

HB0457S03 compared with HB0457S02

{Omitted text} shows text that was in HB0457S02 but was omitted in HB0457S03

inserted text shows text that was not in HB0457S02 but was inserted into HB0457S03

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{Municipal} County Growth Planning and Annexation Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor: Ronald M. Winterton

LONG TITLE

General Description:

This bill modifies provisions relating to {~~annexation of unincorporated areas of a county~~} planning for growth in certain counties of the second 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;
- requires a county of the second class to provide notice of an automatic annexation;
- 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:

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None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-2-801 , as renumbered and amended by Laws of Utah 2025, Chapter 399

10-2-813 , as renumbered and amended by Laws of Utah 2025, Chapter 399

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 10-2-801 is amended to read:

10-2-801. Definitions.

As used in this part:

- (1) "Affected area" means an annexed area or area proposed for annexation.
- (2) "Affected entity" means:
 - (a) a county of the first or second class in whose unincorporated area the area proposed for annexation is located;
 - (b) a county of the third, fourth, fifth, or sixth class in whose unincorporated area the area proposed for annexation is located, if the area includes residents or commercial or industrial development;
 - (c) a special district under Title 17B, Limited Purpose Local Government Entities - Special Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, whose boundary includes any part of an area proposed for annexation;

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(d) a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and

(e) a municipality whose boundaries are within 1/2 mile of an area proposed for annexation.

(3) "Annexation action" means:

(a) the enactment of an ordinance annexing an unincorporated area;

(b) the enactment of an ordinance approving a boundary adjustment by each of the municipalities involved in the boundary adjustment; or

(c) an automatic annexation that occurs on July 1, 2027, under Subsection [~~10-2-814(2)~~
(b)] 10-2-814(5).

(4) "Annexation petition" means a petition under Section 10-2-806 proposing the annexation to a municipality of a contiguous, unincorporated area that is contiguous to the municipality.

(5) "Annexing municipality" means:

(a) the municipality that annexes an unincorporated area; or

(b) the municipality to which an unincorporated island is automatically annexed under Section 10-2-814.

(6) "Applicable legislative body" means:

(a) the legislative body of each municipality that enacts an ordinance under this part approving the annexation of an unincorporated area or the adjustment of a boundary; or

(b) the legislative body of a municipality to which an unincorporated island is automatically annexed under Section 10-2-814.

(7) "Expansion area" means the unincorporated area that is identified in an annexation policy plan under Section 10-2-803 as the area that the municipality anticipates annexing in the future.

(8) "Feasibility consultant" means a person or firm with expertise in the processes and economics of local government.

(9) "Mining protection area" means the same as that term is defined in Section 17-41-101.

(10) "Municipal records officer" means a:

(a) city recorder; or

(b) town clerk.

(11) "Municipal selection committee" means a committee in each county composed of the mayor of each municipality within that county.

(12) "Owner of real property" means:

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- (a) the record title owner according to the records of the county recorder on the date of the filing of the petition or protest; or
- (b) the lessee of military land, as defined in Section 63H-1-102, if the area proposed for annexation includes military land that is within a project area described in a project area plan adopted by the military installation development authority under Title 63H, Chapter 1, Military Installation Development Authority Act.
- (13) "Private," with respect to real property, means not owned by:
- (a) the United States or any agency of the federal government;
- (b) the state;
- (c) a county;
- (d) a municipality;
- (e) a school district;
- (f) a special district under Title 17B, Limited Purpose Local Government Entities - Special Districts;
- (g) a special service district under Title 17D, Chapter 1, Special Service District Act; or
- (h) any other political subdivision or governmental entity of the state.
- (14)
- (a) "Rural real property" means a group of contiguous tax parcels, or a single tax parcel, that:
- (i) are under common ownership;
- (ii) consist of no less than 1,000 total acres;
- (iii) are zoned for manufacturing or agricultural purposes; and
- (iv) do not have a residential unit density greater than one unit per acre.
- (b) "Rural real property" includes any portion of private real property, if the private real property:
- (i) qualifies as rural real property under Subsection (14)(a); and
- (ii) consists of more than 1,500 total acres.
- (15) "Specified county" means a county of the second, third, fourth, fifth, or sixth class.
- (16) "Unincorporated peninsula" means an unincorporated area:
- (a) that is part of a larger unincorporated area;
- (b) that extends from the rest of the unincorporated area of which it is a part;
- (c) that is surrounded by land that is within a municipality, except where the area connects to and extends from the rest of the unincorporated area of which it is a part; and

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(d) whose width, at any point where a straight line may be drawn from a place where it borders a municipality to another place where it borders a municipality, is no more than 25% of the boundary of the area where it borders a municipality.

