

**Senator Jacob L. Anderegg** proposes the following substitute bill:

**UTAH HOUSING AFFORDABILITY AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jacob L. Anderegg**

House Sponsor: Steve Waldrip

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to affordable housing and the provision of services related to affordable housing.

**Highlighted Provisions:**

This bill:

- ▶ modifies definitions;
- ▶ provides that a political subdivision may grant real property that will be used for affordable housing units;
- ▶ describes additional activities that may receive funding from the Olene Walker Housing Loan Fund, including a mediation program and predevelopment grants;
- ▶ modifies the responsibilities of the Automated Geographic Reference Center; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2022:

- ▶ to the Department of Workforce Services -- Olene Walker Housing Loan Fund as an ongoing appropriation:
  - from the General Fund, \$800,000.

**Other Special Clauses:**



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **10-9a-401**, as last amended by Laws of Utah 2019, Chapters 136 and 327

30 **10-9a-403**, as last amended by Laws of Utah 2020, Chapter 136

31 **10-9a-404**, as last amended by Laws of Utah 2020, Chapter 434

32 **10-9a-408**, as last amended by Laws of Utah 2020, Chapter 434

33 **17-27a-403**, as last amended by Laws of Utah 2020, Chapter 136

34 **35A-8-505**, as last amended by Laws of Utah 2020, Chapter 241

35 **63F-1-507**, as last amended by Laws of Utah 2019, Chapter 35

36 ENACTS:

37 **10-8-501**, Utah Code Annotated 1953

38 **35A-8-507.5**, Utah Code Annotated 1953



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

41 Section 1. Section **10-8-501** is enacted to read:

42 **Part 5. Grants for Affordable Housing**

43 **10-8-501. Grant of real property for affordable housing.**

44 (1) As used in this part, "affordable housing unit" means a rental housing unit where a  
45 household whose income is no more than 50% of the area median income for households  
46 where the housing unit is located is able to occupy the housing unit paying no more than 31%  
47 of the household's income for gross housing costs including utilities.

48 (2) Subject to the requirements of this section, and for a municipality, Subsection  
49 10-8-2(4), a political subdivision may grant real property owned by the political subdivision to  
50 an entity for the development of one or more affordable housing units on the real property that  
51 will serve households at various income levels whereby at least 20% of the housing units are  
52 affordable housing units.

53 (3) A political subdivision shall ensure that real property granted as described in  
54 Subsection (2) is deed restricted for affordable housing for at least 30 years after the day on  
55 which each affordable housing unit is completed and occupied.

56 (4) If applicable, a political subdivision granting real property under this section shall

57 comply with the provisions of Title 78B, Chapter 6, Part 5, Eminent Domain.

58 (5) A municipality granting real property under this section is not subject to the  
59 provisions of Subsection 10-8-2(3).

60 Section 2. Section **10-9a-401** is amended to read:

61 **10-9a-401. General plan required -- Content.**

62 (1) In order to accomplish the purposes of this chapter, each municipality shall prepare  
63 and adopt a comprehensive, long-range general plan for:

- 64 (a) present and future needs of the municipality; and
- 65 (b) growth and development of all or any part of the land within the municipality.

66 (2) The general plan may provide for:

67 (a) health, general welfare, safety, energy conservation, transportation, prosperity, civic  
68 activities, aesthetics, and recreational, educational, and cultural opportunities;

69 (b) the reduction of the waste of physical, financial, or human resources that result  
70 from either excessive congestion or excessive scattering of population;

71 (c) the efficient and economical use, conservation, and production of the supply of:

72 (i) food and water; and

73 (ii) drainage, sanitary, and other facilities and resources;

74 (d) the use of energy conservation and solar and renewable energy resources;

75 (e) the protection of urban development;

76 (f) if the municipality is a town, the protection or promotion of moderate income  
77 housing;

78 (g) the protection and promotion of air quality;

79 (h) historic preservation;

80 (i) identifying future uses of land that are likely to require an expansion or significant  
81 modification of services or facilities provided by each affected entity; and

82 (j) an official map.

83 (3) (a) The general plan of a municipality, other than a town, shall plan for moderate  
84 income housing growth.

