

# 10-ANNEXATION POLICY PLAN

## pCHAPTER 10 – Annexation Policy Plan

### 10.1 – WHAT WE KNOW

#### **Annexation Policy Plan Requirements:**

Utah Code Ann. § 10-2-401.5(1): After December 31, 2002, 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.

Utah Code Ann. § 10-2-401.5(3): Each annexation policy plan shall include:

- (a) a map of the expansion area.
- (b) a 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.
- (c) justification for excluding from the expansion area any area containing urban development within ½ mile of the municipality's boundary; and
- (d) a statement addressing any comments made by affected entities at or within 10 days after the public meeting to allow affected entities to examine the proposed annexation policy plan and provide input on it.

Utah Code Ann. § 10-2-401.5(4): In developing, considering, and adopting an annexation policy plan, the planning commission and municipal legislative body shall:

- (a) attempt to avoid gaps between or overlaps with the expansion areas of other municipalities.
- (b) consider population growth projections for the municipality and adjoining areas for the next 20 years.
- (c) consider current and projected costs of infrastructure, urban services, and public facilities necessary:
  - (i) to facilitate full development of the area within the municipality; and
  - (ii) to expand the infrastructure, services, and facilities into the area being considered for inclusion in the expansion area.
- (d) consider, 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;
- (e) consider the reasons for including agricultural lands, forests, recreational areas, and wildlife management areas in the municipality; and
- (f) be guided by the principles set forth in Subsection [10-2-403\(5\)](#).

#### **Background:**

- Providence City is a municipality located in Cache County in Northern Utah. The City is bounded on the north by Logan City and River Heights City, on the south by the City of Millville, on the west by Nibley City and on the east by the Wasatch Cache Uintah National Forest. The city is a growing residential community, with a growing commercial area, and thriving cottage industry, within the greater small metropolitan area that is rapidly transitioning from historically agricultural roots.
- Providence City is a 5th Class city (a municipality with a population of 1,000 or more but less than 10,000) located in the regional Logan Metropolitan Statistical Area. The estimated population is 7,595 (2018 US census estimate).
- Providence City operates under the 6-member council (one of which is the mayor) form of government.

#### **Expansion Area:**

- As Providence City considers areas of expansion, it is the intent to avoid gaps between or overlaps with the expansion or areas of other municipalities. However, in discussions with neighboring cities, it may be in the best interest of both entities to have some overlap areas.

#### **Demographics and Population:**

- The following 2017/2018 demographic information was taken from Data USA ([datausa.io/profile/geo/providence-ut/](https://datausa.io/profile/geo/providence-ut/)) and US Census Bureau American FactFinder in 2019.
  - The population of Providence City is 92.4.% White, 4.73% Hispanic, and 0.86% other. 98.4% percent are US citizens, and 6.09% speak a non-English language.

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- The median age is 30.7. The median household income is \$73,056. The median property value is \$251,700 and the homeownership rate is 80.7%. 8.1% of individuals are below poverty level. Providence City has an estimated 2,267 housing units.
- Most people in Providence City commute by driving alone, and the average commute time is 15.7 minutes. The average car ownership is 2 cars per household.
- The following population projections, taken from the Governor's Office of Management and Budget, use the 2012 Baseline.

As of June 2018 Utah State Tax Commission estimates the City's population at 7,411.

\*This population amount was calculated using an annual growth percentage of 1.0058 per year.

\*\*These estimates used the adjusted 2020 estimate multiplied by the percentages from the 2012 Baseline.

