

# Section 10 – Appendices

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## APPENDIX A – SMITHFIELD CITY COMMUNITY SURVEY

1. How long have you lived in Smithfield?	
Under 1 year	5.0%
1-5 years	20.1%
6-20 years	30.7%
21-30 years	16.8%
Over 30 years	27.4%
	100.0%
2. How old is the person completing this survey?	
Younger than 18 years	0.7%
18-35 years	25.4%
36-55 years	42.9%
55 years or over	31.0%
	100.0%
3. If you are employed where do you commute?	
Smithfield	16.9%
North of Smithfield	5.8%
North Logan / Logan	64.2%
Wasatch Front (Brigham, Ogden, Salt Lake)	3.8%
Other	9.3%
	100.0%
4. On a scale of 1-10 how would you rate the overall quality of life in Smithfield?	
1	0.2%
2	0.0%
3	0.0%
4	0.0%
5	3.7%
6	3.9%
7	10.8%
8	37.5%
9	24.8%
10	19.1%
	100.0%
5. I feel that I have a voice in shaping the future of Smithfield.	
Agree	47.0%
Disagree	22.7%
Don't Know	30.3%
	100.0%
6. Please refer to the attached map and tell us where you live. [See the map at the end of the survey.]	
Area 1	19.4%
Area 2	15.0%
Area 3	20.6%
Area 4	45.0%
	100.0%

**CITY SERVICES**

7. What do you think of current city services? Please evaluate each of the listed city services and facilities by marking an "X" in the appropriate column.

a. Street maintenance	
Good	43.4%
Adequate	50.0%
Poor	6.8%
	100.0%
b. Street lighting	
Good	35.0%
Adequate	45.2%
Poor	19.8%
	100.0%
c. Sidewalks	
Good	22.1%
Adequate	44.7%
Poor	33.2%
	100.0%
d. Curb and gutters	
Good	28.0%
Adequate	49.4%
Poor	22.6%
	100.0%
e. Snow removal	
Good	48.3%
Adequate	41.8%
Poor	9.9%
	100.0%
f. Sanitary sewer	
Good	73.0%
Adequate	26.8%
Poor	0.3%
	100.0%
g. Storm drainage	
Good	52.6%
Adequate	40.1%
Poor	7.3%
	100.0%
h. Cemetery	
Good	80.8%
Adequate	18.2%
Poor	1.0%
	100.0%
i. Ambulance service	
Good	45.7%
Adequate	46.0%
Poor	8.3%
	100.0%
j. Police protection	
Good	52.4%
Adequate	41.3%
Poor	6.3%
	100.0%

k. Fire protection		
	Good	72.0%
	Adequate	27.8%
	Poor	0.3%
		100.0%
l. Parks		
	Good	62.3%
	Adequate	32.3%
	Poor	5.4%
		100.0%
m. Recreation facilities		
	Good	68.0%
	Adequate	28.1%
	Poor	3.9%
		100.0%
n. Open space		
	Good	42.1%
	Adequate	45.4%
	Poor	12.5%
		100.0%
o. Biking/walking trails		
	Good	30.7%
	Adequate	38.7%
	Poor	30.7%
		100.0%
p. City Hall		
	Good	35.3%
	Adequate	50.5%
	Poor	14.2%
		100.0%
q. Animal control		
	Good	28.9%
	Adequate	49.9%
	Poor	21.3%
		100.0%
r. Zoning enforcement		
	Good	25.3%
	Adequate	57.8%
	Poor	16.9%
		100.0%
s. Library		
	Good	29.6%
	Adequate	42.0%
	Poor	28.4%
		100.0%
t. Recycling program		
	Good	28.2%
	Adequate	49.5%
	Poor	22.4%
		100.0%

8. The City has limited funds available for parks and recreation. Please help us decide which are the most important projects (5 is the highest priority; 1 is the lowest priority).

a. Improvements to existing parks	7.2%
1	9.9%
2	30.4%
3	24.0%
4	28.5%
5	100.0%
b. New city parks	19.5%
1	15.8%
2	24.0%
3	21.3%
4	19.5%
5	100.0%
c. Improve the Blue Sox facility	34.8%
1	24.7%
2	24.7%
3	9.6%
4	6.1%
5	100.0%
d. Improve biking/walking trails	13.7%
1	11.6%
2	28.1%
3	21.3%
4	25.3%
5	100.0%
e. Soccer fields	17.2%
1	22.5%
2	36.5%
3	15.8%
4	8.0%
5	100.0%
f. Additional youth facilities	10.7%
1	12.2%
2	28.9%
3	24.2%
4	24.0%
5	100.0%
g. Equestrian facilities	55.4%
1	19.1%
2	14.9%
3	4.9%
4	5.7%
5	100.0%

