

HB0457S02 compared with HB0457S01

~~{Omitted text}~~ shows text that was in HB0457S01 but was omitted in HB0457S02

inserted text shows text that was not in HB0457S01 but was inserted into HB0457S02

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~~{County Growth Planning and}~~ Municipal Annexation Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor:

LONG TITLE

General Description:

This bill modifies provisions relating to ~~{planning for growth in certain counties}~~ annexation of unincorporated areas of a county of the second ~~{and third}~~ class.

Highlighted Provisions:

This bill:

- modifies definitions;
- requires certain unincorporated islands in a county of the second class to automatically annex into a bordering municipality;
- permits a legislative body of a county of the second class to exempt certain unincorporated islands from automatic annexation;and
- permits a final local entity plat for an annexation to depict non-contiguous areas~~{, and}~~ .
- ~~{requires certain counties of the third class to include an element in the county's general plan and impact facilities plan related to urban growth areas.}~~

Money Appropriated in this Bill:

None

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Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-2-814 , as renumbered and amended by Laws of Utah 2025, Chapter 399

~~{10-20-404 , as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15}~~

~~{11-36a-301 , as last amended by Laws of Utah 2025, First Special Session, Chapter 15}~~

17-73-507 , as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 13

~~{17-79-403 , as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 14}~~

ENACTS:

~~{17-79-409 , Utah Code Annotated 1953}~~

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-2-814** is amended to read:

10-2-814. Automatic annexations in counties of the first class and second class.

(1) As used in this section:

(a) "Most populous bordering municipality" means the municipality with the highest population of any municipality that shares a common border with an unincorporated island.

(b) "Unincorporated island" means~~[an area that is]~~:

(i) within a county of the first class[;] , an area that is:

~~[(ii)]~~ (A) not within a municipality; and

~~[(iii)]~~ (B) completely surrounded by land that is within one or more municipalities within the county of the first class[;] ; or

(ii) within a county of the second class with a population of 350,000 or less, an area that is:

(A) 55 acres or smaller;

(B) not within a municipality;

(C) completely surrounded by land that is within one municipality within the county of the second class; and

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(I) provided sanitary sewer service or culinary water service by the most populous bordering municipality; or

(II) not provided sanitary sewer service or culinary water service.

(2)

(a) Notwithstanding any other provision of this part, on July 1, 2027, an unincorporated island is automatically annexed to:

(i) the most populous bordering municipality, except as provided in Subsection (2)(a)(ii) or (3); or

(ii) a municipality other than the most populous bordering municipality if:

(A) the other municipality shares a common border with the unincorporated island; and

(B) the other municipality and the most populous bordering municipality each adopt a resolution agreeing that the unincorporated island should be annexed to the other municipality.

(b) The effective date of an annexation under Subsection (2)(a) is governed by Section 10-2-813.

(3) A legislative body of a county of the second class may exempt an unincorporated island or a portion of an unincorporated island from the requirements of this section by adopting a resolution on or before May 1, 2027, that includes a description or map of each exempted unincorporated island or portion of an unincorporated island.

~~{Section 2. Section 10-20-404 is amended to read: }~~

10-20-404. General plan preparation.

(1)

(a) The planning commission shall provide notice, as provided in Section 10-20-203, of the planning commission's intent to make a recommendation to the municipal legislative body for a general plan or a comprehensive general plan amendment when the planning commission initiates the process of preparing the planning commission's recommendation.

(b) The planning commission shall make and recommend to the legislative body a proposed general plan for the area within the municipality.

(c) The plan may include areas outside the boundaries of the municipality if, in the planning commission's judgment, those areas are related to the planning of the municipality's territory.

(d) Except as otherwise provided by law or with respect to a municipality's power of eminent domain, when the plan of a municipality involves territory outside the boundaries of the municipality, the municipality may not take action affecting that territory without the concurrence of the county or other municipalities affected.

