

April 1, 2020

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Subject: Lake Point Incorporation Feasibility Review

Introduction

By the March 18, 2020 request of the Utah Lieutenant Governor’s Office, the Utah Population Committee has reviewed the area of Lake Point in Tooele County to determine whether it meets the population, population density, and contiguity requirements for incorporation. Utah Code 10-2a-201.5 defines these requirements. We determined that Lake Point meets only two of the three requirements. This memo shares the details of our review.

Results of Feasibility Criteria Review

Lake Point meets the population and population density requirements specified in Utah Code 10-2a-201.5, but not the contiguity requirements. Table 1 summarizes the criteria and their applications to Lake Point.

Table 1: Initial Feasibility Requirements for Lake Point Incorporation

Criteria	Meets Criteria?	Requirement by Statute	Lake Point Details
Population	Yes	To incorporate as a city, rather than town, the population must be 1,000 or more	Lake Point has sufficient population to incorporate as a city. Census 2010 Population: 1,079 Aerial imagery shows significant new construction since the 2010 Census, indicating population increases since the census.
Population Density	Yes	Density must be 7 people per square mile or higher	Pop. Density: 231 people per square mile.
Contiguity	No	Area must be contiguous and not have strip of land connecting geographically separate areas	With the removal of 36 land parcels from the proposed boundary area, the proposed area is not contiguous. A very narrow strip of land is created (by Highway 36) which connects a distinct northern and southern portion of land.

Population data source: U.S. Census Bureau, 2010 Census

Note: Requirements are summarized; Full statutory requirements are delineated in Utah Code 10-2a-201.5.

Additional Information and Maps

The Lieutenant Governor’s Office provided a proposed Lake Point boundary plat and notified us of 37 parcels that will not be part of the proposed incorporation, but which were not excluded from the plat boundary area (Table 2 includes the list of parcels). We reviewed the parcels using recent aerial imagery and did not identify any housing units in these parcels. We estimate that all of the parcels are unpopulated, so the exclusion of these parcels does not impact the area’s population estimate.

The Utah Automated Geographic Reference Center (AGRC) provided a geographic shapefile of the proposed boundary area, with most of the necessary parcels removed. We also removed the parcel with ID “05-021-0-0012”, resulting in the boundary shown in Figures 1 and 2.

Utah Code 10-2a-201.5 specifies that an area is not contiguous if:

- “the area includes a strip of land that connects geographically separate areas”
- and if “the distance between the geographically separate areas is greater than the average width of the strip of land connecting the geographically separate areas.”

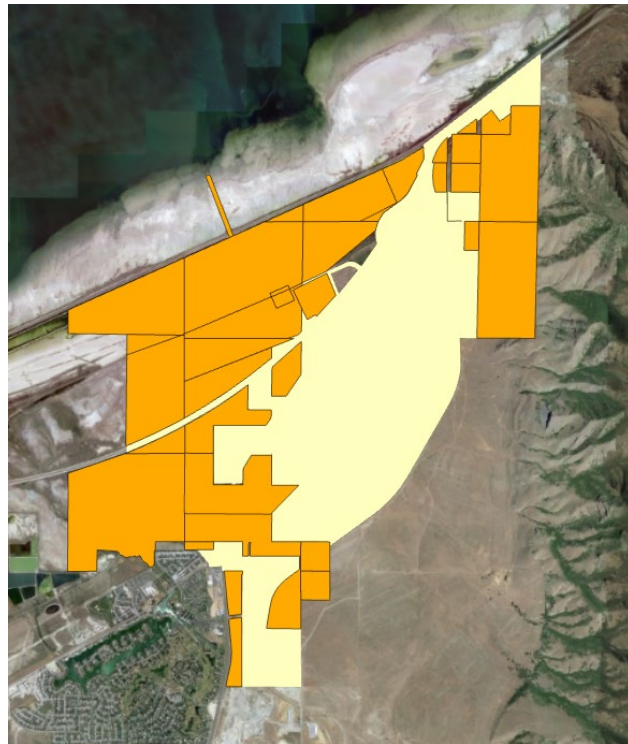
Highway 36 forms the narrow strip adjoining the large northern portion of the proposed boundary area to the smaller southern portion. The Highway 36 strip is visible in Figure 1, but we note that the highway strip runs through land parcels excluded from the proposed area, as shown in Figure 2. Without the Highway 36 strip of land, the proposed boundary would have two disconnected, noncontiguous portions, and would not meet the contiguity requirement. With the strip, the boundary also does not meet the contiguity requirement. At the smallest distance, the distance between the geographically separate areas is about 650 feet. As that is much larger than the average width of the strip of land (about 146 feet), the area is not contiguous according to Utah Code.

The parcels located between the northern and southern portions of the boundary area and intersected by Highway 36 are noted in Table 2.

Figure 1: Lake Point Proposed Boundary Area



Figure 2: Lake Point Proposed Boundary Area and Specifically Excluded Land Parcels (Orange)



Source: Kem C. Gardner Policy Institute, Utah AGRC (Tooele County March 2020 Basic Parcels and Initial Proposed Boundary Area)

Conclusion

The proposed boundary area for Lake Point meets population and population density requirements specified in Utah Code, but does not meet contiguity requirements. For Lake Point to incorporate as a town or city, a boundary modification would be required.

Table 2: Parcels Excluded from Proposed Lake Point Incorporation Boundary

Parcel ID Number	Parcel ID Number
04-065-0-0002	04-071-0-0001
04-065-0-0003	04-071-0-0011
04-065-0-0005	04-071-0-0015
04-065-0-0006	05-021-0-0001
04-065-0-0008	05-021-0-0002
04-065-0-0012	05-021-0-0012
04-065-0-0016	05-021-0-0017
04-065-0-0020	05-022-0-0002
04-066-0-0001	05-022-0-0004
04-066-0-0002	05-022-0-0005
04-066-0-0003	05-027-0-0021
04-067-0-0002	05-028-0-0033*
04-068-0-0003	05-028-0-0037
04-069-0-0002	05-028-0-0056*
04-069-0-0007	05-029-0-0004
04-069-0-0008	05-032-0-0007
04-069-0-0009	05-033-0-0044**
04-069-0-0010	
04-070-0-0078	
04-070-0-0081	

* These two parcels are located between the northern and southern portions of the boundary area and intersected by Highway 36. If Parcel ID 05-028-0-0056 were included in the boundary area, the area would likely be contiguous.

**There are two separate parcels with this ID; resulting in 38 removed parcel records using Tooele County Basic Parcels (Utah AGRC) Source of parcel ID list: Utah Lieutenant Governor’s Office (March 18, 2020 Email)