

James A. Dunnigan proposes the following substitute bill:

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 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;
- permits a final local entity plat for an annexation to depict non-contiguous areas; and
- requires certain counties of the third class to include an element in the county's general plan and impact facilities plan related to urban growth areas.

Money Appropriated in this Bill:

None

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

29 **11-36a-301**, as last amended by Laws of Utah 2025, First Special Session, Chapter 15
 30 **17-73-507**, as renumbered and amended by Laws of Utah 2025, First Special Session,
 31 Chapter 13
 32 **17-79-403**, as renumbered and amended by Laws of Utah 2025, First Special Session,
 33 Chapter 14

34 ENACTS:

35 **17-79-409**, Utah Code Annotated 1953

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

38 Section 1. Section **10-2-801** is amended to read:

39 **10-2-801 . Definitions.**

40 As used in this part:

- 41 (1) "Affected area" means an annexed area or area proposed for annexation.
 42 (2) "Affected entity" means:
 43 (a) a county of the first or second class in whose unincorporated area the area proposed
 44 for annexation is located;
 45 (b) a county of the third, fourth, fifth, or sixth class in whose unincorporated area the
 46 area proposed for annexation is located, if the area includes residents or commercial
 47 or industrial development;
 48 (c) a special district under Title 17B, Limited Purpose Local Government Entities -
 49 Special Districts, or special service district under Title 17D, Chapter 1, Special
 50 Service District Act, whose boundary includes any part of an area proposed for
 51 annexation;
 52 (d) a school district whose boundary includes any part of an area proposed for
 53 annexation, if the boundary is proposed to be adjusted as a result of the annexation;
 54 and
 55 (e) a municipality whose boundaries are within 1/2 mile of an area proposed for
 56 annexation.
 57 (3) "Annexation action" means:
 58 (a) the enactment of an ordinance annexing an unincorporated area;
 59 (b) the enactment of an ordinance approving a boundary adjustment by each of the
 60 municipalities involved in the boundary adjustment; or
 61 (c) an automatic annexation that occurs on July 1, 2027, under Subsection [
 62 ~~10-2-814(2)(b)~~] 10-2-814(5).

- 63 (4) "Annexation petition" means a petition under Section 10-2-806 proposing the
64 annexation to a municipality of a contiguous, unincorporated area that is contiguous to
65 the municipality.
- 66 (5) "Annexing municipality" means:
67 (a) the municipality that annexes an unincorporated area; or
68 (b) the municipality to which an unincorporated island is automatically annexed under
69 Section 10-2-814.
- 70 (6) "Applicable legislative body" means:
71 (a) the legislative body of each municipality that enacts an ordinance under this part
72 approving the annexation of an unincorporated area or the adjustment of a boundary;
73 or
74 (b) the legislative body of a municipality to which an unincorporated island is
75 automatically annexed under Section 10-2-814.
- 76 (7) "Expansion area" means the unincorporated area that is identified in an annexation
77 policy plan under Section 10-2-803 as the area that the municipality anticipates annexing
78 in the future.
- 79 (8) "Feasibility consultant" means a person or firm with expertise in the processes and
80 economics of local government.
- 81 (9) "Mining protection area" means the same as that term is defined in Section 17-41-101.
- 82 (10) "Municipal records officer" means a:
83 (a) city recorder; or
84 (b) town clerk.
- 85 (11) "Municipal selection committee" means a committee in each county composed of the
86 mayor of each municipality within that county.
- 87 (12) "Owner of real property" means:
88 (a) the record title owner according to the records of the county recorder on the date of
89 the filing of the petition or protest; or
90 (b) the lessee of military land, as defined in Section 63H-1-102, if the area proposed for
91 annexation includes military land that is within a project area described in a project
92 area plan adopted by the military installation development authority under Title 63H,
93 Chapter 1, Military Installation Development Authority Act.
- 94 (13) "Private," with respect to real property, means not owned by:
95 (a) the United States or any agency of the federal government;
96 (b) the state;