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87 (2)

(a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:

90 (i) a land use element that:

91 (A) designates the long-term goals and the proposed extent, general distribution, and location of land for housing for residents of various income levels, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate;

96 (B) includes a statement of the projections for and standards of population density and building intensity recommended for the various land use categories covered by the plan;

99 (C) except for a city of the fifth class or a town, is coordinated to integrate the land use element with the water use and preservation element; and

101 (D) except for a city of the fifth class or a town, accounts for the effect of land use categories and land uses on water demand;

103 (ii) a transportation and traffic circulation element that:

104 (A) provides the general location and extent of existing and proposed freeways, arterial and collector streets, public transit, active transportation facilities, and other modes of transportation that the planning commission considers appropriate;

108 (B) for a municipality that has access to a major transit investment corridor, addresses the municipality's plan for residential and commercial development around major transit investment corridors to maintain and improve the connections between housing, employment, education, recreation, and commerce;

113 (C) for a municipality that does not have access to a major transit investment corridor, addresses the municipality's plan for residential and commercial development in areas that will maintain and improve the connections between housing, transportation, employment, education, recreation, and commerce; and

117 (D) correlates with the population projections, the employment projections, and the proposed land use element of the general plan;

119 (iii) a moderate income housing element that meets the requirements of Section 10-21-201; and

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(iv) except for a city of the fifth class or a town, a water use and preservation element that addresses:

(A) the effect of permitted development or patterns of development on water demand and water infrastructure;

(B) methods of reducing water demand and per capita consumption for future development;

(C) methods of reducing water demand and per capita consumption for existing development; and

(D) opportunities for the municipality to modify the municipality's operations to eliminate practices or conditions that waste water.

(b) In drafting the land use element, the planning commission shall:

(i) identify and consider each agriculture protection area within the municipality;

(ii) avoid proposing a use of land within an agriculture protection area that is inconsistent with or detrimental to the use of the land for agriculture; and

(iii) consider and coordinate with any station area plans adopted by the municipality if required under Section 10-21-203.

(c) In drafting the transportation and traffic circulation element, the planning commission shall:

(i)

(A) consider and coordinate with the regional transportation plan developed by the municipality's region's metropolitan planning organization, if the municipality is within the boundaries of a metropolitan planning organization; or

(B) consider and coordinate with the long-range transportation plan developed by the Department of Transportation, if the municipality is not within the boundaries of a metropolitan planning organization; and

(ii) consider and coordinate with any station area plans adopted by the municipality if required under Section 10-21-203.

(d) In drafting the water use and preservation element, the planning commission:

(i) shall consider:

(A) applicable regional water conservation goals recommended by the Division of Water Resources; and

(B) if Section 73-10-32 requires the municipality to adopt a water conservation plan in accordance with Section 73-10-32, the municipality's water conservation plan;

(ii) shall include a recommendation for:

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- 156 (A) water conservation policies to be determined by the municipality; and
- 157 (B) landscaping options within a public street for current and future development that do not require the
use of lawn or turf in a parkstrip;
- 159 (iii) shall review the municipality's land use ordinances and include a recommendation for changes to
an ordinance that promotes the inefficient use of water;
- 162 (iv) shall consider principles of sustainable landscaping, including the:
 - 163 (A) reduction or limitation of the use of lawn or turf;
 - 164 (B) promotion of site-specific landscape design that decreases stormwater runoff or runoff of water
used for irrigation;
 - 166 (C) preservation and use of healthy trees that have a reasonable water requirement or are resistant to dry
soil conditions;
 - 168 (D) elimination or regulation of ponds, pools, and other features that promote unnecessary water
evaporation;
 - 170 (E) reduction of yard waste; and
 - 171 (F) use of an irrigation system, including drip irrigation, best adapted to provide the optimal amount of
water to the plants being irrigated;
- 173 (v) shall consult with the public water system or systems serving the municipality with drinking water
regarding how implementation of the land use element and water use and preservation element may
affect:
 - 176 (A) water supply planning, including drinking water source and storage capacity consistent with Section
19-4-114; and
 - 178 (B) water distribution planning, including master plans, infrastructure asset management programs and
plans, infrastructure replacement plans, and impact fee facilities plans;
- 181 (vi) shall consult with the Division of Water Resources for information and technical resources
regarding regional water conservation goals, including how implementation of the land use element
and the water use and preservation element may affect the Great Salt Lake;
- 185 (vii) may include recommendations for additional water demand reduction strategies, including:
 - 187 (A) creating a water budget associated with a particular type of development;
 - 188 (B) adopting new or modified lot size, configuration, and landscaping standards that will reduce water
demand for new single family development;