9. How often does your family use the city parks and recreational facilities in one (1) year?	
1 to 5 times	33.9%
6 to 10 times	28.1%
10 or more times	37.9%
	100.0%
10. Do you use the existing biking/walking trails?	
Yes	35.8%
No	64.2%
	100.0%
11. Where do you primarily do your grocery shopping?	
Smithfield	77.5%
North Logan	9.7%
Logan	12.7%
	100.0%
12. Where do you typically eat out?	
Smithfield	27.9%
North Logan	6.6%
Logan	65.5%
	100.0%

**FUTURE CITY DEVELOPMENT**

13. In planning the future of Smithfield, what are the community qualities that you value most (5 is the highest priority; 1 is the lowest priority).

a. Rural character	
1	5.2%
2	8.8%
3	19.2%
4	26.9%
5	39.9%
	100.0%
b. Downtown revitalization	
1	10.4%
2	12.8%
3	30.9%
4	26.9%
5	19.1%
	100.0%
c. Open space	
1	4.8%
2	9.3%
3	23.2%
4	21.6%
5	41.4%
	100.0%
d. Foothill preservation	
1	5.9%
2	7.4%
3	17.6%
4	22.6%
5	46.5%
	100.0%

e. Agricultural preservation	
1	4.2%
2	9.3%
3	24.9%
4	22.2%
5	39.4%
	100.0%
f. Business development	
1	10.4%
2	12.0%
3	31.3%
4	27.0%
5	19.3%
	100.0%
g. Community beautification	
1	4.2%
2	7.8%
3	26.4%
4	28.5%
5	33.2%
	100.0%

14. The city has a number of less efficient and aging buildings. How do you value these buildings (5 is preserve at all costs; 1 is remove building).

a. Library	
1	13.0%
2	8.4%
3	22.5%
4	17.9%
5	38.1%
	100.0%
b. Armory	
1	24.7%
2	24.4%
3	27.7%
4	12.1%
5	11.1%
	100.0%
c. Youth Center	
1	15.0%
2	11.9%
3	30.1%
4	18.5%
5	24.5%
	100.0%
d. City Office	
1	22.5%
2	18.0%
3	32.6%
4	13.6%
5	13.3%
	100.0%

15. What future city facilities do you feel are most important to the community?	
City Hall	8.4%
Library	31.3%
City Hall/Library	29.9%
Performing Arts	10.8%
Skate Park	7.3%
All	12.5%
	100.0%
16. Would you favor tax increases to support these facilities?	
Yes	16.2%
No	30.0%
Maybe	53.8%
	100.0%
17. How do you feel about the level of control on the number and size of signs in the commercial district?	
Permit fewer signs	7.3%
Signs should be smaller	6.6%
Allow more signs	3.1%
Signs should be larger	0.9%
Current level is about right	82.0%
	100.0%
18. The design and appearance of new commercial or advertising signs in Smithfield are important.	
Agree	4.5%
Disagree	11.2%
Don't Know	24.3%
	100.0%
19. Should the city provide financial incentives to promote commercial and industrial growth in Smithfield?	
Yes	52.3%
No	47.7%
	100.0%
20. What types of new businesses do you believe are the most important to Smithfield?	
Tourism businesses	2.6%
Service businesses	16.0%
Retail businesses	23.5%
Agriculture	11.8%
Light industry/manufacturing	16.5%
Heavy industry/manufacturing	2.3%
High tech industries	24.3%
Public sector/government	3.0%
	100.0%
21. In what area of Smithfield would you prefer the City devote development funds?	
Southern gateway area (Main and 8 <sup>th</sup> South)	29.4%
Center of town (Main and Center – 1 <sup>st</sup> North)	34.5%
Northern gateway area (Main and 5 <sup>th</sup> North)	8.0%
None	8.0%
All	20.1%
	100.0%

22. Should the City construct new sidewalks around town in areas that currently do not have them?

Yes	77.6%
No	22.4%
	100.0%

23. Should the City continue to install curb and gutter in areas that currently do not have it?

Yes	76.3%
No	23.7%
	100.0%

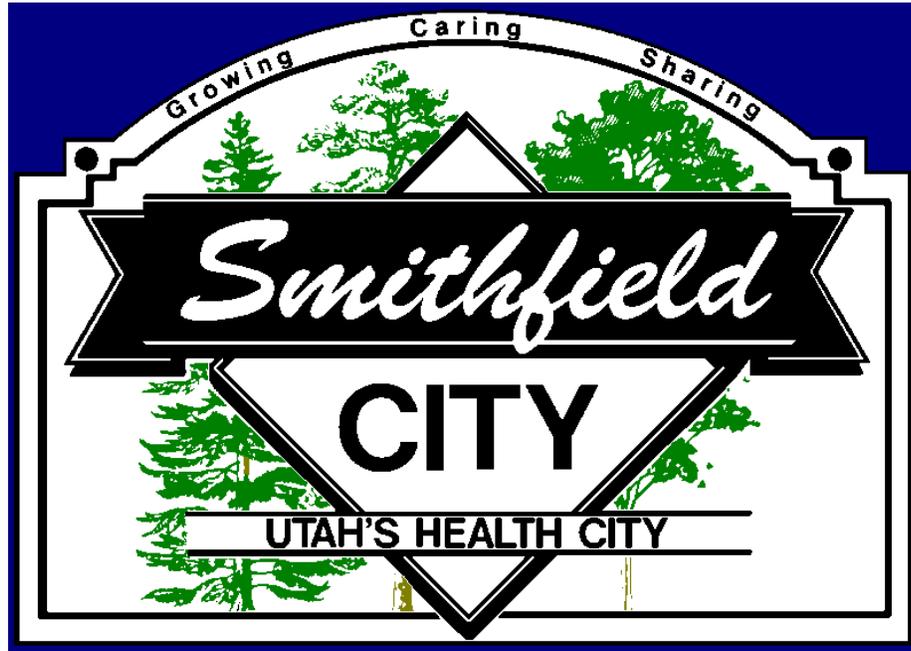
24. Currently the City is working on several transportation improvements in the community. What transportation elements should be addressed in the future for Smithfield (5 is the highest priority, 1 is the lowest priority)?

