
Chapter 1.32 CITY ANNEXATION POLICIES AND PROCEDURES

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1.32.010 Annexation petition.

A. An annexation petition is required by Utah State Code to initiate annexation of properties into the City of Moab, except when the parcel to be annexed is an island or peninsula contiguous to the City; and

1. Has a majority of residential or commercial development;
2. Requires delivery of municipal services; and,
3. Has been provided most or all municipal services for more than one year.

B. Where applicable, annexation petitions are to be filed with the City Recorder and contain:

1. Signatures of a majority of the private real property owners of the area proposed for annexation;
2. Signatures of the private real property owners who account for one-third value of all private property within that same area;
3. Be accompanied by an accurate and recordable map that is prepared and signed by a licensed surveyor; and,
4. Signatories who are designated as sponsors of the petition for future contact.

C. If practicable and feasible, boundaries of the area proposed for annexation should be drawn:

1. Along existing jurisdictional boundaries;
2. To eliminate islands and peninsulas of territory not receiving services;
3. To promote the efficient delivery of services; and,
4. To encourage the equitable distribution of community resources and obligations. (Ord. 03-02 (part), 2003)

1.32.020 Annexation procedure.

A. The City Recorder, upon receiving a petition for annexation, shall:

1. Submit the petition to the City Council, which shall accept the petition for further consideration or reject the petition fourteen days.
2. If the petition is rejected by the City notification shall be sent to the county clerk and to the sponsors of the petition within five days of the denial.
3. If accepted by the City Council, the petition shall be reviewed by the City Recorder for completeness and compliance with applicable law, which review and certification shall be completed within thirty days of acceptance. If the petition complies, the City Recorder shall certify the petition and provide notice of same to the City Council.
4. Within ten days of receipt notice of certification by the City Council, notification of the proposed annexation shall be published in a newspaper of general circulation for three consecutive weeks.
5. Within twenty days of receipt of notice of certification by the City Council, notification of said annexation shall be sent to all affected entities listed in 1.32.030.H.

B. Upon certification by the City Recorder the petition or application may be submitted to the Planning Commission for analysis and review according to the annexation policy plan and for recommendations with respect to the appropriate zoning.

C. Protests to the proposed annexation shall be:

1. Filed no later than thirty days after receipt by the City Council of certification from the City Recorder.
2. Protests may be filed by the legislative bodies of affected entities listed in 1.32.030.H.
3. If protests are filed, the City Council may deny the annexation at the next meeting, or it may await the decision by the boundary commission.
4. If no protests are filed, the City Council may approve the annexation at a public hearing held after providing not less than seven days advance notice.
5. The boundary commission shall hear protests within thirty days of the deadline for filing said protests.
6. Within thirty days of initiating hearings on protests filed, the boundary commission shall render a written decision.
7. The City 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 City Council shall deny the annexation. (Ord. 03-02 (part), 2003)

1.32.030 Annexation policy plan.

A. Pursuant to U.C.A. [10-2-401.5](#), the City hereby adopts the following annexation policy declaration.

1. Sound urban development is essential to the continued economic development of this state;
2. Municipalities are created to provide urban governmental services essential for sound urban development and for the protection of public health, safety and welfare in residential, commercial and industrial areas, and in areas undergoing development;
3. Municipal boundaries should be extended, in accordance with specific standards, to include areas where a high quality of urban governmental services is 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 as soon as possible following the annexation;
5. Areas annexed to municipalities should include all of the urbanized unincorporated areas contiguous to municipalities, securing to residents within the areas a voice in the selection of their government;
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 entities, on the need for and cost of local government services, and the ability to deliver the services under the proposed actions and on factors related to population growth and density and the geography of the area; and

B. Map showing the anticipated future extent of the City of Moab's boundaries and areas that are more readily available for service.