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- (C) providing one or more water reduction incentives for existing development such as modification of existing landscapes and irrigation systems and installation of water fixtures or systems that minimize water demand;
- 193 (D) discouraging incentives for economic development activities that do not adequately account for water use or do not include strategies for reducing water demand; and
- 196 (E) adopting water concurrency standards requiring that adequate water supplies and facilities are or will be in place for new development; and
- 198 (viii) for a town, may include, and for another municipality, shall include, a recommendation for low water use landscaping standards for a new:
- 200 (A) commercial, industrial, or institutional development;
- 201 (B) common interest community, as defined in Section 57-25-102; or
- 202 (C) multifamily housing project.
- 203 (3) The proposed general plan may include:
- 204 (a) an environmental element that addresses:
- 205 (i) the protection, conservation, development, and use of natural resources, including the quality of:
- 207 (A) air;
- 208 (B) forests;
- 209 (C) soils;
- 210 (D) rivers;
- 211 (E) groundwater and other waters;
- 212 (F) harbors;
- 213 (G) fisheries;
- 214 (H) wildlife;
- 215 (I) minerals; and
- 216 (J) other natural resources; and
- 217 (ii)
- (A) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters;
- 219 (B) the regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas;
- 221 (C) the prevention, control, and correction of the erosion of soils;

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- 222 (D) the preservation and enhancement of watersheds and wetlands; and
223 (E) the mapping of known geologic hazards;
- 224 (b) a public services and facilities element showing general plans for sewage, water, waste disposal,
drainage, public utilities, rights-of-way, easements, and facilities for them, police and fire
protection, and other public services;
- 227 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and programs for:
229 (i) historic preservation;
230 (ii) the diminution or elimination of a development impediment as defined in Section 17C-1-102; and
232 (iii) redevelopment of land, including housing sites, business and industrial sites, and public building
sites;
- 234 (d) an economic element composed of appropriate studies and forecasts, as well as an economic
development plan, which may include review of existing and projected municipal revenue and
expenditures, revenue sources, identification of basic and secondary industry, primary and
secondary market areas, employment, and retail sales activity;
- 239 (e) recommendations for implementing all or any portion of the general plan, including the adoption of
land and water use ordinances, capital improvement plans, community development and promotion,
and any other appropriate action;
- 242 (f) provisions addressing any of the matters listed in Subsection 10-20-401(2) or Section 10-20-403;
and
- 244 (g) any other element the municipality considers appropriate.
- 245 (4) A municipality located within a county described by described in Section 17-79-409 may review
as part of the development of the municipality's general plan an urban reserve area, as defined in
Section 17-79-409, that the county identifies in the county's general plan.

249 ~~{Section 3. Section 11-36a-301 is amended to read: }~~

250 **11-36a-301. Impact fee facilities plan.**

- 251 (1) Before imposing an impact fee, each local political subdivision or private entity shall, except as
provided in Subsection (3), prepare an impact fee facilities plan to determine the public facilities
required to serve development resulting from new development activity.
- 255 (2) A municipality or county need not prepare a separate impact fee facilities plan if the general plan
required by Section 10-20-401 or 17-79-401, respectively, contains the elements required by Section
11-36a-302.

