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

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

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

**Part 5. Grants for Affordable Housing**

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

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

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

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

(4) If applicable, a political subdivision granting real property under this section shall
comply with the provisions of Title 78B, Chapter 6, Part 5, Eminent Domain.

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

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

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

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

(a) present and future needs of the municipality; and

(b) growth and development of all or any part of the land within the municipality.

(2) The general plan may provide for:

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

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

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

(i) food and water; and

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

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

(e) the protection of urban development;

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

(g) the protection and promotion of air quality;

(h) historic preservation;

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

(j) an official map.

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

(b) On or before December 1, 2019, each of the following that have a general plan that does not comply with Subsection (3)(a) shall amend the general plan to comply with 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:
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
(C) protect the privacy of neighbors.

(2) (a) The planning commission shall provide notice, as provided in Section 10-9a-203, of its 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 its 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.

(3) (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; and

(B) may include 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;

(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) 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;

(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

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

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

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

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

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

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

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

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

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

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

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

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

(E) create or allow for, and reduce regulations related to, accessory dwelling units in residential zones;
allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers;

(G) encourage higher density or moderate income residential development near major transit investment corridors;

(H) eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;

(I) allow for single room occupancy developments;

(J) implement zoning incentives for low to moderate income units in new developments;

(K) utilize strategies that preserve subsidized low to moderate income units on a long-term basis;

(L) preserve existing moderate income housing;

(M) reduce impact fees, as defined in Section 11-36a-102, related to low and moderate income housing;

(N) participate in a community land trust program for low or moderate income housing;

(O) implement a mortgage assistance program for employees of the municipality or of an employer that provides contracted services to the municipality;

(P) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing;

(Q) apply for or partner with an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity;

(R) apply for or partner with an entity that applies for affordable housing programs administered by the Department of Workforce Services;

(S) apply for or partner with an entity that applies for programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act;

(T) apply for or partner with an entity that applies for services provided by a public housing authority to preserve and create moderate income housing;

(U) apply for or partner with an entity that applies for programs administered by a
metropolitan planning organization or other transportation agency that provides technical planning assistance;

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

(W) reduce residential building design elements; and

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

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

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

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

(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.

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

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

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

(4) 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 air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources; and

(ii) the reclamation of land, flood control, prevention and control of the pollution of
streams and other waters, regulation of the use of land on hillsides, stream channels and other
environmentally sensitive areas, the prevention, control, and correction of the erosion of soils,
protection of watersheds and wetlands, and 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;
   (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 use of land use ordinances, capital improvement plans, community development and
promotion, and any other appropriate action;
(f) provisions addressing any of the matters listed in Subsection 10-9a-401(2) or (3);
and
(g) any other element the municipality considers appropriate.
Section 4. Section 10-9a-404 is amended to read:

10-9a-404. Public hearing by planning commission on proposed general plan or
amendment -- Notice -- Revisions to general plan or amendment -- Adoption or rejection
by legislative body.
(1) (a) After completing its recommendation for a proposed general plan, or proposal to
amend the general plan, the planning commission shall schedule and hold a public hearing on
the proposed plan or amendment.
   (b) The planning commission shall provide notice of the public hearing, as required by
Section 10-9a-204.

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

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

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

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

(4) The legislative body shall adopt:

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

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

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

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

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

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

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

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

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

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

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

(b) a description of progress made within the municipality to provide moderate income housing, demonstrated by analyzing and publishing data on the number of housing units in the
municipality that are at or below:

(i) 80% of the adjusted median family income;
(ii) 50% of the adjusted median family income; and
(iii) 30% of the adjusted median family income;

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

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

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

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

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


(1) (a) The planning commission shall provide notice, as provided in Section 17-27a-203, of its 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 its 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 it is recommended by the municipal planning commission and adopted by the governing body of the municipality.

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

(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; and

(B) may include 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;

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

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

(b) In drafting the moderate income housing element, the planning commission:
(i) shall consider the Legislature's determination that counties should facilitate a reasonable opportunity for a variety of housing, including moderate income housing:

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

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

(ii) shall include an analysis of how the county will provide a realistic opportunity for the development of moderate income housing within the planning horizon, which may include a recommendation to implement [three] four or more of the following strategies:

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

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

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

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

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

(F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers;

(G) encourage higher density or moderate income residential development near major transit investment corridors;

(H) eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;

(I) allow for single room occupancy developments;

(J) implement zoning incentives for low to moderate income units in new developments;

(K) utilize strategies that preserve subsidized low to moderate income units on a long-term basis;
(L) preserve existing moderate income housing;
(M) reduce impact fees, as defined in Section 11-36a-102, related to low and moderate income housing;
(N) participate in a community land trust program for low or moderate income housing;
(O) implement a mortgage assistance program for employees of the county or of an employer that provides contracted services for the county;
(P) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing;
(Q) apply for or partner with an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity;
(R) apply for or partner with an entity that applies for affordable housing programs administered by the Department of Workforce Services;
(S) apply for or partner with an entity that applies for services provided by a public housing authority to preserve and create moderate income housing;
(T) apply for or partner with an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provides technical planning assistance;
(U) utilize a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency;
(V) reduce residential building design elements as defined in Section 10-9a-403; and
(W) consider any other program or strategy implemented by the county to address the housing needs of residents of the county who earn less than 80% of the area median income.
(c) 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; and
(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.
(d) In drafting the transportation and traffic circulation element, the planning commission shall:
(i) consider the regional transportation plan developed by its region's metropolitan
planning organization, if the relevant areas of the county are within the boundaries of a metropolitan planning organization; or

(ii) consider 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.