a. School zone safety	
1	3.5%
2	4.5%
3	14.7%
4	18.9%
5	58.4%
	100.0%
b. Pedestrian safety	
1	2.6%
2	4.7%
3	20.9%
4	25.8%
5	46.0%
	100.0%
c. Parking	
1	13.5%
2	19.9%
3	37.3%
4	17.4%
5	11.9%
	100.0%
d. Alternate routes around Smithfield	
1	18.5%
2	15.6%
3	22.9%
4	18.5%
5	24.5%
	100.0%
e. Public transit	
1	10.6%
2	11.4%
3	32.1%
4	18.8%
5	27.1%
	100.0%
f. Traffic calming	
1	12.5%
2	14.1%
3	33.2%
4	15.2%
5	24.9%
	100.0%

g. Traffic congestion		
	1	10.7%
	2	15.4%
	3	29.7%
	4	21.2%
	5	100.0%
h. Logan road connection to Hyde Park		19.4%
	1	13.4%
	2	26.1%
	3	18.5%
	4	22.6%
	5	100.0%
25. How would you rate the overall quality of housing in Smithfield?		19.9%
	Excellent	74.5%
	Good	8.6%
	Fair	0.0%
	Poor	100.0%
26. Smithfield has a need for more:		
	Single-family homes	
	Yes	73.5%
	No	26.5%
		100.0%
	Moderately priced homes	
	Yes	81.3%
	No	18.7%
		100.0%
	Higher priced homes	
	Yes	31.4 %
	No	68.6%
		100.0%
	Duplexes	
	Yes	29.8%
	No	70.2%
		100.0%
	Apartments	
	Yes	29.8%
	No	70.2%
		100.0%
	Manufactured homes	
	Yes	19.4%
	No	80.6%
		100.0%
	Mobile home parks	
	Yes	7.4%
	No	92.6%
		100.0%
	Senior housing	
	Yes	64.7%
	No	35.3%
		100.0%
	Public-subsidized housing	
	Yes	25.6%
	No	74.4%
		100.0%

INSERT THE PDF FILE OF THE SURVEY MAP HERE (survey map.pdf)

**APPENDIX B - SMITHFIELD CITY ANNEXATION  
POLICY PLAN**



**SMITHFIELD CITY**

**ANNEXATION POLICY PLAN**

Adopted: March 12, 2003

# **Chapter 1- General Considerations**

## **Statement of Purpose.**

This document is written to provide Smithfield with a growth pattern that shall guide the development and expansion of the municipal boundaries through annexation in a manner that is consistent with the General Plan of Smithfield City, Cache County, and the laws of the state of Utah.

It is the intent of this Plan to protect and enhance the private property rights of property owner's within the municipal boundaries and in the unincorporated areas surrounding. It is the intent further that the regulations contained herein shall encourage sound planning practices and reduce many of the major sources of problems usually associated with the annexation process.

## **Legislative Policy.**

The following statements are reflected in the State Law governing annexations and are included as a part of this Annexation Policy Plan:

1. Sound development within towns and cities is essential to the continued economic development of the State of Utah;
2. Municipalities are primarily created to provide urban type governmental services essential for development and for the protection of public health, safety and welfare in residential, commercial, and industrial areas, and in areas under-going development;
3. Municipal boundaries should be extended, in accordance with specific standards, to include areas where urban-type governmental services are needed and can be provided for the protection of public health, safety and welfare, and to avoid the inequities of double-taxation and the proliferation of special service districts;
4. Areas annexed to municipalities in accordance with appropriate standards should receive the services provided by the annexing municipality consistent with a planned extension policy;
5. Areas annexed to municipalities should include all of the urbanized unincorporated areas contiguous to municipalities, securing the residents within these areas a voice in the selection of their government and the services they shall receive;
6. Decisions with respect to municipal boundaries and urban development need to be made with adequate consideration of the effect of the proposed actions on adjacent areas and on the interests of other government units, on the cost of needed local government services, the ability to deliver the services under the proposed actions, and on factors related to population growth and density of the geographic area; and
7. The economic and financial impacts of annexation to existing towns and cities must be evaluated to ensure that annexation is financially desirable.