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- (3) A local political subdivision or a private entity with a population, or serving a population, of less than 5,000 as of the last federal census that charges impact fees of less than \$250,000 annually need not comply with the impact fee facilities plan requirements of this part, but shall ensure that:
- (a) the impact fees that the local political subdivision or private entity imposes are based upon a reasonable plan that otherwise complies with the common law and this chapter; and
- (b) each applicable notice required by this chapter is given.
- (4) A county described in Section 17-79-409 shall include in the county's impact fee facilities plan the information described in Subsection 17-79-409(7).

Section 2. Section **17-73-507** is amended to read:

17-73-507. Final plats of local entity boundary actions -- County surveyor approval of final plat -- Plat requirements.

- (1) Upon request and in consultation with the county recorder, the county surveyor of each county in which property depicted on a plat is located shall determine whether the plat is a final local entity plat.
- (2)
- (a) If a county surveyor determines that a plat meets the requirements of Subsection (3), the county surveyor shall approve the plat as a final local entity plat.
- (b) The county surveyor shall indicate the approval of a plat as a final local entity plat on the face of the final local entity plat.
- (3) A plat may not be approved as a final local entity plat unless the plat:
- (a) contains a graphical illustration depicting:
- (i) in the case of a proposed creation or incorporation of a local entity, the boundary of the proposed local entity;
- (ii) in the case of a proposed annexation of an area into an existing local entity, the boundary of the area proposed to be annexed, which may include non-contiguous areas;
- (iii) in the case of a proposed adjustment of a boundary between local entities, the boundary of the area that the boundary adjustment proposes to move from inside the boundary of one local entity to inside the boundary of another local entity;
- (iv) in the case of a proposed withdrawal or disconnection of an area from a local entity, the boundary of the area that is proposed to be withdrawn or disconnected;

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- (v) in the case of a proposed consolidation of multiple local entities, the boundary of the proposed consolidated local entity; and
- 292 (vi) in the case of a proposed division of a local entity into multiple local entities, the boundary of each new local entity created by the proposed division;
- 294 (b) is created on reproducible material that is:
- 295 (i) permanent in nature; and
- 296 (ii) the size and type specified by the county recorder;
- 297 (c) is drawn to a scale so that all data are legible;
- 298 (d) contains complete and accurate boundary information, including, as appropriate, calls along existing boundary lines, sufficient to enable:
- 300 (i) the county surveyor to establish the boundary on the ground, in the event of a dispute about the accurate location of the boundary; and
- 302 (ii) the county recorder to identify, for tax purposes, each tract or parcel included within the boundary;
- 304 (e) depicts a name for the plat, approved by the county recorder, that is sufficiently unique to distinguish the plat from all other recorded plats in the county;
- 306 (f) contains:
- 307 (i) the name of the local entity whose boundary is depicted on the plat;
- 308 (ii) the name of each county within which any property depicted on the plat is located;
- 309 (iii) the date that the plat was prepared;
- 310 (iv) a north arrow and legend;
- 311 (v) a signature block for:
- 312 (A) the signatures of:
- 313 (I) the professional land surveyor who prepared the plat; and
- 314 (II) the local entity's approving authority; and
- 315 (B) the approval of the county surveyor; and
- 316 (vi) a three-inch by three-inch block in the lower right hand corner for the county recorder's use when recording the plat;
- 318 (g) has been certified and signed by a professional land surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act; and
- 321 (h) has been reviewed and signed by the approving authority of the local entity whose boundary is depicted on the plat.

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- (4) The county surveyor may charge and collect a reasonable fee for the costs associated with:
- (a) the process of determining whether a plat is a final local entity plat; and
 - (b) the approval of a plat as a final local entity plat.

~~{Section 5. Section 17-79-403 is amended to read: }~~

17-79-403. General plan preparation.