	Census	Projections			
Entity	2010	2020	2030	2040	2050
Cache County	112,656	139,228	168,136	196,559	232,468
Providence City*	7,075	7,564*	9,837**	11,499**	13,600**
River Heights City	1,734	2,088	2,152	2,258	2,557
Logan City	48,174	57,057	63,943	76,685	92,987
Millville City	1,829	2,196	2,593	2,951	3,834
Nibley City	5,438	8,796	14,136	15,725	18,597

### Public Services and Infrastructure:

- Providence City has developed and maintained the following public services associated with infrastructure throughout the community.
  - Providence City provides repair and maintenance of approximately 36 miles of city streets and sidewalks. Operations include pavement surface maintenance, pedestrian facility (sidewalks, crosswalks, etc.) maintenance, street sweeping, and snow removal.
  - Providence City maintains 11 parks consisting of approximately 45 acres (Alma H Leonhardt – 310 West 250 North, Braegger – 300 South 300 East, Brookside – 38 East Spring Creek Parkway, Cattle Corral – 150 East 200 South, Hampshire – 650 South 300 West, Hillcrest – 800 South 400 East (being developed), Jay's Well – 400 South Main (being developed), Meadow Ridge – 251 South 325 West, Uptown – 100 East 100 North, Von Baer – 350 East Center, and Zollinger – 61 North 200 West). The parks include a variety of features, informal landscapes (natural trees, shrubs, grassed areas), formal landscapes (hardscapes/paved areas, trees, and large turf areas), buildings, and play structures.
  - Providence City operates and maintains the Providence City Culinary Water System. As of March 31, 2018, the City had 2,127 connections to the system; 63 commercial, 4 agricultural, 2,012 residential, 19 apartment/PUD, 15 church/school, 13 City owned and 1 miscellaneous. During calendar year ending December 31, 2017, the City delivered 673,621,000 gallons of water. The system is divided into three water pressure zones; and includes a natural spring (Broad Hollow), four reservoirs, and three wells.
  - Providence City operates and maintains the collection lines for the Providence City Sewer System. As of March 31, 2018, the City had 2,046 connections to the system and approximately 35 miles of collection lines. The City contracts with Logan City for wastewater treatment. During calendar year ending December 31, 2017, Logan City treated 282,165,000 gallons of wastewater for the City.
  - Providence City operates and maintains the storm water drainage system. As of March 31, 2018, there were 2,439 units in the service area.
  - Providence City operates and maintains the Providence City Cemetery. The Cemetery is located at 925 River Heights Blvd, River Heights UT and consist of 14.71-acres (+/-).
  - Providence City owns stock in several irrigation companies. It is the largest shareholder in both Spring Creek Water Company and Blacksmith Fork Irrigation Company. An Exchange Agreement with both irrigation companies allows Providence City to use additional water from Broad Hollow

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Spring for culinary use. Providence City also uses its shares to water Braegger Park and Hampshire Park. Providence City also sells excess water from its irrigation shares to area residents, reducing the summer demand on the culinary system.

- Providence City also contracts for municipal services such as fire protection, emergency medical service and transportation, garbage/recycling/green waste collection, wastewater treatment, law enforcement, animal control, animal shelter, and building permit review and associated inspections. Providence City works with the Utah Division of Wildlife Resources for problems involving wildlife.
- Providence City has a Justice Court that also serves the cities of Millville and River Heights. Justice Courts are certified in four-year terms. On January 5, 2016, the Judicial Council re-certified the Providence Justice Court for a four-year term effective February 8, 2016. The State of Utah requires that certain standards be met in the operation of a Justice Court. In establishing minimum requirements, the Judicial Council has determined that Justice Courts with higher case filings require greater support services. Justice Courts within the state are divided into four classes based upon the average monthly cases filed in that court. A Class IV Court has the lowest case volume. Courts which have an average of more than 60 but less than 201 cases filed each month are classified as Class III Courts. During Fiscal Year ending June 30, 2017, the Providence Justice Court had 84 Criminal cases filed, 50 General Civil cases filed, and 611 Traffic/Parking cases filed for a total of 745 cases filed; an average of 62 cases per month. The Providence Justice Court meets the required standards for a Class III Court.
- Providence City works with volunteers and other entities to operate successful recreational opportunities and programs such as organized sports, playground program, and the non-motorized trail in Providence Canyon. Other recreation programs and activities include Oktoberbraut (City Celebration and Car Show), tennis and pickleball clinics, and kickball. Providence City also has a disk golf course and a splash pad.
- Providence City is home to the Cache County Library – Providence/River Heights Branch. Providence City currently contracts with Cache County and River Heights City for library services.
- Providence City is in the Cache County School District. Providence City is home to Providence Elementary (grades K – 6) and Spring Creek Middle School (grades 7 – 8). Students in grades 9 – 12 attend Ridgeline High School in Millville. Providence City is also home to the Center for Creativity, Innovation & Discovery, a charter school that opened its doors for the 2017/2018 school year (grades K – 8).
- Providence City is fortunate in that its east boundary is adjacent to Providence Canyon and property owned by the State of Utah Department of Natural Resources, and used as a wildlife management area. Natural springs in Providence Canyon are the headwaters for Spring Creek, a natural waterway that runs northwest throughout Providence City adding to the charm and character of Providence City. Also approximately one mile east of the east boundary is the Wasatch-Cache National Forest, a 533,840-acre area of National Forest System land in Utah and Idaho that the U.S. Forest Service established on July 1, 1908.