## Chapter 2. Contents of this Annexation Policy Plan:

**Expansion Area Map:** A map of the Expansion Area is included in this plan and made a part by reference. This map outlines the boundaries of each level of growth as they occur. It shows the area that the city can provide municipal services to presently; the area that is most adaptable to provide services to in the near future; and the area that is planned for long-term expansion.

**The following criteria shall guide Smithfield City's decisions about future annexation petitions:**

1. **The need for municipal services:** The need for services shall be outlined on the petition for annexation by the petitioners as well as their recommendations for how these services are to be provided. The city council shall determine what services are actually needed as well as how and when they are to be provided and financed.
2. **The character of the community:** Reference the General Plan Goals and Objectives and the Vision Statement of the city.
3. **Plans for extension of municipal services.** Providing economical municipal services within the current city boundaries is the city's first priority. As new streets are built within the existing or annexed areas they must conform to the master street plan. Projected streets, water-lines, sewer plans, parks, etc. shall be constructed as needs dictate and shall be included in the Capital Improvement Priority List which is updated on a regular basis.
4. **How the services shall be financed.** A long-range financing plan shall be developed consistent with the General Plan to extend services to new areas. A uniform financing plan that outlines the cost of providing new services to annexed areas shall be developed with each annexation, as well as how these costs shall be met. The cost to provide new services to annexed areas shall be financed by the lands in that area unless otherwise determined by the city council.
5. **An estimate of the tax consequences:** If requested by the city council, the residents petitioning for annexation shall prepare a report showing the tax consequences to properties covered by the annexation and present these with the petition for annexation. The tax impact within the municipal boundaries may also be prepared by the city before a final decision is made on annexation.
6. **The interests of all affected entities.** A list of the public and private entities within the Expansion Area which could possibly be impacted by an annexation are listed below. It is the intention of Smithfield City to contact those entities which may be impacted by an annexation in an effort to gain their input during any annexation process.

Cache County Corporation	Logan, Hyde Park, & Smithfield Canal
Hyde Park City	Logan Northern Canal
Cache County School District	Smithfield Irrigation Company
Hyde Park Cemetery District	
7. **Exclusions From Expansion Area:** State law requires justification for the exclusion of any area containing urban development within ½ mile of the city's boundary. For purposes of this annexation plan, Smithfield City has no plan of excluding any such areas. There are some areas south of the existing city

boundary which lie within the unincorporated area and are also within the ½ mile area referenced above which could become urbanized in the future but not be considered for annexation. These areas fall within an area designated for future annexation by Hyde Park City as a result of an annexation agreement between Smithfield City and Hyde Park City date March 10, 1992. In the event Hyde Park City elects not to approve an annexation request within this area, Smithfield may elect to exercise their agreed right to do so.

8. **Avoiding Gaps, Overlaps, Islands, or Peninsulas.**

The city shall avoid the creation of gaps, overlaps, islands, and or peninsulas as annexations occur.

9. **20 Year Population Projection.**

The 20 year population projection required by Utah law, is included in the city’s General Plan and in Table I below.

<u>Year</u>	<u>Population</u>
2000	7,523
2005	8,892
2010	10,370
2015	12,020
2020	13,930

It is anticipated that nearly all growth within the expansion area will occur as the city boundaries are expanded. In an effort to discourage urban sprawl, Smithfield has encouraged growth from the inside out. In other words to expand the city boundaries as the need for expansion occurs while encouraging growth within the city boundaries. Only minimal growth is anticipated in the expansion area over the next twenty years except for those areas immediately adjacent to the expanding city boundaries.

10. **Current and Projected Costs of Infrastructure.** The city has completed a Parks and Recreation Master Plan and a Water Master Plan and incorporated them into the overall General Plan of the city. These plans address major current and future capital needs within the existing city boundaries and the expansion area, as well as the costs associated with them. As development or expansion occurs, compliance with these plans shall be required.

Other capital needs such as sewer, storm sewer, and streets and their associated costs can be found in the General Plan, and the annually updated capital improvements list. These resources shall be consulted in any annexation request and are incorporated herein by reference.

In the event it may become necessary to extend municipal services into an area for which a petition for annexation has been received, it is the intent of Smithfield City to negotiate with those parties desiring to be annexed on the division of costs for such extensions. It is further the intent of Smithfield City to pass the cost for

extension of service to those requesting annexation unless it can be demonstrated that the required extension will have tangible benefits to those citizens currently residing within the corporate limits of Smithfield.

To minimize the potential impacts annexations may have on current residents, the city may require the donation of land, water or other items as a condition of annexation.