(1)

- (a) The planning commission shall provide notice, as provided in Section 17-79-203, of the planning commission's intent to make a recommendation to the county legislative body for a general plan or a comprehensive general plan amendment when the planning commission initiates the process of preparing the planning commission's recommendation.

- (b) The planning commission shall make and recommend to the legislative body a proposed general plan for:

- (i) the unincorporated area within the county; or

- (ii) if the planning commission is a planning commission for a mountainous planning district, the mountainous planning district.

(c)

- (i) The plan may include planning for incorporated areas if, in the planning commission's judgment, they are related to the planning of the unincorporated territory or of the county as a whole.

- (ii) Elements of the county plan that address incorporated areas are not an official plan or part of a municipal plan for any municipality, unless the county plan is recommended by the municipal planning commission and adopted by the governing body of the municipality.

(2)

- (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:

- (i) a land use element that:

- (A) designates the long-term goals and the proposed extent, general distribution, and location of land for housing for residents of various income levels, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate;

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- (B) includes a statement of the projections for and standards of population density and building intensity recommended for the various land use categories covered by the plan;
- (C) is coordinated to integrate the land use element with the water use and preservation element; and
- (D) accounts for the effect of land use categories and land uses on water demand;
 - (ii) a transportation and traffic circulation element that:
 - (A) provides the general location and extent of existing and proposed freeways, arterial and collector streets, public transit, active transportation facilities, and other modes of transportation that the planning commission considers appropriate;
 - (B) addresses the county's plan for residential and commercial development around major transit investment corridors to maintain and improve the connections between housing, employment, education, recreation, and commerce; and
 - (C) correlates with the population projections, the employment projections, and the proposed land use element of the general plan;
 - (iii) for a specified county as defined in Section 17-80-101, a moderate income housing element that meets the requirements of Section 17-80-202;
 - (iv) a resource management plan detailing the findings, objectives, and policies required by Section 17-79-402; and
 - (v) a water use and preservation element that addresses:
 - (A) the effect of permitted development or patterns of development on water demand and water infrastructure;
 - (B) methods of reducing water demand and per capita consumption for future development;
 - (C) methods of reducing water demand and per capita consumption for existing development; and
 - (D) opportunities for the county to modify the county's operations to eliminate practices or conditions that waste water.
 - (b) In drafting the land use element, the planning commission shall:
 - (i) identify and consider each agriculture protection area within the unincorporated area of the county or mountainous planning district;
 - (ii) avoid proposing a use of land within an agriculture protection area that is inconsistent with or detrimental to the use of the land for agriculture; and
 - (iii) consider and coordinate with any station area plans adopted by municipalities located within the county under 10-21-203.

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- 392 (c) In drafting the transportation and traffic circulation element, the planning commission shall:
394 (i)
- (A) consider and coordinate with the regional transportation plan developed by the county's region's metropolitan planning organization, if the relevant areas of the county are within the boundaries of a metropolitan planning organization; or
- 398 (B) consider and coordinate with the long-range transportation plan developed by the Department of Transportation, if the relevant areas of the county are not within the boundaries of a metropolitan planning organization; and
- 401 (ii) consider and coordinate with any station area plans adopted by municipalities located within the county under Section 10-21-203.
- 403 (d) In drafting the water use and preservation element, the planning commission:
- 404 (i) shall consider applicable regional water conservation goals recommended by the Division of Water Resources;
- 406 (ii) shall consult with the Division of Water Resources for information and technical resources regarding regional water conservation goals, including how implementation of the land use element and water use and preservation element may affect the Great Salt Lake;
- 410 (iii) shall notify the community water systems serving drinking water within the unincorporated portion of the county and request feedback from the community water systems about how implementation of the land use element and water use and preservation element may affect:
- 414 (A) water supply planning, including drinking water source and storage capacity consistent with Section 19-4-114; and
- 416 (B) water distribution planning, including master plans, infrastructure asset management programs and plans, infrastructure replacement plans, and impact fee facilities plans;
- 419 (iv) shall consider the potential opportunities and benefits of planning for regionalization of public water systems;
- 421 (v) shall consult with the Department of Agriculture and Food for information and technical resources regarding the potential benefits of agriculture conservation easements and potential implementation of agriculture water optimization projects that would support regional water conservation goals;
- 425 (vi) shall notify an irrigation or canal company located in the county so that the irrigation or canal company can be involved in the protection and integrity of the irrigation or canal company's delivery systems;