### 10.2 – HOW DOES THIS HELP US PLAN FOR THE FUTURE

As the population and demographics grow and change, it is the intent of Providence City to maintain the aesthetics of a “home town” character while expanding the tax base and providing for population growth. The farming life style is diminishing; business, employment, and leisure interests and opportunities are changing. Agricultural land is converting to commercial and residential uses; zoning is changing to meet the new demands.

Providence City has developed commercial business areas including designated zoning districts with the intent of providing place for businesses that provide sales tax revenue for Providence City, and place for a mix of commercial and residential uses. Providence City also has a strong cottage industry and continues to evaluate uses that promote cottage industry while maintaining compatibility with residential neighborhoods.

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Along with traditional single-family neighborhoods. Providence City is also developing neighborhoods with a mix of residential housing types in efforts to provide housing for a variety of income levels, life styles, and densities.

The infrastructure and public services that Providence City operates and maintains have been designed to expand and/or extend into neighboring areas that are currently in the adjacent unincorporated areas of the County and areas currently within Millville City boundaries. Providence City and Millville City have discussed the possibility of boundary line adjustments between the two cities. Chapter 9 of the General Plan Update May 2018 lists the goals, objectives, and strategies for future operations, maintenance, and expansion of each service.

It is not the intent of Providence City to acquire more land than the City can reasonably service. Providence City has considered the surrounding unincorporated areas and has planned to annex those areas where the City can provide municipal services as demand occurs.

In determining whether or not to grant the annexation petition, the City will use the following specific criteria and matters relevant to these criteria to guide the decision.

1. Public Services (Utility). Existing public utility services such as culinary water, sewer, and storm water facilities have the capacity to service the proposed annexation area; or the applicant agrees to construct the necessary facilities, as approved by the City, at the applicant's expense.
2. Public Services (Emergency, Law Enforcement, Fire, Environmental, Etc.). The City and/or agencies have the ability to maintain the current level of service provided to the City for the proposed annexation area with existing personnel and facilities.
3. Transportation Services. Streets connect to and have the capacity to service the proposed annexation area; or the applicant agrees to construct the necessary facilities, as approved by the City, at the applicant's expense. This includes the incorporation of multi-modal transportation: pedestrians, bicycles, mass transit, etc. where appropriate.
4. Tax Base and/or Economic Benefit. The City will consider the impacts of the proposed annexation area on the existing tax base and/or economic base.
5. Control of Development in the Area. The City will consider the importance of controlling the development of the proposed annexation area.
6. Sensitive Areas, Natural Hazards, and Geotechnical Information. Consider site conditions, mitigation strategies, and design and construction recommendations for the proposed annexation area.
7. Recreation, Parks, Trails. Existing parks, trails, and recreation areas currently have the capacity and/or are designed to extend into the proposed annexation area; or the applicant agrees to construct the necessary facilities, as approved by the City, at the applicant's expense.
8. Education System. The City is located in the Cache County School District (CCSD). CCSD establishes individual school boundaries and student population. Providence City provides information to CCSD as requested.