85 (b) On or before December 1, 2019, each of the following that have a general plan that  
86 does not comply with Subsection (3)(a) shall amend the general plan to comply with

87 Subsection (3)(a):

- 88 (i) a city of the first, second, third, or fourth class;
- 89 (ii) a city of the fifth class with a population of 5,000 or more, if the city is located
- 90 within a county of the first, second, or third class; and
- 91 (iii) a metro township with a population of 5,000 or more.
- 92 (c) The population figures described in Subsections (3)(b)(ii) and (iii) shall be derived
- 93 from:
  - 94 (i) the most recent official census or census estimate of the United States Census
  - 95 Bureau; or
  - 96 (ii) if a population figure is not available under Subsection (3)(c)(i), an estimate of the
  - 97 Utah Population Committee.
- 98 (4) Subject to Subsection [10-9a-403\[\(2\)\]\(3\)](#), the municipality may determine the
- 99 comprehensiveness, extent, and format of the general plan.

100 Section 3. Section **10-9a-403** is amended to read:

101 **10-9a-403. General plan preparation.**

- 102 (1) (a) As used in this section, "residential building design element" means for a
- 103 single-family residential building:
  - 104 (i) exterior building color;
  - 105 (ii) type or style of exterior cladding material;
  - 106 (iii) style or materials of a roof structure, roof pitch, or porch;
  - 107 (iv) exterior nonstructural architectural ornamentation;
  - 108 (v) location, design, placement, or architectural styling of a window or door, including
  - 109 a garage door;
  - 110 (vi) the number or type of rooms;
  - 111 (vii) the interior layout of a room; or
  - 112 (viii) the minimum square footage of a structure.
- 113 (b) "Residential building design element" does not include for a single-family
- 114 residential building:
  - 115 (i) the height, bulk, orientation, or location of a structure on a lot; or
  - 116 (ii) buffering or screening used to:
    - 117 (A) minimize visual impacts;
    - 118 (B) mitigate the impacts of light or noise; or

119 (C) protect the privacy of neighbors.

120 (2) (a) The planning commission shall provide notice, as provided in Section  
121 10-9a-203, of its intent to make a recommendation to the municipal legislative body for a  
122 general plan or a comprehensive general plan amendment when the planning commission  
123 initiates the process of preparing its recommendation.

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

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

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

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

136 (i) a land use element that:

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

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

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

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

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

150 education, recreation, and commerce;

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

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

157 (iii) for a municipality described in Subsection 10-9a-401(3)(b), a plan that provides a  
158 realistic opportunity to meet the need for additional moderate income housing.

159 (b) In drafting the moderate income housing element, the planning commission:

160 (i) shall consider the Legislature's determination that municipalities shall facilitate a  
161 reasonable opportunity for a variety of housing, including moderate income housing:

162 (A) to meet the needs of people of various income levels living, working, or desiring to  
163 live or work in the community; and

164 (B) to allow people with various incomes to benefit from and fully participate in all  
165 aspects of neighborhood and community life;

166 (ii) for a town, may include, and for other municipalities, shall include, an analysis of  
167 how the municipality will provide a realistic opportunity for the development of moderate  
168 income housing within the next five years;

169 (iii) for a town, may include, and for other municipalities, shall include, a  
170 recommendation to implement [~~three~~] four or more of the following strategies:

171 (A) rezone for densities necessary to assure the production of moderate income  
172 housing;

173 (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the  
174 construction of moderate income housing;

175 (C) facilitate the rehabilitation of existing uninhabitable housing stock into moderate  
176 income housing;

177 (D) consider general fund subsidies or other sources of revenue to waive construction  
178 related fees that are otherwise generally imposed by the city;

179 (E) create or allow for, and reduce regulations related to, accessory dwelling units in  
180 residential zones;