(17) "Urban development" means:

(a) a housing development with more than 15 residential units and an average density greater than one residential unit per acre; or

(b) a commercial or industrial development for which cost projections exceed \$750,000 for all phases.

Section 2. Section 10-2-813 is amended to read:

10-2-813. Filing of notice and plat -- Recording and notice requirements -- Effective date of annexation or boundary adjustment.

(1) An applicable legislative body shall:

(a) within 60 days after an annexation action, file with the lieutenant governor:

(i) a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3);

(ii) a copy of an approved final local entity plat, as defined in Section 67-1a-6.5; and

(iii) if applicable, a copy of a resolution under Subsection [10-2-814(2)(a)(ii)] 10-2-814(2)(b);

(b) upon the lieutenant governor's issuance of a certificate of annexation or boundary adjustment, as the case may be, under Section 67-1a-6.5:

(i) if the annexed area or area subject to the boundary adjustment is located within the boundary of a single county, submit to the recorder of that county the original notice of an impending boundary action, the original certificate of annexation or boundary adjustment, the original approved final local entity plat, and a certified copy of the ordinance approving the annexation or boundary adjustment; or

(ii) if the annexed area or area subject to the boundary adjustment is located within the boundaries of more than a single county:

(A) submit to the recorder of one of the affected counties the original notice of impending boundary action, the original certificate of annexation or boundary adjustment, and the original approved final local entity plat;

(B) submit to the recorder of each other affected county a certified copy of the documents listed in Subsection (1)(b)(ii)(A); and

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(C) submit a certified copy of the ordinance approving the annexation or boundary adjustment to each county described in Subsections (1)(b)(ii)(A) and (B); and

(c) concurrently with Subsection (1)(b):

(i) send notice of the annexation or boundary adjustment to each affected entity; and

(ii) in accordance with Section 53-2d-514, file with the Bureau of Emergency Medical Services:

(A) a certified copy of the ordinance approving the annexation of an unincorporated area or the adjustment of a boundary, if applicable; and

(B) a copy of the approved final local entity plat.

(2) If an annexation under this part or a boundary adjustment under Part 9, Municipal Boundary Adjustments, also causes an automatic annexation to a special district under Section 17B-1-416 or an automatic withdrawal from a special district under Subsection 17B-1-502(2), the municipal legislative body shall, as soon as practicable after the lieutenant governor issues a certificate of annexation or boundary adjustment under Section 67-1a-6.5, send notice of the annexation or boundary adjustment to the special district to which the annexed area is automatically annexed or from which the annexed area is automatically withdrawn.

(3) Each notice required under Subsection (1) relating to an annexation or boundary adjustment shall state the effective date of the annexation or boundary adjustment, as determined under Subsection (4).

(4) An annexation under this part or a boundary adjustment under Part 9, Municipal Boundary Adjustments, is completed and takes effect:

(a) for the annexation of or boundary adjustment affecting an area located in a county of the first class, except for an annexation under Section 10-2-812:

(i) July 1 following the lieutenant governor's issuance under Section 67-1a-6.5 of a certificate of annexation or boundary adjustment if:

(A) the certificate is issued during the preceding November 1 through April 30; and

(B) the requirements of Subsection (1) are met before that July 1; or

(ii) January 1 following the lieutenant governor's issuance under Section 67-1a-6.5 of a certificate of annexation or boundary adjustment if:

(A) the certificate is issued during the preceding May 1 through October 31; and

(B) the requirements of Subsection (1) are met before that January 1; and

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(b) subject to Subsection (5), for all other annexations and boundary adjustments, the date of the lieutenant governor's issuance, under Section 67-1a-6.5, of a certificate of annexation or boundary adjustment.

(5)

(a) The effective date of an annexation or boundary adjustment for purposes of assessing property within an affected area is governed by Section 59-2-305.5.

(b) Until the documents listed in Subsection (1)(b)(i) are recorded in the office of the recorder of each county in which the property is located, a municipality may not:

(i) levy or collect a property tax on property within an affected area;

(ii) levy or collect an assessment on property within an affected area; or

(iii) charge or collect a fee for service provided to property within an affected area, unless the municipality was charging and collecting the fee within that area immediately before annexation.