11. **Full Development Plan.** Smithfield shall encourage development within the municipal boundaries in an effort to utilize undeveloped lands first before extensions are made. The city has adopted zoning mechanisms whereby development within the city limits, especially within inter-blocks, is encouraged. Development within the expansion area shall be consistent with the spirit of the General Plan and when services can be provided.
12. **Consistency with General Plan.** All annexations shall be considered from the point of view of the General Plan. The goals and objectives of the General Plan shall guide in the development and consideration of the annexation.
13. **Inclusion of Agricultural, Forest, Recreational, Wildlife Areas.**
  - a. **Agricultural Areas -** Agricultural areas are included in the Expansion Area and shall be considered for annexation when it is consistent with the Agriculture Protection Act of Utah, the General Plan, and the desires of the owners of said property. In general, agricultural areas shall be protected from development, unless it is the desire of the property owners of said lands to do so.
  - b. **Forested Areas -** Forested areas shall be considered for annexation with consideration for preservation and beauty of surrounding environment consistent with the General Plan. Hillside protection and cluster housing shall be used to preserve these areas when being considered for annexation.
  - c. **Recreational Areas -** Recreational areas shall be considered for annexation to Smithfield with the understanding that municipal services are needed and can be provided in an effective manner, consistent with the General Plan.
  - d. **Wildlife Areas -** As annexations occur into these areas, a balance between the needs of people and the needs wildlife shall be considered and appropriate steps taken to plan ahead for these.
14. **Contiguous to Municipal Boundaries.** All proposed annexations shall be contiguous to the boundaries of Smithfield City.
15. **Expansion Area Defined.** See Annexation Expansion Area Map. The Expansion Area is defined with basically three levels.
  - a. Those areas within Smithfield that are adaptable to development consistent with the policies of the city.
  - b. Those areas immediately surrounding and contiguous with the boundaries of Smithfield where public services can be provided in an efficient manner.
  - c. Those areas outside the second level where development is desirable and will not unreasonably infringe on agricultural and sensitive lands.

## Chapter 3-Definition of Terms

**"Affected entity"** means:

1. A county in whose unincorporated area the area proposed for annexation is located;
2. An independent special district under *Title 17A, Chapter 2, Independent Special Districts*, whose boundaries include any part of an area proposed for annexation;
3. A school district whose boundaries include any part of an area proposed for annexation; and
4. A municipality whose boundaries are within 1/2 mile of an area proposed for annexation.

**"Agriculture Protection Area"** means: That area designated within the "Expansion Area" according to *Title 17, Chapter 41, Agriculture Protection Area*, as an Agriculture Protection Area.

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

**"Area of Influence"** means: That geographic area surrounding a municipality that is defined by the community as contributing to and creating the environment in which the community exists, ie. scenery, mountains, rivers & streams, wildlife, farms and agricultural lands, etc.. This area of influence shall generally be consistent with the outer level of the Annexation Expansion Area Map, but in some cases may not be due to unique characteristics that do not follow geographic boundaries.

**"Cluster Development"** means a development in which building lots or building areas are clustered together in such a manner to allow for efficient access to public utilities, streets and other municipal services while providing perpetual open space for the enjoyment of those occupying the development or the public in general. In exchange for this perpetual open space the developer is granted development densities within the clustered sites greater than those allowed by the land use zone in which it is located.

**"Commission"** means: A Boundary Commission established under *Section 10-2-409* for the county in which the property that is proposed for annexation is located.

**"Contact Sponsor"** means: That person listed on the annexation petition as the "Contact Sponsor".

**"County"** , means Cache County.

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

**"Municipal Selection Committee"** means: A committee in each county composed of the mayor of each municipality within that county.

**"Owner of Real Property"** means: The recorded title owner according to the records of the County Recorder.

**"Personal Representative"** means: The signature of a person signing a petition or protest in a representative capacity on behalf of an owner. This signature is invalid unless the person's representative capacity and the name of the owner the person represents are indicated on the petition or protest with the person's signature, and the person provides documentation accompanying the petition or protest that substantiates the person's representative capacity. A duly appointed personal representative may sign a petition or protest on behalf of a

deceased owner.

**“Petitioner”** means: The owner of real property, for purposes of each provision of this part, that requires the owners of private real property covering a percentage or majority of the total private land area within an area to sign a petition or protest.

**“Petition Sponsors”** means: *Up to five* (5) petitioners or qualified personal representatives of petitioners of an annexation petition that are designated by the petitioners as “Petition Sponsors”, one of whom is designated as the “Contact Sponsor”.

**“Private,”** with respect to real property, means: Not owned by the United States or any agency of the federal government, the state, a county, a municipality, a school district, a special district under *Title 17A, Special Districts*, or any other political subdivision or governmental entity of the state.

**“Qualifying Parcel”** means: A parcel of real property represented in the calculation of the required percentage or majority of petitioners owning said parcel, unless the petition or protest is signed by owners representing a majority ownership interest in that parcel; or if the parcel is owned by joint tenants or tenants by the entirety, 50% of the number of owners of that parcel.

**“Urban Development”** means: A housing development with more than 15 residential “equivalent” units and an average density greater than one residential unit per acre; or a commercial or industrial development for which cost projections exceed \$750,000 for all phases.