- 181 (F) allow for higher density or moderate income residential development in
- 182 commercial and mixed-use zones, commercial centers, or employment centers;
- 183 (G) encourage higher density or moderate income residential development near major
- 184 transit investment corridors;
- 185 (H) eliminate or reduce parking requirements for residential development where a
- 186 resident is less likely to rely on the resident's own vehicle, such as residential development near
- 187 major transit investment corridors or senior living facilities;
- 188 (I) allow for single room occupancy developments;
- 189 (J) implement zoning incentives for low to moderate income units in new
- 190 developments;
- 191 (K) utilize strategies that preserve subsidized low to moderate income units on a
- 192 long-term basis;
- 193 (L) preserve existing moderate income housing;
- 194 (M) reduce impact fees, as defined in Section [11-36a-102](#), related to low and moderate
- 195 income housing;
- 196 (N) participate in a community land trust program for low or moderate income
- 197 housing;
- 198 (O) implement a mortgage assistance program for employees of the municipality or of
- 199 an employer that provides contracted services to the municipality;
- 200 (P) apply for or partner with an entity that applies for state or federal funds or tax
- 201 incentives to promote the construction of moderate income housing;
- 202 (Q) apply for or partner with an entity that applies for programs offered by the Utah
- 203 Housing Corporation within that agency's funding capacity;
- 204 (R) apply for or partner with an entity that applies for affordable housing programs
- 205 administered by the Department of Workforce Services;
- 206 (S) apply for or partner with an entity that applies for programs administered by an
- 207 association of governments established by an interlocal agreement under Title 11, Chapter 13,
- 208 Interlocal Cooperation Act;
- 209 (T) apply for or partner with an entity that applies for services provided by a public
- 210 housing authority to preserve and create moderate income housing;
- 211 (U) apply for or partner with an entity that applies for programs administered by a

212 metropolitan planning organization or other transportation agency that provides technical  
213 planning assistance;

214 (V) utilize a moderate income housing set aside from a community reinvestment  
215 agency, redevelopment agency, or community development and renewal agency;

216 (W) reduce residential building design elements; and

217 (X) any other program or strategy implemented by the municipality to address the  
218 housing needs of residents of the municipality who earn less than 80% of the area median  
219 income; and

220 (iv) [~~in addition to the recommendations required under Subsection (3)(b)(iii);~~] for a  
221 municipality that is required to recommend the implementation of four strategies under  
222 Subsection (3)(b)(iii) and that has a fixed guideway public transit station, shall include [a] at  
223 least an additional fifth recommendation [to implement the strategies] that includes the  
224 recommendation to implement the strategy described in Subsection (3)(b)(iii)(G) or (H).

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

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

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

229 (d) In drafting the transportation and traffic circulation element, the planning  
230 commission shall:

231 (i) consider the regional transportation plan developed by its region's metropolitan  
232 planning organization, if the municipality is within the boundaries of a metropolitan planning  
233 organization; or

234 (ii) consider the long-range transportation plan developed by the Department of  
235 Transportation, if the municipality is not within the boundaries of a metropolitan planning  
236 organization.

237 (4) The proposed general plan may include:

238 (a) an environmental element that addresses:

239 (i) the protection, conservation, development, and use of natural resources, including  
240 the quality of air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals,  
241 and other natural resources; and

242 (ii) the reclamation of land, flood control, prevention and control of the pollution of



243 streams and other waters, regulation of the use of land on hillsides, stream channels and other  
244 environmentally sensitive areas, the prevention, control, and correction of the erosion of soils,  
245 protection of watersheds and wetlands, and the mapping of known geologic hazards;

246 (b) a public services and facilities element showing general plans for sewage, water,  
247 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them,  
248 police and fire protection, and other public services;

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

251 (i) historic preservation;

252 (ii) the diminution or elimination of a development impediment as defined in Section  
253 [17C-1-102](#); and

254 (iii) redevelopment of land, including housing sites, business and industrial sites, and  
255 public building sites;

256 (d) an economic element composed of appropriate studies and forecasts, as well as an  
257 economic development plan, which may include review of existing and projected municipal  
258 revenue and expenditures, revenue sources, identification of basic and secondary industry,  
259 primary and secondary market areas, employment, and retail sales activity;

260 (e) recommendations for implementing all or any portion of the general plan, including  
261 the use of land use ordinances, capital improvement plans, community development and  
262 promotion, and any other appropriate action;

263 (f) provisions addressing any of the matters listed in Subsection [10-9a-401](#)(2) or (3);  
264 and

265 (g) any other element the municipality considers appropriate.

266 Section 4. Section **10-9a-404** is amended to read:

267 **10-9a-404. Public hearing by planning commission on proposed general plan or**  
268 **amendment -- Notice -- Revisions to general plan or amendment -- Adoption or rejection**  
269 **by legislative body.**

270 (1) (a) After completing its recommendation for a proposed general plan, or proposal to  
271 amend the general plan, the planning commission shall schedule and hold a public hearing on  
272 the proposed plan or amendment.

273 (b) The planning commission shall provide notice of the public hearing, as required by

274 Section 10-9a-204.

275 (c) After the public hearing, the planning commission may modify the proposed  
276 general plan or amendment.