Section 3. Section **10-2-814** is amended to read:

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

(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} 400,000 or less, an area {that is} :

(A) that is 55 acres or smaller;

(B) that is not within a municipality;

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

(D)

(I) ~~{provided}~~ to which the municipality that completely surrounds the area provides sanitary sewer service or culinary water service ~~{by the most populous bordering municipality; or}~~ ;

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45 { (H) { ~~not provided sanitary sewer service or culinary water service.~~ } }

217 (II) that does not contain any public infrastructure; or

46 {(2)}

{(a)} that contains public infrastructure that currently meets the municipal code and standards of the
municipality that completely surrounds the area.

220 (2)

{(a)} Notwithstanding any other provision of this part, on July 1, 2027, an unincorporated island within
a county of the first class is automatically annexed to:

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

50 {(ii)} (b) a municipality other than the most populous bordering municipality if:

51 {(A)} (i) the other municipality shares a common border with the unincorporated island; and

53 {(B)} (ii) 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.

230 (3) Notwithstanding any other provision of this part, on July 1, 2027, an unincorporated island within
a county of the second class is automatically annexed to the municipality that completely surrounds
the unincorporated island.

233 (4)

(a) No later than May 1, 2027, a county of the second class in which an unincorporated island will be
automatically annexed shall:

235 (i) mail written notice to each owner of real property located within the unincorporated island that
includes:

237 (A) a description and map of the unincorporated island;

238 (B) the effective date of the automatic annexation; and

239 (C) information about the municipality into which the unincorporated island will be annexed including:

241 (I) a summary of services the municipality provides; and

242 (II) the municipality's contact information; and

243 (ii) publish notice of the automatic annexation on the Utah Public Notice Website.

244 (b) A county required to provide the notice described in Subsection (4)(a) shall consult with the
applicable municipality when preparing the notice.

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(c) The notice described in Subsection (4)(a) is in addition to any boundary certification or recording requirements under this chapter.

56 (b) (5) The effective date of an annexation under Subsection [(2)(a)] (2) or (3) is governed by Section 10-2-813.

58 (3){(6)} 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.

254 Section 4. Section 10-20-404 is amended to read:

255 **10-20-404. General plan preparation.**

256 (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.

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

263 (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.

266 (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.

270 (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:

273 (i) a land use element that:

274 (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,

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education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate;

- 279 (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;
- 282 (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
- 284 (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;
- 286 (ii) a transportation and traffic circulation element that:
- 287 (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;
- 291 (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;
- 296 (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
- 300 (D) correlates with the population projections, the employment projections, and the proposed land use
element of the general plan;
- 302 (iii) a moderate income housing element that meets the requirements of Section 10-21-201; and
- 304 (iv) except for a city of the fifth class or a town, a water use and preservation element that
addresses:
- 306 (A) the effect of permitted development or patterns of development on water demand and water
infrastructure;
- 308 (B) methods of reducing water demand and per capita consumption for future development;
- 310 (C) methods of reducing water demand and per capita consumption for existing development; and
- 312 (D) opportunities for the municipality to modify the municipality's operations to eliminate practices or
conditions that waste water.

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- 314 (b) In drafting the land use element, the planning commission shall:
- 315 (i) identify and consider each agriculture protection area within the municipality;
- 316 (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
- 318 (iii) consider and coordinate with any station area plans adopted by the municipality if required under
Section 10-21-203.
- 320 (c) In drafting the transportation and traffic circulation element, the planning commission shall:
- 322 (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
- 326 (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
- 329 (ii) consider and coordinate with any station area plans adopted by the municipality if required under
Section 10-21-203.
- 331 (d) In drafting the water use and preservation element, the planning commission:
- 332 (i) shall consider:
- 333 (A) applicable regional water conservation goals recommended by the Division of Water Resources;
and
- 335 (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;
- 338 (ii) shall include a recommendation for:
- 339 (A) water conservation policies to be determined by the municipality; and
- 340 (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;
- 342 (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;
- 345 (iv) shall consider principles of sustainable landscaping, including the:
- 346 (A) reduction or limitation of the use of lawn or turf;
- 347