**“Value of Private Real Property”**: The value as determined according to the last assessment roll for county taxes before the annexation petition or protest.

## **Chapter 4-Expansion Area Boundary & Definitions**

Growth plans shall be short, moderate and long-term. Long-term plans shall include those areas where there are no immediate plans for development or infrastructure to provide service within the next 10-15 years. Moderate –term plans shall be for those areas where services can be extended reasonably within the next 5-10 years. Short-term plans shall include those areas where services presently exist or could be developed within a relatively short period of time.

The management of growth and expansion shall be in levels or progressive steps of development. These levels shall separate areas of the unincorporated county into areas that Smithfield City has identified as possible areas of expansion and estimated when services shall be needed and available. These areas will be coordinated with the County to ensure that growth is consistent with city and the county’s goals and plans. By discouraging growth in outlying areas and encouraging growth in areas where services are available, the step approach shall create a more efficient use of public facilities.

The adoption of a long-term geographic boundary or Expansion Area is provided to delineate the point beyond which Smithfield does not plan to provide services. This Expansion Area Boundary is adopted as a part of the General Plan and should not be changed without compelling reasons. It is intended to be a fixed boundary for the life of the General Plan and essentially defines the community’s “Area of Influence”.

The growth areas of Smithfield shall be of sufficient size to accommodate planned commercial and residential growth consistent with the General Plan, taking into account the

following:

1. Land with natural constraints, ie. sensitive lands, water sheds, water drainage, cliffs, steep slopes, views, vegetation preservation, etc.
2. Agricultural Land to be preserved
3. Greenbelt and open space lands
4. Existing and proposed streets
5. Land use patterns already created by existing subdivisions, recorded plats, or large lot divisions, etc..
6. Plans to continue the building pattern in existing developments to their completion.
7. Preservation of public infrastructure and water sources.
8. Needs for preservation of open-space, parks, wildlife habitat.

The following factors shall be considered in determining the precise location of Annexation Growth Area Boundaries;

1. Geographic, topographic, and manmade features;
1. The location of public facilities;
2. Availability of needed services; limits of capacities and extension limits;
3. Jurisdictional boundaries of other public entities and improvement districts;
4. Location of natural resource lands and critical areas.

Planning growth in this way shall provide the following advantages to Smithfield City.

1. Encourage an efficient development pattern.
2. Avoid unnecessary and premature consumption of land that cannot be developed or serviced efficiently.
3. Provide a focused plan for preserving existing public facilities and capital investments and extension of public facilities in the future.
4. Develop and maintain fiscal integrity in city operations by encouraging the full utilization of existing streets and other public facilities.
5. Diversify and strengthen the tax base of the community.
6. Encourage the development of local job opportunities.
7. Protect and preserve natural and environmental features that are desired by the community.
8. Provide for future developments by advanced mapping of needed facilities and services.
9. Facilitate development by providing sufficient areas within each tier and planned zones appropriate to support anticipated populations.

### **Level 1- Planned Growth Area. (The Area Immediately Surrounding the Community)**

This area is the first level outside the present boundary of the community that the existing utility system can service without major expansion and demand on the present system. The intent is to provide services within the capacity of existing utilities but may require extension to the annexed areas. "Cluster" type development shall be given priority in areas outside the City to preserve open spaces, agricultural area, and concentrate services for efficiency. Additional facilities and services that shall be required for annexations in this area shall be provided by public and private resources

according to the following criteria:

1. Logical capital improvement phasing over a 5-10 year period.
2. Availability of funding for improvements.
3. Present roads exist, and may be platted, but do not meet planned capacity standards.
4. Needed improvements are identified and financing available.
5. Public utilities are not yet available and needed improvements have been planned and financing identified.
6. Large tracts of undeveloped land remain in this level and their future use has been discussed and made a part of this plan.
7. Future growth areas have been identified by type of land use consistent with the General Plan, ie. density, agricultural preservation, open-space, zoning, cluster housing, etc..

### **Level 2- Future Growth Area. (Expansion Area)**

This Level is identified on the Annexation Plan generally for 10-15 years. The intent is not to encourage development until Level 1 is adequately “filled in”. Growth in this Level shall relate to more long-range plans than Level I. The primary intent of this Level is to provide a buffer between residential areas and those areas that are reserved for open space, wildlife, etc.. In this level there may be plans for future annexation of lands that extend beyond the feasible capacity of presently planned water system and other services. This area will generally be low density to ensure that property owners use their lands as they desire over longer periods of time without infringement. Phasing in of development shall be planned 15-20 years.

### **Annexation Growth Map to Be a Overlay.**

The Growth Boundary Map is to be an over-lay on the Land Use Zoning Map of the City and the County, and shall provide a view of present and future uses of land to make efficient use of resources 20 years into the future. This should be updated every 3-4 years along with the General Plans.

## **Chapter 6-Annexation Limitations - 10-2-402 UCA, 1953**

### **Contiguous Area**

Smithfield shall only consider lands for annexation that meet the following criteria:

1. It is a contiguous area according to the definition herein.
2. It is contiguous to the municipality.
3. The annexation shall not leave or create an unincorporated island or peninsula; and
4. The area is within the proposed annexing municipality’s expansion area.