(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 air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources;

and

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

(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 county 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 use of land use ordinances, capital improvement plans, community development and
promotion, and any other appropriate action;
(f) provisions addressing any of the matters listed in Subsection 17-27a-401(2) or
(3)(a)(i); and
(g) any other element the county considers appropriate.
Section 7. Section 35A-8-505 is amended to read:
35A-8-505. Activities authorized to receive fund money -- Powers of the executive
director.
At the direction of the board, the executive director may:
(1) provide fund money to any of the following activities:
(a) the acquisition, rehabilitation, or new construction of low-income housing units;
(b) matching funds for social services projects directly related to providing housing for special-need renters in assisted projects;
(c) the development and construction of accessible housing designed for low-income persons;
(d) the construction or improvement of a shelter or transitional housing facility that provides services intended to prevent or minimize homelessness among members of a specific homeless subpopulation;
(e) the purchase of an existing facility to provide temporary or transitional housing for the homeless in an area that does not require rezoning before providing such temporary or transitional housing;
(f) the purchase of land that will be used as the site of low-income housing units;
(g) the preservation of existing affordable housing units for low-income persons; [and]
(h) the award of predevelopment grants in accordance with Section 35A-8-507.5;
(i) the creation or financial support of a mediation program for landlords and tenants designed to minimize the loss of housing for low-income persons, which program may include:
(i) funding for the hiring or training of mediators;
(ii) connecting landlords and tenants with mediation services; and
(iii) providing a limited amount of gap funding to assist a tenant in making a good faith payment towards attorney fees, damages, or other costs associated with eviction proceedings or avoiding eviction proceedings; and
(i) other activities that will assist in minimizing homelessness or improving the
availability or quality of housing in the state for low-income persons; and
(2) do any act necessary or convenient to the exercise of the powers granted by this part or reasonably implied from those granted powers, including:
(a) making or executing contracts and other instruments necessary or convenient for the performance of the executive director and board's duties and the exercise of the executive director and board's powers and functions under this part, including contracts or agreements for the servicing and originating of mortgage loans;
(b) procuring insurance against a loss in connection with property or other assets held by the fund, including mortgage loans, in amounts and from insurers it considers desirable;
(c) entering into agreements with a department, agency, or instrumentality of the United States or this state and with mortgagors and mortgage lenders for the purpose of planning and regulating and providing for the financing and refinancing, purchase, construction, reconstruction, rehabilitation, leasing, management, maintenance, operation, sale, or other disposition of residential housing undertaken with the assistance of the department under this part;
(d) proceeding with a foreclosure action, to own, lease, clear, reconstruct, rehabilitate, repair, maintain, manage, operate, assign, encumber, sell, or otherwise dispose of real or personal property obtained by the fund due to the default on a mortgage loan held by the fund in preparation for disposition of the property, taking assignments of leases and rentals, proceeding with foreclosure actions, and taking other actions necessary or incidental to the performance of its duties; and
(e) selling, at a public or private sale, with public bidding, a mortgage or other obligation held by the fund.

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

35A-8-507.5. Predevelopment grants.
(1) The executive director under the direction of the board may:
(a) award one or more predevelopment grants to non-profit or for-profit entities in preparation for the construction of low-income housing units;
(b) award a predevelopment grant in an amount of no more than $50,000 per project;
(c) may only award a predevelopment grant in relation to a project in:
(i) a city of the fifth or sixth class, or a town, in a rural area of the state; or
(ii) any municipality or unincorporated area in a county of the fourth, fifth, or sixth class.

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

(3) A predevelopment grant:

(a) may be used by a recipient for offsetting the predevelopment funds needed to prepare for the construction of low-income housing units, including market studies, surveys, environmental and impact studies, technical assistance, and preliminary architecture,

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

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

(a) limited or no availability of natural gas;

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

(c) limited or no availability of broadband Internet;

(d) unpaved residential streets; or

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

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

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

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

(2) The database shall:

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

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

(c) serve as a standard format for geographic information acquired, purchased, or
produced by any state agency;

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

and

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

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

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

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

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

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

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

(5) Each state agency that acquires, purchases, or produces digital geographic
information data shall:

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

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

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

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

(7) The boundary of a political subdivision within the State Geographic
Information Database is the official boundary of the political subdivision for purposes of
meeting the needs of the United States Bureau of the Census in identifying the boundary of the
political subdivision.
Section 10. Appropriation.

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

ITEM 1

To Department of Workforce Services -- Olene Walker Housing Loan Fund

| From Education Fund | $800,000 |

Schedule of Programs:

- Olene Walker Housing Loan Fund: $800,000

The Legislature intends that:

1. up to $300,000 of the appropriation in ITEM 1 be used for financing a mediation program for landlords and tenants of low-income housing units;
2. up to $500,000 of the appropriation in ITEM 1 be used for financing predevelopment grants in advance of the construction of low-income housing units; and
3. under Section 63J-1-603, appropriations under Subsections (1) and (2) not lapse at the close of fiscal year 2022.