- 97 (c) a county;
- 98 (d) a municipality;
- 99 (e) a school district;
- 100 (f) a special district under Title 17B, Limited Purpose Local Government Entities -
101 Special Districts;
- 102 (g) a special service district under Title 17D, Chapter 1, Special Service District Act; or
- 103 (h) any other political subdivision or governmental entity of the state.
- 104 (14)(a) "Rural real property" means a group of contiguous tax parcels, or a single tax
105 parcel, that:
- 106 (i) are under common ownership;
- 107 (ii) consist of no less than 1,000 total acres;
- 108 (iii) are zoned for manufacturing or agricultural purposes; and
- 109 (iv) do not have a residential unit density greater than one unit per acre.
- 110 (b) "Rural real property" includes any portion of private real property, if the private real
111 property:
- 112 (i) qualifies as rural real property under Subsection (14)(a); and
- 113 (ii) consists of more than 1,500 total acres.
- 114 (15) "Specified county" means a county of the second, third, fourth, fifth, or sixth class.
- 115 (16) "Unincorporated peninsula" means an unincorporated area:
- 116 (a) that is part of a larger unincorporated area;
- 117 (b) that extends from the rest of the unincorporated area of which it is a part;
- 118 (c) that is surrounded by land that is within a municipality, except where the area
119 connects to and extends from the rest of the unincorporated area of which it is a part;
120 and
- 121 (d) whose width, at any point where a straight line may be drawn from a place where it
122 borders a municipality to another place where it borders a municipality, is no more
123 than 25% of the boundary of the area where it borders a municipality.
- 124 (17) "Urban development" means:
- 125 (a) a housing development with more than 15 residential units and an average density
126 greater than one residential unit per acre; or
- 127 (b) a commercial or industrial development for which cost projections exceed \$750,000
128 for all phases.
- 129 Section 2. Section **10-2-813** is amended to read:
- 130 **10-2-813 . Filing of notice and plat -- Recording and notice requirements --**

131 **Effective date of annexation or boundary adjustment.**

132 (1) An applicable legislative body shall:

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

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

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

137 (iii) if applicable, a copy of a resolution under Subsection [~~10-2-814(2)(a)(ii)]
138 10-2-814(2)(b);~~

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

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

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

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

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

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

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

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

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

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

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

162 (2) If an annexation under this part or a boundary adjustment under Part 9, Municipal
163 Boundary Adjustments, also causes an automatic annexation to a special district under
164 Section 17B-1-416 or an automatic withdrawal from a special district under Subsection

- 165 17B-1-502(2), the municipal legislative body shall, as soon as practicable after the
166 lieutenant governor issues a certificate of annexation or boundary adjustment under
167 Section 67-1a-6.5, send notice of the annexation or boundary adjustment to the special
168 district to which the annexed area is automatically annexed or from which the annexed
169 area is automatically withdrawn.
- 170 (3) Each notice required under Subsection (1) relating to an annexation or boundary
171 adjustment shall state the effective date of the annexation or boundary adjustment, as
172 determined under Subsection (4).
- 173 (4) An annexation under this part or a boundary adjustment under Part 9, Municipal
174 Boundary Adjustments, is completed and takes effect:
- 175 (a) for the annexation of or boundary adjustment affecting an area located in a county of
176 the first class, except for an annexation under Section 10-2-812:
- 177 (i) July 1 following the lieutenant governor's issuance under Section 67-1a-6.5 of a
178 certificate of annexation or boundary adjustment if:
- 179 (A) the certificate is issued during the preceding November 1 through April 30;
180 and
- 181 (B) the requirements of Subsection (1) are met before that July 1; or
- 182 (ii) January 1 following the lieutenant governor's issuance under Section 67-1a-6.5 of
183 a certificate of annexation or boundary adjustment if:
- 184 (A) the certificate is issued during the preceding May 1 through October 31; and
185 (B) the requirements of Subsection (1) are met before that January 1; and
- 186 (b) subject to Subsection (5), for all other annexations and boundary adjustments, the
187 date of the lieutenant governor's issuance, under Section 67-1a-6.5, of a certificate of
188 annexation or boundary adjustment.
- 189 (5)(a) The effective date of an annexation or boundary adjustment for purposes of
190 assessing property within an affected area is governed by Section 59-2-305.5.
- 191 (b) Until the documents listed in Subsection (1)(b)(i) are recorded in the office of the
192 recorder of each county in which the property is located, a municipality may not:
- 193 (i) levy or collect a property tax on property within an affected area;
194 (ii) levy or collect an assessment on property within an affected area; or
195 (iii) charge or collect a fee for service provided to property within an affected area,
196 unless the municipality was charging and collecting the fee within that area
197 immediately before annexation.
- 198 Section 3. Section **10-2-814** is amended to read:

199 **10-2-814 . Automatic annexations in counties of the first class and second class --**
 200 **Notice.**

201 (1) As used in this section:

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

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

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

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

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

210 (ii) within a county of the second class with a population of 400,000 or less, an area:

211 (A) that is 55 acres or smaller;

212 (B) that is not within a municipality;

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

215 (D)(I) to which the municipality that completely surrounds the area provides
 216 sanitary sewer service or culinary water service;

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

218 (III) that contains public infrastructure that currently meets the municipal code
 219 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

221 unincorporated island within a county of the first class is automatically annexed to:

222 ~~[(i)]~~ (a) the most populous bordering municipality, except as provided in Subsection [

223 ~~(2)(a)(ii)]~~ (2)(b); or

224 ~~[(ii)]~~ (b) a municipality other than the most populous bordering municipality if:

225 ~~[(A)]~~ (i) the other municipality shares a common border with the unincorporated
 226 island; and

227 ~~[(B)]~~ (ii) the other municipality and the most populous bordering municipality each
 228 adopt a resolution agreeing that the unincorporated island should be annexed to
 229 the other municipality.

230 (3) Notwithstanding any other provision of this part, on July 1, 2027, an unincorporated

231 island within a county of the second class is automatically annexed to the municipality

232 that completely surrounds the unincorporated island.

- 233 (4)(a) No later than May 1, 2027, a county of the second class in which an
 234 unincorporated island will be automatically annexed shall:
- 235 (i) mail written notice to each owner of real property located within the
 236 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
 240 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
 245 with the applicable municipality when preparing the notice.
- 246 (c) The notice described in Subsection (4)(a) is in addition to any boundary certification
 247 or recording requirements under this chapter.
- 248 ~~[(b)]~~ (5) The effective date of an annexation under Subsection ~~[(2)(a)]~~ (2) or (3) is governed
 249 by Section 10-2-813.
- 250 (6) A legislative body of a county of the second class may exempt an unincorporated island
 251 or a portion of an unincorporated island from the requirements of this section by
 252 adopting a resolution on or before May 1, 2027, that includes a description or map of
 253 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,
 257 of the planning commission's intent to make a recommendation to the municipal
 258 legislative body for a general plan or a comprehensive general plan amendment when
 259 the planning commission initiates the process of preparing the planning commission's
 260 recommendation.
- 261 (b) The planning commission shall make and recommend to the legislative body a
 262 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
 264 planning commission's judgment, those areas are related to the planning of the
 265 municipality's territory.
- 266 (d) Except as otherwise provided by law or with respect to a municipality's power of

267 eminent domain, when the plan of a municipality involves territory outside the
268 boundaries of the municipality, the municipality may not take action affecting that
269 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,
271 and descriptive and explanatory matter, shall include the planning commission's
272 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,
275 and location of land for housing for residents of various income levels,
276 business, industry, agriculture, recreation, education, public buildings and
277 grounds, open space, and other categories of public and private uses of land as
278 appropriate;

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

282 (C) except for a city of the fifth class or a town, is coordinated to integrate the
283 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
285 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,
288 arterial and collector streets, public transit, active transportation facilities, and
289 other modes of transportation that the planning commission considers
290 appropriate;

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

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

300 (D) correlates with the population projections, the employment projections, and