### **Necessity of Petition:**

A formal petition requesting annexation shall be filed with the City Recorder before an annexation shall be considered, except as provided in Section 10-2-418 UCA, regarding the annexation of peninsulas, islands or area where Smithfield are providing services as defined by law, in which case Smithfield can initiate the annexation petition.

### **Whole Parcels**

An annexation under this part may not include part of a parcel of real property and exclude part of that same parcel unless the owner of that parcel has signed the annexation petition.

### **Revenue Purposes-Not Sole Reason**

It shall be the stated policy of Smithfield to not annex an unincorporated area for the sole purpose of acquiring municipal revenue.

### **Limitation of Other Municipalities Growth**

Smithfield shall not annex unincorporated areas in an effort to retard the capacity of another municipality to annex the same or a related area unless the municipality has the ability and intent to benefit the annexed area by providing municipal services.

### **County Limitation of Urban Developments**

Pursuant to State Law, it is understood and agreed that the County shall not approve residential or commercial development within Smithfield's Expansion Area unless:

1. The County notifies the municipality of the proposed development; and
2. Smithfield consents in writing to the development; or
3. The Development meets the same standards of construction as Smithfield City; and
4. Within 90 days after the County's notification of the proposed development, the municipality submits to the county a written objection to the county's approval of the proposed development; and
5. The County responds in writing to Smithfield's objections and the concerns are resolved to their mutual satisfaction.

## **Chapter 7-Annexation Procedure**

### **Annexation Petition:**

1. An annexation process shall begin with an Annexation Petition by those desiring annexation.
2. Each petition shall be filed with the City Recorder and shall meet the following conditions:
  1. Contain the signatures of the owners of private real property that is located within the area proposed for annexation;
  2. Cover a majority of the private land area within the area proposed for annexation;
  3. Covers 100% of the private land area that is within an **agriculture protection area** created under **Title 17, Chapter 41, Agriculture Protection Area**; and
  4. Is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;
3. If all the real property within the area proposed for annexation is owned by a public entity other than the federal government, the owner or owners of all the publicly owned real property must sign the petition;
4. The annexation area shall be accompanied by an accurate and recordable map,

prepared by a licensed surveyor, of the area proposed for annexation.

5. A document designating up to five 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 shall be included with the petition.

6. The petition shall contain an evaluation of the tax consequences on the related lands of annexation.

7. A petition shall not propose the annexation of all or part of an area which has already been proposed for annexation to another municipality where the petition has not been denied, rejected, or granted.

8. All petitioners shall be owners of real property within the annexation area and meet the definition of "petitioner" in this Ordinance and State Law.

1. The need for services shall be outlined on the petition for annexation by the petitioners

as well as their recommendations for how these services are to be provided.

#### **Annexation Boundaries Identified:**

If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:

1. Along the boundaries of existing special districts for sewer, water, and other services;
2. Along the boundaries of school districts whose boundaries follow city boundaries or school districts adjacent to school districts whose boundaries follow city boundaries, and along the boundaries of other taxing entities;
3. To eliminate islands and peninsulas of territory that is not receiving municipal-type services;
4. To facilitate the consolidation of overlapping functions of local government;
5. To promote the efficient delivery of services; and
6. To encourage the equitable distribution of community resources and obligations.

#### **Filing With the City Council:**

On the date of filing, the petition sponsors shall deliver or mail a copy of the petition to:

1. The City Recorder; and
2. The County Clerk in which the area proposed for annexation is located;
3. Make payment of all required fees as stated in the Prevailing Fee Schedule

#### **Acceptance or Rejection:**

The Smithfield City Council has the option to:

1. Deny a petition filed ,or
2. Accept the petition for further consideration under this part and forward it to the City Recorder for Certification as provided herein.
3. The Council's **failure to act to deny or accept a petition within 14 days** after the filing of the petition **shall be considered to be an acceptance** of the petition for further consideration under this part.
4. If the Council denies a petition, it shall, within five days of the denial, mail written notice of the denial to the Contact Sponsor, and the County Clerk, stating the reasons for doing so.

5. If the Council accepts the petition, or is considered to have accepted the petition, they shall forward the petition to the City Recorder for Certification of the petition according to Utah law.
6. Within thirty (30) days of the Council's acceptance of the petition, the Recorder shall consult with the County Clerk, City Attorney, County Surveyor and County Recorder to determine whether the petition meets the requirements of law, certify the petition, and mail or deliver written notification of the certification to the Council, the Contact Sponsor, and the County Council.

**Re-filing of Petitions:**

If the City Recorder determines that the petition fails to meet any of the requirements, they shall reject the petition, and mail or deliver written notification of the rejection and the reasons for the rejection to the Council, the Contact Sponsor, and the County Council.