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- (B) promotion of site-specific landscape design that decreases stormwater runoff or runoff of water used for irrigation;
- 349 (C) preservation and use of healthy trees that have a reasonable water requirement or are resistant to dry soil conditions;
- 351 (D) elimination or regulation of ponds, pools, and other features that promote unnecessary water evaporation;
- 353 (E) reduction of yard waste; and
- 354 (F) use of an irrigation system, including drip irrigation, best adapted to provide the optimal amount of water to the plants being irrigated;
- 356 (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:
- 359 (A) water supply planning, including drinking water source and storage capacity consistent with Section 19-4-114; and
- 361 (B) water distribution planning, including master plans, infrastructure asset management programs and plans, infrastructure replacement plans, and impact fee facilities plans;
- 364 (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;
- 368 (vii) may include recommendations for additional water demand reduction strategies, including:
- 370 (A) creating a water budget associated with a particular type of development;
- 371 (B) adopting new or modified lot size, configuration, and landscaping standards that will reduce water demand for new single family development;
- 373 (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;
- 376 (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
- 379 (E) adopting water concurrency standards requiring that adequate water supplies and facilities are or will be in place for new development; and

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(viii) for a town, may include, and for another municipality, shall include, a recommendation for low water use landscaping standards for a new:

(A) commercial, industrial, or institutional development;

(B) common interest community, as defined in Section 57-25-102; or

(C) multifamily housing project.

(3) The proposed general plan may include:

(a) an environmental element that addresses:

(i) the protection, conservation, development, and use of natural resources, including the quality of:

(A) air;

(B) forests;

(C) soils;

(D) rivers;

(E) groundwater and other waters;

(F) harbors;

(G) fisheries;

(H) wildlife;

(I) minerals; and

(J) other natural resources; and

(ii)

(A) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters;

(B) the regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas;

(C) the prevention, control, and correction of the erosion of soils;

(D) the preservation and enhancement of watersheds and wetlands; and

(E) the mapping of known geologic hazards;

(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;

(c) a rehabilitation, redevelopment, and conservation element consisting of plans and programs for:

(i) historic preservation;

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- (ii) the diminution or elimination of a development impediment as defined in Section 17C-1-102; and
 - (iii) redevelopment of land, including housing sites, business and industrial sites, and public building sites;
 - (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;
 - (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;
 - (f) provisions addressing any of the matters listed in Subsection 10-20-401(2) or Section 10-20-403; and
 - (g) any other element the municipality considers appropriate.
- (4) A municipality located within a county 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.

Section 5. Section 11-36a-301 is amended to read:

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

- (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.
- (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.
- (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.

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(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).

450 Section 6. Section 17-73-507 is amended to read:

451 **17-73-507. Final plats of local entity boundary actions -- County surveyor approval of final plat -- Plat requirements.**

65 (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.

68 (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.

70 (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.

72 (3) A plat may not be approved as a final local entity plat unless the plat:

73 (a) contains a graphical illustration depicting:

74 (i) in the case of a proposed creation or incorporation of a local entity, the boundary of the proposed local entity;

76 (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;

79 (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;

82 (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;

84 (v) in the case of a proposed consolidation of multiple local entities, the boundary of the proposed consolidated local entity; and

86 (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;

88 (b) is created on reproducible material that is:

89 (i) permanent in nature; and

90 (ii) the size and type specified by the county recorder;

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- (c) is drawn to a scale so that all data are legible;
- (d) contains complete and accurate boundary information, including, as appropriate, calls along existing boundary lines, sufficient to enable:
 - (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
 - (ii) the county recorder to identify, for tax purposes, each tract or parcel included within the boundary;
- (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;
- (f) contains:
 - (i) the name of the local entity whose boundary is depicted on the plat;
 - (ii) the name of each county within which any property depicted on the plat is located;
 - (iii) the date that the plat was prepared;
 - (iv) a north arrow and legend;
 - (v) a signature block for:
 - (A) the signatures of:
 - (I) the professional land surveyor who prepared the plat; and
 - (II) the local entity's approving authority; and
 - (B) the approval of the county surveyor; and
 - (vi) a three-inch by three-inch block in the lower right hand corner for the county recorder's use when recording the plat;
- (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
- (h) has been reviewed and signed by the approving authority of the local entity whose boundary is depicted on the plat.
- (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 7. Section 17-79-403 is amended to read:

17-79-403. General plan preparation.

- (1)

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(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.

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

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

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

521 (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.

524 (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.