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- 428 (vii) shall include a recommendation for:
- 429 (A) water conservation policies to be determined by the county; and
- 430 (B) landscaping options within a public street for current and future development that do not require the
use of lawn or turf in a parkstrip;
- 432 (viii) shall review the county's land use ordinances and include a recommendation for changes to an
ordinance that promotes the inefficient use of water;
- 434 (ix) shall consider principles of sustainable landscaping, including the:
- 435 (A) reduction or limitation of the use of lawn or turf;
- 436 (B) promotion of site-specific landscape design that decreases stormwater runoff or runoff of water
used for irrigation;
- 438 (C) preservation and use of healthy trees that have a reasonable water requirement or are resistant to dry
soil conditions;
- 440 (D) elimination or regulation of ponds, pools, and other features that promote unnecessary water
evaporation;
- 442 (E) reduction of yard waste; and
- 443 (F) use of an irrigation system, including drip irrigation, best adapted to provide the optimal amount of
water to the plants being irrigated;
- 445 (x) may include recommendations for additional water demand reduction strategies, including:
- 447 (A) creating a water budget associated with a particular type of development;
- 448 (B) adopting new or modified lot size, configuration, and landscaping standards that will reduce water
demand for new single family development;
- 450 (C) providing one or more water reduction incentives for existing landscapes and irrigation systems and
installation of water fixtures or systems that minimize water demand;
- 453 (D) discouraging incentives for economic development activities that do not adequately account for
water use or do not include strategies for reducing water demand; and
- 456 (E) adopting water concurrency standards requiring that adequate water supplies and facilities are or
will be in place for new development; and
- 458 (xi) shall include a recommendation for low water use landscaping standards for a new:
- 460 (A) commercial, industrial, or institutional development;
- 461 (B) common interest community, as defined in Section 57-25-102; or
- 462 (C) multifamily housing project.

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- 463 (3) The proposed general plan may include:
464 (a) an environmental element that addresses:
465 (i) to the extent not covered by the county's resource management plan, the protection, conservation,
development, and use of natural resources, including the quality of:
468 (A) air;
469 (B) forests;
470 (C) soils;
471 (D) rivers;
472 (E) groundwater and other waters;
473 (F) harbors;
474 (G) fisheries;
475 (H) wildlife;
476 (I) minerals; and
477 (J) other natural resources; and
478 (ii)
(A) the reclamation of land, flood control, prevention and control of the pollution of streams and other
waters;
480 (B) the regulation of the use of land on hillsides, stream channels and other environmentally sensitive
areas;
482 (C) the prevention, control, and correction of the erosion of soils;
483 (D) the preservation and enhancement of watersheds and wetlands; and
484 (E) the mapping of known geologic hazards;
485 (b) a public services and facilities element showing general plans for sewage, water, waste disposal,
drainage, public utilities, rights-of-way, easements, and facilities for them, police and fire
protection, and other public services;
488 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and programs for:
490 (i) historic preservation;
491 (ii) the diminution or elimination of a development impediment as defined in Section 17C-1-102; and
493 (iii) redevelopment of land, including housing sites, business and industrial sites, and public building
sites;

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- (d) an economic element composed of appropriate studies and forecasts, as well as an economic development plan, which may include review of existing and projected county revenue and expenditures, revenue sources, identification of basic and secondary industry, primary and secondary market areas, employment, and retail sales activity;
- 500 (e) recommendations for implementing all or any portion of the general plan, including the adoption of land and water use ordinances, capital improvement plans, community development and promotion, and any other appropriate action;
- 503 (f) provisions addressing any of the matters listed in Subsection 17-79-401(2) or 17-79-402(1); and
- 505 (g) any other element the county considers appropriate.
- 506 (4) A county of the third class that is adjacent to a county of the first class is subject to the specific general plan requirements described in Section 17-79-409.