1. If the City Recorder rejects a petition, the petition may be modified to correct the deficiencies for which it was rejected and then re-filed.
2. If a petition is re-filed after having been rejected, the re-filed petition shall be treated as a newly filed petition.

**Petition Certification:**

If the City Recorder determines that the petition meets the requirements for petition, they shall certify the petition and mail or deliver written notification of the certification to the City Council, the Contact Sponsor, and the County Council.

**Notice of Certification – Publishing and providing notice of petition.**

After receipt of the notice of certification from the Recorder or Clerk, the Council shall do the following:

1. No later than ten days after receipt of the notice of certification, publish notice *at least once a week for three weeks* of the certification in a newspaper of general circulation within the area proposed for annexation; and
2. Within 20 days of receipt of the notice of certification, mail written notice to each affected entity.

**Notices of Petition Certification:**

Each notice shall contain the following:

1. State that a petition has been filed with the city proposing the annexation of an area;
2. State the date of the Council's receipt of the Notice of Certification;
3. Describe the area proposed for annexation in the annexation petition;
4. State that the complete annexation petition is available for inspection and copying at the office of Smithfield City Recorder;
5. State in conspicuous and plain terms that the city may grant the petition and annex the area described in the petition unless, within the time required *as stated with an actual date of deadline*, a written protest to the annexation petition is filed with the County Council, and a copy with the Smithfield City Recorder,
6. State the address of the County Boundary Commission, or, if one has not yet been

created the address of the County Clerk, where a protest to the annexation petition may be filed.

**Annexation of an island or peninsula without a petition – Notice – Hearing.**

The Council may initiate annexations of an unincorporated area under this section without an annexation petition if:

1. The area to be annexed consists of one or more islands within, or peninsulas contiguous to the City, and
2. The majority of each island or peninsula consists of residential or commercial development;
3. The municipality has provided most or all of the municipal-type services to the area for more than one year.
4. A municipality may initiate annexation of an island or peninsula, leaving unincorporated the remainder of the unincorporated island or peninsula, if, in adopting the resolution, the municipal legislative body determines that not annexing the entire unincorporated island or peninsula is in the municipality's best interest.
5. To annex an area in this manner the Council shall do the following:
  - a. Adopt a resolution indicating the municipal legislative body's intent to annex the area, describing the area proposed to be annexed, and the reasons for the annexation.
  - b. Publish notice at least once a week for three successive weeks in a newspaper of general circulation within the area proposed for annexation and notify all property owners in the proposed area of the intent to annex.
    - i. The notice shall state that the municipal legislative body has adopted a resolution indicating its intent to annex the area proposed for annexation;
    - ii. state the date, time, and place of the public hearing;
    - iii. describe the area proposed for annexation, and
    - iv. state in conspicuous and plain terms that the municipal legislative body shall annex the area unless, at or before the public hearing, written protests to the annexation are filed by the owners of private real property that is located within the area proposed for annexation.
  - c. Hold a public hearing on the proposed annexation no earlier than 60 days after the adoption of the resolution of annexation.
  - d. The first publication of the notice required shall be within 14 days of the municipal legislative body's adoption of the annexation resolution.
6. Upon conclusion of the public hearing, the municipal legislative body shall adopt an ordinance annexing the area proposed for annexation under this section unless, at or before the hearing, written protests to the annexation have been filed with the city recorder, as the case may be, by the owners of private real property that is located within the area proposed for annexation; covers a majority of the total private land area within the entire area proposed for annexation; and is equal in value to at least ½ the value of all private real property within the entire area proposed for annexation.
7. If protests are filed in a timely manner and comply with the requirement of law, the municipal legislative body shall not adopt an ordinance annexing the area proposed for annexation, and the annexation proceedings under this section shall be considered terminated.

**Protests:**

A protest to an annexation petition may be filed by:

1. The legislative body or governing board of an affected entity; or
2. Each protest shall be filed no later than 30 days after the City Council's receipt of the notice of certification from the Recorder, and shall be also filed with the County Boundary Commission or the County Clerk when a Boundary Commission has not been appointed yet.
3. Each protest shall state the reasons for the protest of the annexation petition and, justification for the protest under the standards established in by state law and this Ordinance, as well as other information that the Boundary Commission by rule requires or that the party filing the protest considers pertinent; and the name and address of a contact person who is to receive notices sent by the commission with respect to the protest proceedings.
4. The party filing a protest under this section shall on the same date deliver or mail a copy of the protest to the Smithfield City Recorder.
5. The Clerk who receives the protest shall immediately notify the County Council of the protest and shall deliver the protest to the Boundary Commission within five days of its creation.

**Approval or Denial**

1. If no timely protest is filed, the City may grant the petition and, by ordinance, annex the area that is the subject of the annexation petition.
2. Before granting an annexation petition, the Council shall:
  - a. Hold a public hearing; and
  - a. At least seven days before the public hearing publish notice of the hearing in a newspaper of general circulation within the municipality.

## **APPENDIX C – RECREATION AND TRAILS MASTER PLAN, SMITHFIELD CITY PARKS (2002)**

(To be provided.)