277 (2) The planning commission shall forward the proposed general plan or amendment to  
278 the legislative body.

279 (3) (a) The legislative body may adopt, reject, or make any revisions to the proposed  
280 general plan or amendment that it considers appropriate.

281 (b) If the municipal legislative body rejects the proposed general plan or amendment, it  
282 may provide suggestions to the planning commission for the planning commission's review and  
283 recommendation.

284 (4) The legislative body shall adopt:

285 (a) a land use element as provided in Subsection 10-9a-403~~[(2)]~~(3)(a)(i);

286 (b) a transportation and traffic circulation element as provided in Subsection  
287 10-9a-403~~[(2)]~~(3)(a)(ii); and

288 (c) for a municipality, other than a town, after considering the factors included in  
289 Subsection 10-9a-403~~[(2)(b)(ii)]~~(3)(b)(iii), a plan to provide a realistic opportunity to meet the  
290 need for additional moderate income housing within the next five years.

291 Section 5. Section 10-9a-408 is amended to read:

292 **10-9a-408. Reporting requirements and civil action regarding moderate income**  
293 **housing element of general plan.**

294 (1) The legislative body of a municipality described in Subsection 10-9a-401(3)(b)  
295 shall annually:

296 (a) review the moderate income housing plan element of the municipality's general  
297 plan and implementation of that element of the general plan;

298 (b) prepare a report on the findings of the review described in Subsection (1)(a); and

299 (c) post the report described in Subsection (1)(b) on the municipality's website.

300 (2) The report described in Subsection (1) shall include:

301 (a) a revised estimate of the need for moderate income housing in the municipality for  
302 the next five years;

303 (b) a description of progress made within the municipality to provide moderate income  
304 housing, demonstrated by analyzing and publishing data on the number of housing units in the

305 municipality that are at or below:

306 (i) 80% of the adjusted median family income;

307 (ii) 50% of the adjusted median family income; and

308 (iii) 30% of the adjusted median family income;

309 (c) a description of any efforts made by the municipality to utilize a moderate income  
310 housing set-aside from a community reinvestment agency, redevelopment agency, or  
311 community development and renewal agency; and

312 (d) a description of how the municipality has implemented any of the recommendations  
313 related to moderate income housing described in Subsection 10-9a-403~~(2)~~(3)(b)(iii).

314 (3) The legislative body of each municipality described in Subsection (1) shall send a  
315 copy of the report under Subsection (1) to the Department of Workforce Services, the  
316 association of governments in which the municipality is located, and, if located within the  
317 boundaries of a metropolitan planning organization, the appropriate metropolitan planning  
318 organization.

319 (4) In a civil action seeking enforcement or claiming a violation of this section or of  
320 Subsection 10-9a-404(4)(c), a plaintiff may not recover damages but may be awarded only  
321 injunctive or other equitable relief.

322 Section 6. Section 17-27a-403 is amended to read:

323 **17-27a-403. Plan preparation.**

324 (1) (a) The planning commission shall provide notice, as provided in Section  
325 17-27a-203, of its intent to make a recommendation to the county legislative body for a general  
326 plan or a comprehensive general plan amendment when the planning commission initiates the  
327 process of preparing its recommendation.

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

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

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

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

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

339 (iii) Notwithstanding Subsection (1)(c)(ii), if property is located in a mountainous  
340 planning district, the plan for the mountainous planning district controls and precedes a  
341 municipal plan, if any, to which the property would be subject.

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

345 (i) a land use element that:

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

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

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

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

356 (B) addresses the county's plan for residential and commercial development around  
357 major transit investment corridors to maintain and improve the connections between housing,  
358 employment, education, recreation, and commerce; and

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

361 (iii) a plan for the development of additional moderate income housing within the  
362 unincorporated area of the county or the mountainous planning district, and a plan to provide a  
363 realistic opportunity to meet the need for additional moderate income housing; and

364 (iv) before May 1, 2017, a resource management plan detailing the findings, objectives,  
365 and policies required by Subsection [17-27a-401\(3\)](#).

