

88 ~~[(b) On or before October 1, 2022, a specified municipality, as defined in Section~~
89 ~~10-9a-408, with a general plan that does not comply with Subsection (3)(a) shall amend the~~
90 ~~general plan to comply with Subsection (3)(a)]~~

91 (b) (i) This Subsection (3)(b) applies to a municipality that is not a specified
92 municipality as of January 1, 2023.

93 (ii) ~~§~~→ [H] As of January 1, if ~~←~~§ a municipality described in Subsection (3)(b)(i)
93a changes from one class to
94 another or grows in population to qualify as a specified municipality as defined in Section
95 10-9a-408, the municipality shall amend the municipality's general plan to comply with
96 Subsection (3)(a) on or before August 1 of the first calendar year beginning on January 1 in
97 which the municipality qualifies as a specified municipality.

98 (4) Subject to Subsection 10-9a-403(2), the municipality may determine the
99 comprehensiveness, extent, and format of the general plan.

100 Section 2. Section **10-9a-403** is amended to read:

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

102 (1) (a) The planning commission shall provide notice, as provided in Section
103 10-9a-203, of the planning commission's intent to make a recommendation to the municipal
104 legislative body for a general plan or a comprehensive general plan amendment when the
105 planning commission initiates the process of preparing the planning commission's
106 recommendation.

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

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

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

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

367 development and promotion, and any other appropriate action;

368 (f) provisions addressing any of the matters listed in Subsection 10-9a-401(2) or (3);

369 and

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

371 Section 3. Section **10-9a-408** is amended to read:

372 **10-9a-408. Moderate income housing report -- Contents -- Prioritization for**
 373 **funds or projects -- Ineligibility for funds after noncompliance -- Civil actions.**

374 (1) As used in this section:

375 (a) "Division" means the Housing and Community Development Division within the
 376 Department of Workforce Services.

377 (b) "Implementation plan" means the implementation plan adopted as part of the
 378 moderate income housing element of a specified municipality's general plan as provided in
 379 Subsection 10-9a-403(2)(c).

380 (c) [~~"Moderate income housing report" or "report"~~] "Initial report" or "initial moderate
 381 income housing report" means the one-time report described in Subsection [~~(2)(a)~~] (2).

382 (d) "Moderate income housing strategy" means a strategy described in Subsection
 383 10-9a-403(2)(b)(iii).

384 (e) "Report" means an initial report or a subsequent progress report.

385 [~~(e)~~] (f) "Specified municipality" means:

386 (i) a city of the first, second, third, or fourth class;

387 (ii) a city of the fifth class with a population of 5,000 or more, if the city is located
 388 within a county of the first, second, or third class; or

389 (iii) a metro township with a population of 5,000 or more.

390 (g) "Subsequent progress report" means the annual report described in Subsection (3).

391 (2) (a) [~~Beginning in 2022, on or before October 1 of each calendar year, the~~] The
 392 legislative body of a specified municipality shall [~~annually submit a written moderate income~~
 393 ~~housing report~~] submit an initial report to the division.

394 [~~(b) The moderate income housing report submitted in 2022 shall include:~~]

395 (b) (i) This Subsection (2)(b) applies to a municipality that is not a specified
 396 municipality as of January 1, 2023.

397 (ii) ~~§~~ **→ [If] As of January 1, if ←§** a municipality described in Subsection (2)(b)(i)
 397a changes from one class to

- 646 (e) the protection of urban development;
- 647 (f) the protection and promotion of air quality;
- 648 (g) historic preservation;
- 649 (h) identifying future uses of land that are likely to require an expansion or significant
- 650 modification of services or facilities provided by an affected entity; and
- 651 (i) an official map.

652 (3) (a) (i) The general plan of a specified county, as defined in Section 17-27a-408,
653 shall include a moderate income housing element that meets the requirements of Subsection
654 17-27a-403(2)(a)(iii).

655 ~~[(ii) On or before October 1, 2022, a specified county, as defined in Section~~
656 ~~17-27a-408, with a general plan that does not comply with Subsection (3)(a)(i) shall amend the~~
657 ~~general plan to comply with Subsection (3)(a)(i).]~~

658 (ii) (A) This Subsection (3)(a)(ii) applies to a county that does not qualify as a
659 specified county as of January 1, 2023.

660 (B) ~~§~~ → [H] As of January 1, if ~~←~~ ~~§~~ a county described in Subsection (3)(a)(ii)(A) changes
660a from one class to another
661 or grows in population to qualify as a specified county as defined in Section 17-27a-408, the
662 county shall amend the county's general plan to comply with Subsection (3)(a)(i) on or before
663 August 1 of the first calendar year beginning on January 1 in which the county qualifies as a
664 specified county.

665 (iii) A county described in Subsection (3)(a)(ii)(B) shall send a copy of the county's
666 amended general plan to the association of governments, established pursuant to an interlocal
667 agreement under Title 11, Chapter 13, Interlocal Cooperation Act, of which the county is a
668 member.

669 (b) The general plan shall contain a resource management plan for the public lands, as
670 defined in Section 63L-6-102, within the county.

671 (c) The resource management plan described in Subsection (3)(b) shall address:

- 672 (i) mining;
- 673 (ii) land use;
- 674 (iii) livestock and grazing;
- 675 (iv) irrigation;
- 676 (v) agriculture;

987 (d) "Moderate income housing strategy" means a strategy described in Subsection
988 17-27a-403(2)(b)(ii).

989 (e) "Report" means an initial report or a subsequent report.

990 ~~[(e)]~~ (f) "Specified county" means a county of the first, second, or third class, which
991 has a population of more than 5,000 in the county's unincorporated areas.

992 (g) "Subsequent progress report" means the annual moderate income housing report
993 described in Subsection (3).

994 (2) (a) ~~[Beginning in 2022, on or before October 1 of each calendar year, the]~~ The
995 legislative body of a specified county shall annually submit ~~[a written moderate income~~
996 ~~housing]~~ an initial report to the division.

997 (b) (i) This Subsection (2)(b) applies to a county that is not a specified county as of
998 January 1, 2023.

999 (ii) ~~§~~ ~~→~~ ~~[If]~~ As of January 1, if ~~←~~ ~~§~~ a county described in Subsection (2)(b)(i) changes
999a from one class to another or

1000 grows in population to qualify as a specified county, the county shall submit an initial plan to
1001 the division on or before August 1 of the first calendar year beginning on January 1 in which
1002 the county qualifies as a specified county.

1003 ~~[(b) The moderate income housing report submitted in 2022 shall include:]~~

1004 (c) The initial report shall:

1005 (i) ~~[a description of]~~ identify each moderate income housing strategy selected by the
1006 specified county for continued, ongoing, or one-time implementation, using the exact language
1007 used to describe the moderate income housing strategy in Subsection 17-27a-403(2)(b)(ii); and

1008 (ii) include an implementation plan.

1009 ~~[(e)]~~ (3) (a) ~~[The moderate income housing report submitted in each calendar year after~~
1010 ~~2022]~~ After the division approves a specified county's initial report under this section, the
1011 specified county shall, as an administrative act, annually submit to the division a subsequent
1012 progress report on or before August 1 of each year after the year in which the specified county
1013 is required to submit the initial report.

1014 (b) The subsequent progress report shall include:

1015 ~~[(i) the information required under Subsection (2)(b);]~~

1016 ~~[(i)]~~ (i) subject to Subsection (3)(c), a description of each action, whether one-time or
1017 ongoing, taken by the specified county during the previous [fiscal year] 12-month period to