528 (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:

531 (i) a land use element that:

532 (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;

537 (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;

540 (C) is coordinated to integrate the land use element with the water use and preservation element; and

542 (D) accounts for the effect of land use categories and land uses on water demand;

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

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(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;

548 (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

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

554 (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;

556 (iv) a resource management plan detailing the findings, objectives, and policies required by Section 17-79-402; and

558 (v) a water use and preservation element that addresses:

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

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

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

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

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

568 (i) identify and consider each agriculture protection area within the unincorporated area of the county or mountainous planning district;

570 (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

572 (iii) consider and coordinate with any station area plans adopted by municipalities located within the county under 10-21-203.

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

576 (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

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- 580 (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
- 583 (ii) consider and coordinate with any station area plans adopted by municipalities located within the
county under Section 10-21-203.
- 585 (d) In drafting the water use and preservation element, the planning commission:
- 586 (i) shall consider applicable regional water conservation goals recommended by the Division of Water
Resources;
- 588 (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;
- 592 (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:
- 596 (A) water supply planning, including drinking water source and storage capacity consistent with Section
19-4-114; and
- 598 (B) water distribution planning, including master plans, infrastructure asset management programs and
plans, infrastructure replacement plans, and impact fee facilities plans;
- 601 (iv) shall consider the potential opportunities and benefits of planning for regionalization of public
water systems;
- 603 (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;
- 607 (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;
- 610 (vii) shall include a recommendation for:
- 611 (A) water conservation policies to be determined by the county; and
- 612 (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;
- 614

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(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;

(ix) shall consider principles of sustainable landscaping, including the:

(A) reduction or limitation of the use of lawn or turf;

(B) promotion of site-specific landscape design that decreases stormwater runoff or runoff of water used for irrigation;

(C) preservation and use of healthy trees that have a reasonable water requirement or are resistant to dry soil conditions;

(D) elimination or regulation of ponds, pools, and other features that promote unnecessary water evaporation;

(E) reduction of yard waste; and

(F) use of an irrigation system, including drip irrigation, best adapted to provide the optimal amount of water to the plants being irrigated;

(x) may include recommendations for additional water demand reduction strategies, including:

(A) creating a water budget associated with a particular type of development;

(B) adopting new or modified lot size, configuration, and landscaping standards that will reduce water demand for new single family development;

(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;

(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

(E) adopting water concurrency standards requiring that adequate water supplies and facilities are or will be in place for new development; and

(xi) shall include a recommendation for low water use landscaping standards for a new:

(A) commercial, industrial, or institutional development;

(B) common interest community, as defined in Section 57-25-102; or

(C) multifamily housing project.

(3) The proposed general plan may include:

(a) an environmental element that addresses:

(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:

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- 650 (A) air;
- 651 (B) forests;
- 652 (C) soils;
- 653 (D) rivers;
- 654 (E) groundwater and other waters;
- 655 (F) harbors;
- 656 (G) fisheries;
- 657 (H) wildlife;
- 658 (I) minerals; and
- 659 (J) other natural resources; and
- 660 (ii)
 - (A) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters;
 - 662 (B) the regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas;
 - 664 (C) the prevention, control, and correction of the erosion of soils;
 - 665 (D) the preservation and enhancement of watersheds and wetlands; and
 - 666 (E) the mapping of known geologic hazards;
 - 667 (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;
 - 670 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and programs for:
 - 672 (i) historic preservation;
 - 673 (ii) the diminution or elimination of a development impediment as defined in Section 17C-1-102; and
 - 675 (iii) redevelopment of land, including housing sites, business and industrial sites, and public building sites;
 - 677 (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;

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(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;

(f) provisions addressing any of the matters listed in Subsection 17-79-401(2) or 17-79-402(1); and

(g) any other element the county considers appropriate.

(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.

Section 8. Section 8 is enacted to read:

17-79-409. Metropolitan growth county.

(1) As used in this section:

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

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

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

(a) a county population projection that:

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

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

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

(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).

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

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

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

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

(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

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county demonstrates the reasonable availability of culinary water, wastewater treatment capacity, transportation access, and public safety services for the area.

721 (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.

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

726 (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.

729 (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.

732 (8)

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

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

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

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

741 (b) a specific plan for using the metropolitan growth county's authority to preserve transportation corridors under Title 72, Chapter 5, Part 4, Transportation Corridor Preservation.

744 (10) This section does not:

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

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

748 (c) create a private right of action.

749 (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:

753 (a) water resources are deficient;

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- 754 (b) the capacity of public infrastructure is deficient;
755 (c) there is a threat to public health or safety; or
756 (d) the reduction of development capacity in the urban area is necessary to comply with a specific state
or federal resource protection law.

758 Section 9. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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