366 (b) In drafting the moderate income housing element, the planning commission:

- 367 (i) shall consider the Legislature's determination that counties should facilitate a  
368 reasonable opportunity for a variety of housing, including moderate income housing:  
369 (A) to meet the needs of people of various income levels living, working, or desiring to  
370 live or work in the community; and  
371 (B) to allow people with various incomes to benefit from and fully participate in all  
372 aspects of neighborhood and community life; and  
373 (ii) shall include an analysis of how the county will provide a realistic opportunity for  
374 the development of moderate income housing within the planning horizon, which may include  
375 a recommendation to implement [~~three~~] four or more of the following strategies:  
376 (A) rezone for densities necessary to assure the production of moderate income  
377 housing;  
378 (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the  
379 construction of moderate income housing;  
380 (C) facilitate the rehabilitation of existing uninhabitable housing stock into moderate  
381 income housing;  
382 (D) consider county general fund subsidies or other sources of revenue to waive  
383 construction related fees that are otherwise generally imposed by the county;  
384 (E) create or allow for, and reduce regulations related to, accessory dwelling units in  
385 residential zones;  
386 (F) allow for higher density or moderate income residential development in  
387 commercial and mixed-use zones, commercial centers, or employment centers;  
388 (G) encourage higher density or moderate income residential development near major  
389 transit investment corridors;  
390 (H) eliminate or reduce parking requirements for residential development where a  
391 resident is less likely to rely on the resident's own vehicle, such as residential development near  
392 major transit investment corridors or senior living facilities;  
393 (I) allow for single room occupancy developments;  
394 (J) implement zoning incentives for low to moderate income units in new  
395 developments;  
396 (K) utilize strategies that preserve subsidized low to moderate income units on a  
397 long-term basis;

- 398 (L) preserve existing moderate income housing;
- 399 (M) reduce impact fees, as defined in Section 11-36a-102, related to low and moderate  
400 income housing;
- 401 (N) participate in a community land trust program for low or moderate income  
402 housing;
- 403 (O) implement a mortgage assistance program for employees of the county or of an  
404 employer that provides contracted services for the county;
- 405 (P) apply for or partner with an entity that applies for state or federal funds or tax  
406 incentives to promote the construction of moderate income housing;
- 407 (Q) apply for or partner with an entity that applies for programs offered by the Utah  
408 Housing Corporation within that agency's funding capacity;
- 409 (R) apply for or partner with an entity that applies for affordable housing programs  
410 administered by the Department of Workforce Services;
- 411 (S) apply for or partner with an entity that applies for services provided by a public  
412 housing authority to preserve and create moderate income housing;
- 413 (T) apply for or partner with an entity that applies for programs administered by a  
414 metropolitan planning organization or other transportation agency that provides technical  
415 planning assistance;
- 416 (U) utilize a moderate income housing set aside from a community reinvestment  
417 agency, redevelopment agency, or community development and renewal agency;
- 418 (V) reduce residential building design elements as defined in Section 10-9a-403; and
- 419 (W) consider any other program or strategy implemented by the county to address the  
420 housing needs of residents of the county who earn less than 80% of the area median income.
- 421 (c) In drafting the land use element, the planning commission shall:
  - 422 (i) identify and consider each agriculture protection area within the unincorporated area  
423 of the county or mountainous planning district; and
  - 424 (ii) avoid proposing a use of land within an agriculture protection area that is  
425 inconsistent with or detrimental to the use of the land for agriculture.
- 426 (d) In drafting the transportation and traffic circulation element, the planning  
427 commission shall:
  - 428 (i) consider the regional transportation plan developed by its region's metropolitan

429 planning organization, if the relevant areas of the county are within the boundaries of a  
430 metropolitan planning organization; or

431 (ii) consider the long-range transportation plan developed by the Department of  
432 Transportation, if the relevant areas of the county are not within the boundaries of a  
433 metropolitan planning organization.

434 (3) The proposed general plan may include:

435 (a) an environmental element that addresses:

436 (i) to the extent not covered by the county's resource management plan, the protection,  
437 conservation, development, and use of natural resources, including the quality of air, forests,  
438 soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources;  
439 and

440 (ii) the reclamation of land, flood control, prevention and control of the pollution of  
441 streams and other waters, regulation of the use of land on hillsides, stream channels and other  
442 environmentally sensitive areas, the prevention, control, and correction of the erosion of soils,  
443 protection of watersheds and wetlands, and the mapping of known geologic hazards;

444 (b) a public services and facilities element showing general plans for sewage, water,  
445 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them,  
446 police and fire protection, and other public services;

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

449 (i) historic preservation;

450 (ii) the diminution or elimination of a development impediment as defined in Section  
451 [17C-1-102](#); and