- 301 the proposed land use element of the general plan;
- 302 (iii) a moderate income housing element that meets the requirements of Section
303 10-21-201; and
- 304 (iv) except for a city of the fifth class or a town, a water use and preservation element
305 that addresses:
- 306 (A) the effect of permitted development or patterns of development on water
307 demand and water infrastructure;
- 308 (B) methods of reducing water demand and per capita consumption for future
309 development;
- 310 (C) methods of reducing water demand and per capita consumption for existing
311 development; and
- 312 (D) opportunities for the municipality to modify the municipality's operations to
313 eliminate practices or conditions that waste water.
- 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
317 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
319 if required under Section 10-21-203.
- 320 (c) In drafting the transportation and traffic circulation element, the planning
321 commission shall:
- 322 (i)(A) consider and coordinate with the regional transportation plan developed by
323 the municipality's region's metropolitan planning organization, if the
324 municipality is within the boundaries of a metropolitan planning organization;
- 325 or
- 326 (B) consider and coordinate with the long-range transportation plan developed by
327 the Department of Transportation, if the municipality is not within the
328 boundaries of a metropolitan planning organization; and
- 329 (ii) consider and coordinate with any station area plans adopted by the municipality if
330 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
334 Water Resources; and

- 335 (B) if Section 73-10-32 requires the municipality to adopt a water conservation
336 plan in accordance with Section 73-10-32, the municipality's water
337 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
341 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
343 recommendation for changes to an ordinance that promotes the inefficient use of
344 water;
- 345 (iv) shall consider principles of sustainable landscaping, including the:
- 346 (A) reduction or limitation of the use of lawn or turf;
347 (B) promotion of site-specific landscape design that decreases stormwater runoff
348 or runoff of water used for irrigation;
349 (C) preservation and use of healthy trees that have a reasonable water requirement
350 or are resistant to dry soil conditions;
351 (D) elimination or regulation of ponds, pools, and other features that promote
352 unnecessary water evaporation;
353 (E) reduction of yard waste; and
354 (F) use of an irrigation system, including drip irrigation, best adapted to provide
355 the optimal amount of water to the plants being irrigated;
- 356 (v) shall consult with the public water system or systems serving the municipality
357 with drinking water regarding how implementation of the land use element and
358 water use and preservation element may affect:
- 359 (A) water supply planning, including drinking water source and storage capacity
360 consistent with Section 19-4-114; and
361 (B) water distribution planning, including master plans, infrastructure asset
362 management programs and plans, infrastructure replacement plans, and impact
363 fee facilities plans;
- 364 (vi) shall consult with the Division of Water Resources for information and technical
365 resources regarding regional water conservation goals, including how
366 implementation of the land use element and the water use and preservation
367 element may affect the Great Salt Lake;
- 368 (vii) may include recommendations for additional water demand reduction strategies,

- 369 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
372 that will reduce water demand for new single family development;
- 373 (C) providing one or more water reduction incentives for existing development
374 such as modification of existing landscapes and irrigation systems and
375 installation of water fixtures or systems that minimize water demand;
- 376 (D) discouraging incentives for economic development activities that do not
377 adequately account for water use or do not include strategies for reducing
378 water demand; and
- 379 (E) adopting water concurrency standards requiring that adequate water supplies
380 and facilities are or will be in place for new development; and
- 381 (viii) for a town, may include, and for another municipality, shall include, a
382 recommendation for low water use landscaping standards for a new:
- 383 (A) commercial, industrial, or institutional development;
- 384 (B) common interest community, as defined in Section 57-25-102; or
- 385 (C) multifamily housing project.
- 386 (3) The proposed general plan may include:
- 387 (a) an environmental element that addresses:
- 388 (i) the protection, conservation, development, and use of natural resources, including
389 the quality of:
- 390 (A) air;
- 391 (B) forests;
- 392 (C) soils;
- 393 (D) rivers;
- 394 (E) groundwater and other waters;
- 395 (F) harbors;
- 396 (G) fisheries;
- 397 (H) wildlife;
- 398 (I) minerals; and
- 399 (J) other natural resources; and
- 400 (ii)(A) the reclamation of land, flood control, prevention and control of the
401 pollution of streams and other waters;
- 402 (B) the regulation of the use of land on hillsides, stream channels and other