In determining not to include property in the annexation policy plan, the City considered the following criteria and matters relevant to these criteria to guide the decision.

1. Non-developable sensitive areas. The following non-developable sensitive areas are further defined in Providence City Code Title 10 Chapter 5 Section 2: Jurisdictional Wetlands, Steep Slopes, Natural Waterways or Open Water. In as much as none of the acreage encumbered by non-developable sensitive areas can be considered for development density and none of the areas may be built upon or within except for required public utility and facilities, the City chose to exclude properties containing a significant amount of non-developable sensitive areas.
2. Utility Services. The City chose to exclude properties that would require the extension of services underneath Blacksmith Fork River. The City also chose to exclude higher elevation properties that would require an additional water pressure zone. The City also chose to exclude properties that could not install gravity flow sewer, if the potential for commercial use was low.

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## 11.3 – OVERALL GOAL AND OBJECTIVES

The following goal, objectives, and action strategies provide a framework for addressing the concerns and opportunities for annexing areas into Providence City. The overall goal provides the vision and the objectives represent what the City would like to achieve. The strategies are action items that direct how the overall goal and objectives will be achieved.

### OVERALL GOAL FOR THE CHAPTER – THE GUIDING VISION & INTENT

**Providence will plan for and provide services to areas proposed for future annexations.**

OBJECTIVES – WHAT DO WE WANT TO ACHIEVE?	STRATEGIES – HOW DO WE MAKE IT HAPPEN?	1-5 Years	5-15 Years
The following objectives represent what Providence would like to achieve over the next 15 to 20 years for their Annexation Policy Plan. The means for how Providence will work toward these objectives is captured in the Action Plan Strategies.	The following action-based strategies will help Providence achieve the overall goal and objectives for Annexation Policy Plan. Strategies are categorized as short-term (1-5 years) or long-term (5 – 15 years).		
1. Provide a map of the expansion area.	a. The map of the expansion area is included in the General Plan Update May 2018 Appendix.	X	
2. Identify the need for municipal services in developed and undeveloped unincorporated areas.	a. Consider the capacity and location of existing services in the unincorporated areas. Document the factor(s) considered by the planning commission.	X	
3. Identify the municipalities plans for extension of municipal services.	a. Consider the feasibility of options for fire protection services including but not limited to: contracting with Logan City, contracting with Cache County, and participating in the creation of a special service district.	X	
	b. Prepare a master plan for capital facilities.		X
	c. Continue to evaluate and update the capital facilities plan as needed.		X
4. Identify how the services will be financed.	a. Review and update as needed current service fees, connection fees, impact fees, and tax rates.	X	
	b. Review development requirements for infrastructure expansion and installation and servicing.	X	
5. Provide an estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area.	a. Require applicants to prepare an analysis of tax consequences within the city boundary and the expansion area.		X
6. Identify the interests of all affected entities.	a. Consider and continue work with affected entities, including Cache County, the school district, neighboring communities, utility providers and contract service providers to have services available as property owners in		X



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	the proposed annexation areas petition the City for annexation.		
	b. Review and update the City's master plans as growth and life styles change to include redevelopment of facilities and services as they begin to deteriorate.		X
	c. Continue to place a high priority on keeping good working relationships with all neighboring entities.		X
7. Identify certain areas that the City does not want to consider for annexation.	a. Document the factor(s) considered for each area and the justification for not including the area.	X	
	b. If developer(s) request the area to be included in the annexation policy plan, the City has the expectation the developer(s) will provide solutions and compensation for mitigation strategies.		X