452 (iii) redevelopment of land, including housing sites, business and industrial sites, and  
453 public building sites;

454 (d) an economic element composed of appropriate studies and forecasts, as well as an  
455 economic development plan, which may include review of existing and projected county  
456 revenue and expenditures, revenue sources, identification of basic and secondary industry,  
457 primary and secondary market areas, employment, and retail sales activity;

458 (e) recommendations for implementing all or any portion of the general plan, including  
459 the use of land use ordinances, capital improvement plans, community development and

460 promotion, and any other appropriate action;

461 (f) provisions addressing any of the matters listed in Subsection [17-27a-401\(2\)](#) or

462 (3)(a)(i); and

463 (g) any other element the county considers appropriate.

464 Section 7. Section **35A-8-505** is amended to read:

465 **35A-8-505. Activities authorized to receive fund money -- Powers of the executive**  
466 **director.**

467 At the direction of the board, the executive director may:

468 (1) provide fund money to any of the following activities:

469 (a) the acquisition, rehabilitation, or new construction of low-income housing units;

470 (b) matching funds for social services projects directly related to providing housing for  
471 special-need renters in assisted projects;

472 (c) the development and construction of accessible housing designed for low-income  
473 persons;

474 (d) the construction or improvement of a shelter or transitional housing facility that  
475 provides services intended to prevent or minimize homelessness among members of a specific  
476 homeless subpopulation;

477 (e) the purchase of an existing facility to provide temporary or transitional housing for  
478 the homeless in an area that does not require rezoning before providing such temporary or  
479 transitional housing;

480 (f) the purchase of land that will be used as the site of low-income housing units;

481 (g) the preservation of existing affordable housing units for low-income persons; [~~and~~]

482 (h) the award of predevelopment grants in accordance with Section [35A-8-507.5](#);

483 (i) the creation or financial support of a mediation program for landlords and tenants

484 designed to minimize the loss of housing for low-income persons, which program may include:

485 (i) funding for the hiring or training of mediators;

486 (ii) connecting landlords and tenants with mediation services; and

487 (iii) providing a limited amount of gap funding to assist a tenant in making a good faith  
488 payment towards attorney fees, damages, or other costs associated with eviction proceedings or  
489 avoiding eviction proceedings; and

490 [~~(h)~~] (j) other activities that will assist in minimizing homelessness or improving the



491 availability or quality of housing in the state for low-income persons; and

492 (2) do any act necessary or convenient to the exercise of the powers granted by this part  
493 or reasonably implied from those granted powers, including:

494 (a) making or executing contracts and other instruments necessary or convenient for  
495 the performance of the executive director and board's duties and the exercise of the executive  
496 director and board's powers and functions under this part, including contracts or agreements for  
497 the servicing and originating of mortgage loans;

498 (b) procuring insurance against a loss in connection with property or other assets held  
499 by the fund, including mortgage loans, in amounts and from insurers it considers desirable;

500 (c) entering into agreements with a department, agency, or instrumentality of the  
501 United States or this state and with mortgagors and mortgage lenders for the purpose of  
502 planning and regulating and providing for the financing and refinancing, purchase,  
503 construction, reconstruction, rehabilitation, leasing, management, maintenance, operation, sale,  
504 or other disposition of residential housing undertaken with the assistance of the department  
505 under this part;

506 (d) proceeding with a foreclosure action, to own, lease, clear, reconstruct, rehabilitate,  
507 repair, maintain, manage, operate, assign, encumber, sell, or otherwise dispose of real or  
508 personal property obtained by the fund due to the default on a mortgage loan held by the fund  
509 in preparation for disposition of the property, taking assignments of leases and rentals,  
510 proceeding with foreclosure actions, and taking other actions necessary or incidental to the  
511 performance of its duties; and

512 (e) selling, at a public or private sale, with public bidding, a mortgage or other  
513 obligation held by the fund.

514 Section 8. Section **35A-8-507.5** is enacted to read:

515 **35A-8-507.5. Predevelopment grants.**

516 (1) The executive director under the direction of the board may:

517 (a) award one or more predevelopment grants to non-profit or for-profit entities in  
518 preparation for the construction of low-income housing units;

519 (b) award a predevelopment grant in an amount of no more than \$50,000 per project;

520 (c) may only award a predevelopment grant in relation to a project in:

521 (i) a city of the fifth or sixth class, or a town, in a rural area of the state; or

522 (ii) any municipality or unincorporated area in a county of the fourth, fifth, or sixth  
523 class.

