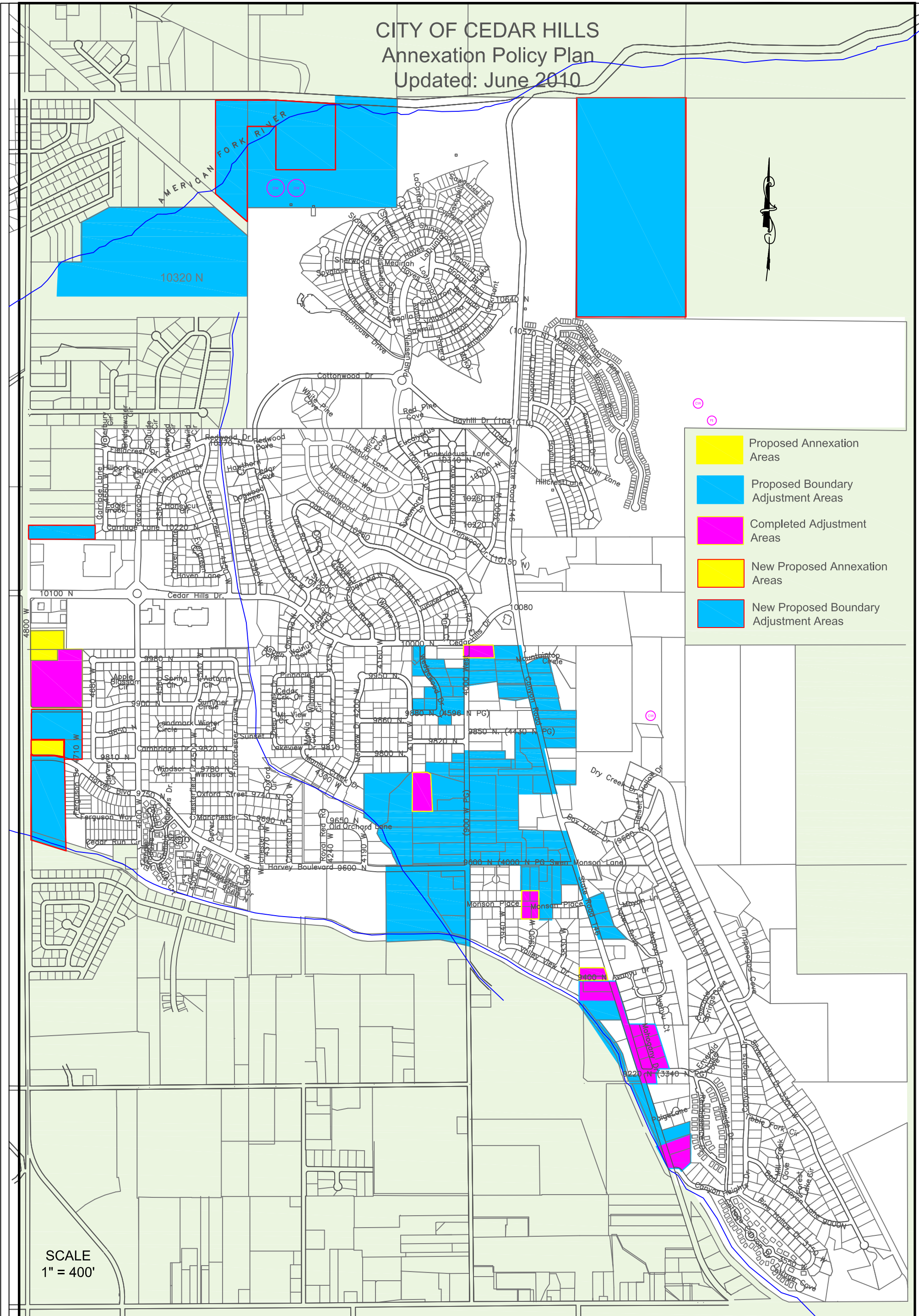
PART III: Justification for excluding from the expansion area any area containing urban development within ½ mile of the City’s boundary.

The City of Cedar Hills does not intend to exclude any area containing urban development within ½ mile of its current municipal boundary. FEMA floodplains and areas of excessive slope (>25%) have been excluded from the expansion area because current planning policy discourages building in such areas due to servicing difficulties and concerns related to environmental hazards. These excluded areas do not currently contain any urban development.

PART IV: Comments made by affected entities at or within ten (10) days after the public meeting.

Letter received from Highland City dated February 12, 2003, stating: *The Highland City Council, in its February 4, 2003 meeting, went on record as opposing any annexation policy for Cedar Hills which involves property which is currently within the incorporated city limits of Highland City, without at least some preliminary discussion.*

CITY OF CEDAR HILLS Annexation Policy Plan Updated: June 2010



- Proposed Annexation Areas
- Proposed Boundary Adjustment Areas
- Completed Adjustment Areas
- New Proposed Annexation Areas
- New Proposed Boundary Adjustment Areas

SCALE
1" = 400'