1. This portion of the City of Moab's Master Annexation Policy declaration describes the geographic areas considered most favorable for future city expansion.
2. The map (which is on file at the City clerk's office) visually displays the existing boundaries of the City of Moab in a green line and the future boundaries by a black line. The future boundaries include the following description:

General Plan annexation area boundary description

The boundary encompasses:

Portions of Sections 25, 26, 27, 34 and all of Sections 35 and 36 in Township 25 South, Range 21 East, Salt Lake Base & Meridian;

Portions of Section 31 in Township 25 South, Range 22 East, Salt Lake Base & Meridian;

All of Sections 1, 2 and 12 together with portions of Sections 11 in Township 26 South, Range 21 East, Salt Lake Base & Meridian;

All of Sections 6, 7 and 18, together with portions of Sections 5, 8, and 17 in Township 26 South, Range 22 East, Salt Lake Base & Meridian, and is more particularly described as:

Beginning at the SW Corner of Section 18, T 26 S, R 22 E, SLBM;

Thence northerly to the NW Corner of said Section 18;

Thence westerly to the SW Corner of Section 12, T 26 S, R 21 E, SLBM;

Thence northerly to the SE Corner of Government Lot 1, Section 11, T 26 S, R 21 E, SLBM;

Thence westerly to the NE corner of Section 10, T 26 S, R 21 E, SLBM;

Thence northerly to the SW Corner of Section 2, T 26 S, R 21 E, SLBM;

Thence northerly to the NW Corner of said Section 2;

Thence westerly to the SW Corner of the SE1/4SW1/4 of Section 34, T 25 S, R 21 E, SLBM;

Thence northerly to the NW Corner of Government Lot 10, Section 27, T 25 S, R 21 E, SLBM;

Thence easterly to the NE Corner of Government Lot 8, Section 26, T 25 S, R 21 E, SLBM;

Thence southerly to the SE Corner of said Government Lot 8;

Thence easterly to a point on the West Section Line of said Section 26;

Thence southerly to the NE Corner of the SE1/4SE1/4 of said Section 26;

Thence easterly to the NE Corner of Government Lot 6, Section 25, T 25 S, R 21 E, SLBM;

Thence southerly to the NW Corner of Government Lot 3, Section 31, T 25 S, R 21 E, SLBM;

Thence easterly to the NE Corner of the SE1/4NW1/4 of said Section 31;

Thence southerly to the SE Corner of Government Lot 9, said Section 31;

Thence easterly to the NE Corner of Section 6, T 26 S, R 22 E, SLBM;

Thence easterly to the NE Corner of Government Lot 4, Section 5, T 26 S, R 22 E, SLBM;

Thence southerly to the SE Corner of the SW1/4SW1/4 of said Section 5;

Thence southerly to the SE Corner of the SW1/4SW1/4 of Section 8, T 26 S, R 22 E, SLBM;

Thence southerly to the SE Corner of Government Lot 35, Section 17, T 26 S, R 22 E, SLBM;

Thence westerly to the SE Corner of Section 18, T 26 S, R 22 E, SLBM;

Thence westerly to the SW Corner of said Section 18, said point being the POINT OF BEGINNING.

C. Criteria as required by state law, together with additional criteria and policies for city acceptance of an annexation.

1. The City endorses the intent of the Utah Annexation Act, U.C.A. [10-2-401](#), et seq., as amended.

Criteria for annexation of property to the City are as follows:

- a. The property must be contiguous to the boundaries of the City.
 - b. The property must lie within the area projected for the City municipal expansion.
 - c. The property must not be included within the boundaries of another incorporated municipality.
 - d. The annexation must not create unincorporated islands within the boundaries of the City.
 - e. The property proposed to be annexed hereunder will not be annexed for the sole purpose of acquiring municipal revenue or for retarding the capacity of any other municipality to annex into the same or related area.
2. The City will evaluate the following for each annexation:
- a. Compliance with all requirements of appropriate state code provisions.
 - b. The current and potential population of the area, and the current residential densities.
 - c. Land uses proposed in addition to those presently existing.
 - d. The assessed valuation of the current properties or proposed uses.
 - e. The potential demand for various municipal services, especially those requiring capital improvements.
 - f. Recommendations of other local government jurisdictions regarding the proposal and potential impact of the annexation.
 - g. How the proposed area, and/or its potential land uses would contribute to the achievement of the goals and policies of the City.
 - h. Identification of any special districts or county departments that are currently providing services. If the proposed area is receiving services that are to be assumed by the City, a statement should be included indicating that steps can be taken to assure an effective transition in the delivery of services. A timetable for extending services should be included if the City is unable to provide services immediately. If the proposed area is receiving services that are not going to be assumed by the City a statement to that effect will be included in the annexation agreement.

i. If an application for annexation includes a specific proposal for urban development, an understanding as to the provision of improvements should be concluded between the City and the applicant.

j. New annexations should create areas in which services can be provided efficiently. The annexation should not create geographically isolated areas, areas for which the provision of services would be costly or difficult, or an area in which surface water runoff would create multi-jurisdictional problems.

k. The tax consequences for affected entities should be addressed.

3. In order to facilitate orderly growth, the following city policies will apply to every annexation proposal. However, compliance with any policy not expressly required by state law is not mandatory, and failure to comply with any policy not expressly required by state law shall in no way affect or jeopardize an annexation petition that otherwise meets the standards established in the Utah Code.

a. The City's policy is to consider annexation only in those areas where the City has the potential to provide urban services (either directly or through interlocal cooperative agreement). These areas may include locations served or to be served by city utilities, electrical service, police and fire protection facilities, etc.

b. The City declares its interest in those areas identified in this policy declaration and other areas lying within one-half mile of the City's boundary. Any urban development as defined by state law proposed within this specified area is subject to review and approval of the City as provided in U.C.A. [10-2-418](#), as amended.

c. Due to the extraterritorial powers granted as part of the Utah Boundary Commission Act, the City may exercise its initiative to prepare and adopt a General Plan for future development in those extraterritorial areas of interest for future annexation, as indicated in this policy declaration. This General Plan will define proposed land uses, nature, and density of development desired by the City in each particular area. Once this ordinance is adopted, any proposed development in an area to be annexed must conform to the General Plan, notwithstanding said plan may be amended from time to time as deemed necessary and appropriate.

d. It is the policy of the City to require new development in annexed areas to comply with all city standards and regulatory laws. Proposed actions to be taken to overcome deficiencies should be identified and costs estimated.

e. To avoid creation of islands and peninsulas, unincorporated territory and publicly-owned land such as roadways, schools, parks or recreational land, may be annexed as part of other logical annexations.

f. In order to facilitate orderly growth and development in the City, the Planning Commission may review a proposed annexation and make recommendations to the City Council concerning the parcel

to be annexed, the effect on city development, and the recommended zoning district designation for the proposed annexed area. Review by the Planning Commission is not a requirement for annexation, and approval from the Planning Commission is not necessary for annexation.

g. The City Council shall designate the zoning for the territory being annexed in the ordinance annexing the territory. The zoning designations must be consistent with the General Plan. The City Council shall not be bound by the zoning designations for the territory prior to annexation. Nothing in this section shall be construed as allowing the City Council to change zoning designations in areas that are already within the municipal boundaries, without following the procedures for zoning amendments found in the City code.

h. Landowners petitioning for annexation must file an application and follow the procedures for annexation required by state law and the procedures specified by the City.

i. The City may require an annexation fee reasonable to the cost incurred as part of the annexation process.

j. From time to time, the City may amend this master annexation policy declaration. This policy declaration, including maps, may be amended by the City Council after at least fourteen days' notice and public hearing. Annexation policy declarations for individual annexations may be considered amendments to this master annexation policy declaration and likewise require adequate notice and public hearing as herein specified.