508 Section 6. Section 6 is enacted to read:

509 **17-79-409. Metropolitan growth county.**

510 (1) As used in this section:

511 (a) "Metropolitan growth county" means a county of the third class that is adjacent to a county of the first class.

513 (b) "Urban reserve area" means an area designated under Subsection (3).

514 (2) A metropolitan growth county's general plan shall include:

515 (a) a county population projection that:

516 (i) is based on population projections published by the Utah Population Committee created in Section 63C-20-103; and

518 (ii) is at least a 20-year population projection; and

519 (b) applicable employment projections published by the Department of Workforce Services.

521 (3) A metropolitan growth county's general plan shall designate one or more areas within the metropolitan growth county that is able to accommodate the residential and employment growth projections described in Subsection (2).

524 (4) For each urban reserve area, a metropolitan growth county shall:

525 (a) identify land suitable for future residential and employment uses;

526 (b) plan for future transportation corridors and utility alignments;

527 (c) identify potential locations for future schools, parks, public safety facilities, and other public uses;

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(d) evaluate the capacity of water, sewer, and other public utility facilities necessary to support the projected population and employment growth described in Subsection (2); and

(e) contain land use policies supporting the orderly transition from rural to urban development patterns.

(5) A metropolitan growth county may not, in the metropolitan growth county's general plan, designate an area with an urban density for primarily residential development, unless the metropolitan growth county demonstrates the reasonable availability of culinary water, wastewater treatment capacity, transportation access, and public safety services for the area.

(6)

(a) A metropolitan growth county's general plan shall include policies that support eventual incorporation or annexation of an urban reserve area when sufficient demand develops for a variety of municipal services.

(b) The policies described in Subsection (6)(a) shall encourage logical municipal boundaries and efficient municipal services.

(c) A metropolitan growth county shall coordinate with each municipality that is adjacent to an urban reserve area to determine the longterm feasibility of the municipality annexing all or a portion of the urban reserve area.

(7) A metropolitan growth county shall include in an impact fee facilities plan under Section 11-36a-301 an evaluation of the public facilities required to serve new development within an urban reserve area.

(8)

(a) A metropolitan growth county shall coordinate with each school district that includes all or a portion of an urban reserve area.

(b) A metropolitan growth county's general plan shall identify anticipated school sites, if feasible.

(9) A metropolitan growth county may include in the metropolitan growth county's general plan:

(a) a corridor preservation element that identifies future transportation routes, utility corridors, and regional infrastructure alignments necessary to support projected growth; and

(b) a specific plan for using the metropolitan growth county's authority to preserve transportation corridors under Title 71, Chapter 5, Part 4, Transportation corridor preservation powers.

(10) This section does not:

(a) require a metropolitan growth county to approve a specific land use application;

(b) limit a metropolitan growth county's authority to adopt reasonable land use regulations; or

HB0457S01 compared with HB0457S02

- 566 (c) create a private right of action.
- 567 (11) A metropolitan growth county may not amend the metropolitan growth county's general plan to
materially reduce the development capacity of an urban reserve area unless the metropolitan growth
county includes written findings in the general plan demonstrating that:
- 571 (a) water resources are deficient;
- 572 (b) the capacity of public infrastructure is deficient;
- 573 (c) there is a threat to public health or safety; or
- 574 (d) the reduction of development capacity in the urban area is necessary to comply with a specific state
or federal resource protection law.

121 Section 3. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-23-26 10:05 PM