- 403 environmentally sensitive areas;
- 404 (C) the prevention, control, and correction of the erosion of soils;
- 405 (D) the preservation and enhancement of watersheds and wetlands; and
- 406 (E) the mapping of known geologic hazards;
- 407 (b) a public services and facilities element showing general plans for sewage, water,
- 408 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for
- 409 them, police and fire protection, and other public services;
- 410 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and
- 411 programs for:
- 412 (i) historic preservation;
- 413 (ii) the diminution or elimination of a development impediment as defined in Section
- 414 17C-1-102; and
- 415 (iii) redevelopment of land, including housing sites, business and industrial sites, and
- 416 public building sites;
- 417 (d) an economic element composed of appropriate studies and forecasts, as well as an
- 418 economic development plan, which may include review of existing and projected
- 419 municipal revenue and expenditures, revenue sources, identification of basic and
- 420 secondary industry, primary and secondary market areas, employment, and retail
- 421 sales activity;
- 422 (e) recommendations for implementing all or any portion of the general plan, including
- 423 the adoption of land and water use ordinances, capital improvement plans,
- 424 community development and promotion, and any other appropriate action;
- 425 (f) provisions addressing any of the matters listed in Subsection 10-20-401(2) or Section
- 426 10-20-403; and
- 427 (g) any other element the municipality considers appropriate.

428 (4) A municipality located within a county described in Section 17-79-409 may review as

429 part of the development of the municipality's general plan an urban reserve area, as

430 defined in Section 17-79-409, that the county identifies in the county's general plan.

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

432 **11-36a-301 . Impact fee facilities plan.**

- 433 (1) Before imposing an impact fee, each local political subdivision or private entity shall,
- 434 except as provided in Subsection (3), prepare an impact fee facilities plan to determine
- 435 the public facilities required to serve development resulting from new development
- 436 activity.

- 437 (2) A municipality or county need not prepare a separate impact fee facilities plan if the
 438 general plan required by Section 10-20-401 or 17-79-401, respectively, contains the
 439 elements required by Section 11-36a-302.
- 440 (3) A local political subdivision or a private entity with a population, or serving a
 441 population, of less than 5,000 as of the last federal census that charges impact fees of
 442 less than \$250,000 annually need not comply with the impact fee facilities plan
 443 requirements of this part, but shall ensure that:
- 444 (a) the impact fees that the local political subdivision or private entity imposes are based
 445 upon a reasonable plan that otherwise complies with the common law and this
 446 chapter; and
- 447 (b) each applicable notice required by this chapter is given.
- 448 (4) A county described in Section 17-79-409 shall include in the county's impact fee
 449 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**
 452 **approval of final plat -- Plat requirements.**

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

- 471 entity, the boundary of the area that is proposed to be withdrawn or disconnected;
- 472 (v) in the case of a proposed consolidation of multiple local entities, the boundary of
- 473 the proposed consolidated local entity; and
- 474 (vi) in the case of a proposed division of a local entity into multiple local entities, the
- 475 boundary of each new local entity created by the proposed division;
- 476 (b) is created on reproducible material that is:
- 477 (i) permanent in nature; and
- 478 (ii) the size and type specified by the county recorder;
- 479 (c) is drawn to a scale so that all data are legible;
- 480 (d) contains complete and accurate boundary information, including, as appropriate,
- 481 calls along existing boundary lines, sufficient to enable:
- 482 (i) the county surveyor to establish the boundary on the ground, in the event of a
- 483 dispute about the accurate location of the boundary; and
- 484 (ii) the county recorder to identify, for tax purposes, each tract or parcel included
- 485 within the boundary;
- 486 (e) depicts a name for the plat, approved by the county recorder, that is sufficiently
- 487 unique to distinguish the plat from all other recorded plats in the county;
- 488 (f) contains:
- 489 (i) the name of the local entity whose boundary is depicted on the plat;
- 490 (ii) the name of each county within which any property depicted on the plat is located;
- 491 (iii) the date that the plat was prepared;
- 492 (iv) a north arrow and legend;
- 493 (v) a signature block for:
- 494 (A) the signatures of:
- 495 (I) the professional land surveyor who prepared the plat; and
- 496 (II) the local entity's approving authority; and
- 497 (B) the approval of the county surveyor; and
- 498 (vi) a three-inch by three-inch block in the lower right hand corner for the county
- 499 recorder's use when recording the plat;
- 500 (g) has been certified and signed by a professional land surveyor licensed under Title 58,
- 501 Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
- 502 and
- 503 (h) has been reviewed and signed by the approving authority of the local entity whose
- 504 boundary is depicted on the plat.