524 (2) The executive director under the direction of the board shall award each  
525 predevelopment grant in accordance with the provisions of this section and the provisions  
526 related to grant applications, grant awards, and reporting requirements in this part.

527 (3) A predevelopment grant:

528 (a) may be used by a recipient for offsetting the predevelopment funds needed to  
529 prepare for the construction of low-income housing units, including market studies, surveys,  
530 environmental and impact studies, technical assistance, and preliminary architecture,  
531 engineering, or legal work; and

532 (b) may not be used by a recipient for staff salaries of a grant recipient or construction  
533 costs.

534 (4) The executive director under the direction of the board shall prioritize the awarding  
535 of a predevelopment grant for a project in a county of the fifth or sixth class and where the  
536 municipality or unincorporated area has underdeveloped infrastructure as demonstrated by at  
537 least two of the following:

538 (a) limited or no availability of natural gas;

539 (b) limited or no availability of a sewer system;

540 (c) limited or no availability of broadband Internet;

541 (d) unpaved residential streets; or

542 (e) limited local construction professionals, vendors, or services.

543 Section 9. Section **63F-1-507** is amended to read:

544 **63F-1-507. State Geographic Information Database.**

545 (1) There is created a State Geographic Information Database to be managed by the  
546 center.

547 (2) The database shall:

548 (a) serve as the central reference for all information contained in any GIS database by  
549 any state agency;

550 (b) serve as a clearing house and repository for all data layers required by multiple  
551 users;

552 (c) serve as a standard format for geographic information acquired, purchased, or

553 produced by any state agency;

554 (d) include an accurate representation of all civil subdivision boundaries of the state;  
555 and

556 (e) for each public highway, as defined in Section 72-1-102, in the state, include an  
557 accurate representation of the highway's centerline, physical characteristics, and associated  
558 street address ranges.

559 (3) The center shall, in coordination with municipalities, counties, emergency  
560 communications centers, and the Department of Transportation:

561 (a) develop the information described in Subsection (2)(e); and

562 (b) update the information described in Subsection (2)(e) in a timely manner after a  
563 county recorder records a final plat.

564 (4) The center, in coordination with county assessors and metropolitan planning  
565 organizations:

566 (a) shall inventory existing housing units and their general characteristics within each  
567 county of the first or second class to support infrastructure planning and economic  
568 development in each of those counties; and

569 (b) may inventory existing housing units and their general characteristics within one or  
570 more counties of the third, fourth, fifth, or sixth class to support infrastructure planning and  
571 economic development in one or more of those counties.

572 [~~4~~] (5) Each state agency that acquires, purchases, or produces digital geographic  
573 information data shall:

574 (a) inform the center of the existence of the data layers and their geographic extent;

575 (b) allow the center access to all data classified public; and

576 (c) comply with any database requirements established by the center.

577 [~~5~~] (6) At least annually, the State Tax Commission shall deliver to the center  
578 information the State Tax Commission receives under Section 67-1a-6.5 relating to the creation  
579 or modification of the boundaries of political subdivisions.

580 [~~6~~] (7) The boundary of a political subdivision within the State Geographic  
581 Information Database is the official boundary of the political subdivision for purposes of  
582 meeting the needs of the United States Bureau of the Census in identifying the boundary of the  
583 political subdivision.

584 Section 10. **Appropriation.**

585 The following sums of money are appropriated for the fiscal year beginning July1,  
586 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for  
587 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
588 Act, the Legislature appropriates the following sums of money from the funds or accounts  
589 indicated for the use and support of the government of the state of Utah.

590 ITEM 1

591 To Department of Worforce Services -- Olene Walker Housing Loan Fund

592 From Education Fund \$800,000

593 Schedule of Programs:

594 Olene Walker Housing Loan Fund: \$800,000

595 The Legislature intends that:

596 (1) up to \$300,000 of the appropriation in ITEM 1 be used for financing a mediation  
597 program for landlords and tenants of low-income housing units;

598 (2) up to \$500,000 of the appropriation in ITEM 1 be used for financing  
599 predevelopment grants in advance of the construction of low-income housing units; and

600 (3) under Section [63J-1-603](#), appropriations under Subsections (1) and (2) not lapse at  
601 the close of fiscal year 2022.