D. The character of the community.

1. The areas anticipated for future annexation contain a wide variety of land uses. There is vacant land, as well as residentially developed property, and property developed and being developed for commercial uses.
2. The City was incorporated in December 20, 1902 and has entertained numerous proposals for annexation since that time. Recent interest in annexation has been shown by many surrounding property owners. This policy declaration will help to define those areas that the City will consider in a favorable manner.

E. The need for municipal services in developing unincorporated areas.

1. The City recognizes that municipal services to developed areas which may be annexed should, to the greatest extent possible, be provided by the City. It may, however negotiate service agreements in annexing areas.
2. For developing unincorporated areas to be annexed to the City, general government services and public safety service will be provided by the City as the area is annexed and developed. Where feasible and in the public interest to the citizens of the City, public utility services will be provided by the City or through the appropriate utility companies or improvement districts.

3. Subsequent policy declarations on individual parcels will address provision of utility service to that particular area. Determination of how utility service will be provided to developing areas proposed for annexation will be developed following discussion with the public works department and other appropriate utility officials or entities.

F. Financing and time frame for the extension of municipal services.

1. Those areas identified in this master policy declaration as being favorable for annexation are located near to the City. A basic network of collector roads presently exists in many of these areas and the City can readily extend such services as police protection, street maintenance, and general government services. Unless otherwise specified, city services for police and street maintenance will begin in newly annexed areas immediately following the effective date of annexation.

2. Services for newly annexed areas will be provided for out of the general and/or enterprise funds. However, it is the City's policy that all new development in areas requiring service bears the burden of providing necessary facilities. If and when the property sought to be annexed is developed, the developer will have to construct and install appropriate municipal service facilities such as streets, curb, gutter, sidewalk, water and sewer lines, as provided by city code. Construction of water and/or sewer line extensions involving multiple properties will be phased to coincide with the financial readiness of said property owners and the City.

3. If services in an annexed area are substandard, then the financing of improvements to bring the area up to city standards may be necessary through such means as a special improvement district. The City may decline to annex areas that contain significant substandard improvements. The site annexation policy declaration, submitted with individual annexations, will identify a schedule for necessary improvements to the area.

4. Unless otherwise agreed by the City in writing, the annexation of real property into the municipal, limits shall not obligate the City to construct or install utilities or other public infrastructure. The decision to extend or install such improvements shall be vested solely in the discretion of the City Council.

G. The estimate of tax consequences. The estimate of tax consequences to residents in both new and old territory of the City resulting from the proposed future annexations cannot be accurately assessed at this time. As each annexation proposal occurs, the City will review the tax consequences of that annexation.

H. *Affected entities.* The following is a list of potentially-affected entities, to which copies of the annexation policy declaration has been supplied prior to its adoption. In addition, as annexation proposals occur, the entities affected by the proposed annexation will be notified.

Grand County

125 East Center

Moab, Utah 84532

Grand County School District

264 South 400 East

Moab, Utah 84532

Moab Fire Department

45 South 100 East

Moab, Utah 84532

Grand Water & Sewer Agency

3025 East Spanish Trail

Moab, Utah 84532

259-8121

Grand County Hospital Service District

245 West Williams Way

Moab, Utah 84532

Health Department of Southeastern Utah

P.O. Box 800

Price, Utah

Cemetery District

P.O. Box 64

Moab, Utah 84532

Moab Mosquito Abatement District

P.O. Box 142

Moab, Utah 84532

Grand County Library Board

25 South 100 East

Moab, Utah 84532

Solid Waste District

P.O. Office Box 980

Moab, Utah 84532

Recreation District

P.O. Box 715

Moab, Utah 84532

Grand County Boundary Commission

125 East Center

Moab, Utah 84532

(Ord. 08-23, 2008; Ord. 03-02 (part), 2003)

The Moab Municipal Code is current through Ordinance 20-06, passed March 20, 2020.

Disclaimer: The City Recorder's Office has the official version of the Moab Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: moabcity.org](http://moabcity.org)

City Telephone: (435) 259-5121

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