

10 ANNEXATION

Brigham City has developed and adopted an Annexation Policy Plan in December of 2002. The development of this Annexation Policy Plan was done in accordance with Section 10-2-401.5 of the Utah State Code. As recommended by Utah State Code the Plan is included as an element of the City's General Plan. On the following page is a map of the adopted City Annexation Area from the Policy Plan.

10.1 RELEVANT CORE PRINCIPLES

| Core Principle: | |
|-----------------|--|
| 1 | OVER-ARCHING: Growth in Brigham City is essential and desirable to maintain our economic vitality and provide homes and employment for our children. A well-crafted, publicly-supported General Plan should seek to improve the quality of life for current and future residents, while recognizing the challenges associated with growth and change. |
| 1b | Promote well-designed and attractive neighborhoods that are safe and desirable to live in. |
| 1d | Promote well-designed and attractive office, commercial and industrial areas to foster the type of growth desired by the community. |
| 4 | HOUSING: Brigham City is committed to meeting the housing needs of its current and future residents by providing a mix of attractive housing types and prices. |
| 4a | Encourage and facilitate future housing based upon desired growth, demographics and economic development priorities. |
| 4b | Use planning and zoning tools to encourage the types and density desired to meet the desired growth. |
| 7 | HERITAGE & AESTHETICS: Protect Brigham City's Environmental and Cultural and Historic heritage for future generations by preserving critical natural and historic lands, and valued cultural and architectural sites. |
| 7a | Consider appropriate lands for preservation to protect public health and safety, and to preserve wildlife habitat. |
| 7b | Consider appropriate development adjacent to natural and agricultural areas |
| 7c | Consider protection of hillsides; wetlands, and other lands that define Brigham City's character |

Annexation Map (see Maps)

10.2 ANNEXATION GOALS

The following policies address *how* land that is annexed into the city should be zoned and developed, or, under what circumstances an annexation will be approved. This is complimentary to Brigham City's Annexation Policy Plan, which establishes *where* Brigham City may grow through annexation over time.

Brigham City's current incorporated areas could accommodate several decades of projected population, approximately 7,972 additional households. Therefore, for additional growth areas to be annexed into the city, development should follow the vision of citizens and elected officials established by the goals and policies of this general plan.

10.2.1 GOAL: Protect Sensitive Lands and Rural Character Surrounding Current City Limits While Increasing Development Opportunities

Brigham City's purpose of annexing additional land into the city is three fold: The first purpose is to provide additional areas for residential, commercial, and industrial expansion consistent with the goals of the Brigham City General Plan. The second purpose is to protect sensitive lands and rural character surrounding the city, including wetlands, pastureland, mountain benches, and significant habitat areas. The third purpose is to allow landowners to exercise private property rights and develop residential areas that are compatible with the goals of the General Plan.

As outlined in Section 7.2.1, protection of wetlands linked to the Bear River Bird Refuge will support waterfowl and other wildlife, which will continue to attract tourists to the region. Other benefits to the community of preserving land include preserving water recharge areas in mountain areas; geologic and soil stability, visual quality and winter habitat of the east mountain bench; and assuring clean ground water, flood attenuation, and wildlife habitat, by preserving community wetlands.

10.2.1.1 POLICY: The General Plan Annexation Map will govern application of future zoning to potential annexation areas, establishing the development and land use standards an annexation application must meet to be considered for annexation.

Implementation: Cluster Areas:

In Cluster Annexation Areas, Brigham City will consider existing county zoning as a starting point in discussions about zoning density for an annexation proposal. Additional density will be granted to landowners based on the annexation area designation in the General Plan, and as a bonus for providing open space or preserving sensitive lands.

- A. City should work with developers and landowners to study land development economics in Brigham City to determine appropriate density bonus rates for preserving sensitive lands.
- B. Although some sensitive lands such as steep slopes and certain wetland areas would otherwise be difficult to plan for development, permanent preservation of these areas should warrant additional density bonus on more developable portions in order to compensate landowners for preservation of sensitive lands. A bonus rate achieved by preserving less developable land should be proportionately less than a bonus rate achievable through the preservation of more developable sensitive lands.

Implementation: Mountain Village Areas:

In Mountain Village Areas, Brigham City will annex land only if a substantial portion of the land is provided as dedicated open space. Brigham City will consider existing county zoning as a starting point in discussions about zoning density. Additional density will be granted to landowners through a process of negotiation, with additional density granted for compliance with the goals of the General Plan, and as a bonus for providing open space or preserving sensitive lands. Development opportunities must be clustered in relatively compact pods or

villages. Development will not be allowed on prominent ridgelines, sensitive viewsheds, or areas of unusual geologic or soils instability. Areas of critical concern for wildlife habitat or migration will also receive special consideration, and development will be expected to be designed to minimize conflicts with these concerns.

Implementation: Critical and Open Land Areas

Development is not appropriate in these areas.

10.2.2 GOAL: New annexations to Brigham City should become part of complete communities or complementary extensions of the existing city form, and promote contiguous open space.

10.2.2.1 POLICY: Annexation areas must be at least 40 acres and master planned in conjunction with annexation, OR, Annexation areas must be consistent with geographic guidelines developed by Brigham City regarding priority areas for development and priority sensitive land locations.

Implementation

- A. New annexation requests over 40 acres should include a conceptual master plan proposal showing location of streets, development, land uses and densities, and preservation areas.
- B. Large annexation areas may delineate incidental neighborhood scale commercial uses.
- C. Annexations less than 40 acres should contain a sketch diagram and written memo describing proposed development and preservation areas consistent with Brigham City priority development and sensitive land areas.
- D. New annexation areas should integrate with existing neighborhoods to:
 - 1. Ensure connected streets with existing development
 - 2. Ensure compatible land use, densities, and outward appearance with existing development.
 - 3. Locate proposed open space to be contiguous with, or

interconnect, with other dedicated open space

E. Development proposals should identify and address areas identified by the city as environmentally sensitive including wetlands, wildlife habitat, prominent visual areas, and unstable slopes.

10.2.3 GOAL: New development should have a neutral effect on city finances

10.2.3.1 POLICY: *Brigham City shall consider the availability of adequate public facilities in assessing annexation requests.*

As lands lying beyond Brigham City's current limits are considered for annexation or service requests, the city will the availability of adequate public facilities such as streets, water, sewer, storm drainage, electrical, and other infrastructure. If such infrastructure is not present, the City may require extensions of required infrastructure to the site location as part of a proposed development to reduce the economic impact of annexation on the existing residents of the City.

10.1.3.2 POLICY: *Impact fees shall be similar to those used in existing city limits, having a neutral effect on city finances*

Development in newly annexed areas is required to pay similar impact fees for development within Brigham City's current city limits (See Policy 2.2.1.2). In certain instances, the annexation of properties into Brigham City may be of a different character than that anticipated in the City's impact fee enactment. In such cases, a separate service area for impact fee consideration may be established and an impact fee schedule differing from the existing impact fee schedule may be enacted.