505 (4) The county surveyor may charge and collect a reasonable fee for the costs associated
506 with:

507 (a) the process of determining whether a plat is a final local entity plat; and

508 (b) the approval of a plat as a final local entity plat.

509 Section 7. Section **17-79-403** is amended to read:

510 **17-79-403 . General plan preparation.**

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

516 (b) The planning commission shall make and recommend to the legislative body a
517 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
520 district, the mountainous planning district.

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

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

528 (2)(a) At a minimum, the proposed general plan, with the accompanying maps, charts,
529 and descriptive and explanatory matter, shall include the planning commission's
530 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,
533 and location of land for housing for residents of various income levels,
534 business, industry, agriculture, recreation, education, public buildings and
535 grounds, open space, and other categories of public and private uses of land as
536 appropriate;

537 (B) includes a statement of the projections for and standards of population density
538 and building intensity recommended for the various land use categories

- 539 covered by the plan;
- 540 (C) is coordinated to integrate the land use element with the water use and
- 541 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:
- 544 (A) provides the general location and extent of existing and proposed freeways,
- 545 arterial and collector streets, public transit, active transportation facilities, and
- 546 other modes of transportation that the planning commission considers
- 547 appropriate;
- 548 (B) addresses the county's plan for residential and commercial development
- 549 around major transit investment corridors to maintain and improve the
- 550 connections between housing, employment, education, recreation, and
- 551 commerce; and
- 552 (C) correlates with the population projections, the employment projections, and
- 553 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
- 555 housing element that meets the requirements of Section 17-80-202;
- 556 (iv) a resource management plan detailing the findings, objectives, and policies
- 557 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
- 560 demand and water infrastructure;
- 561 (B) methods of reducing water demand and per capita consumption for future
- 562 development;
- 563 (C) methods of reducing water demand and per capita consumption for existing
- 564 development; and
- 565 (D) opportunities for the county to modify the county's operations to eliminate
- 566 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
- 569 area of the county or mountainous planning district;
- 570 (ii) avoid proposing a use of land within an agriculture protection area that is
- 571 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

- 573 located within the county under 10-21-203.
- 574 (c) In drafting the transportation and traffic circulation element, the planning
575 commission shall:
- 576 (i)(A) consider and coordinate with the regional transportation plan developed by
577 the county's region's metropolitan planning organization, if the relevant areas
578 of the county are within the boundaries of a metropolitan planning
579 organization; or
- 580 (B) consider and coordinate with the long-range transportation plan developed by
581 the Department of Transportation, if the relevant areas of the county are not
582 within the boundaries of a metropolitan planning organization; and
- 583 (ii) consider and coordinate with any station area plans adopted by municipalities
584 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
587 Division of Water Resources;
- 588 (ii) shall consult with the Division of Water Resources for information and technical
589 resources regarding regional water conservation goals, including how
590 implementation of the land use element and water use and preservation element
591 may affect the Great Salt Lake;
- 592 (iii) shall notify the community water systems serving drinking water within the
593 unincorporated portion of the county and request feedback from the community
594 water systems about how implementation of the land use element and water use
595 and preservation element may affect:
- 596 (A) water supply planning, including drinking water source and storage capacity
597 consistent with Section 19-4-114; and
- 598 (B) water distribution planning, including master plans, infrastructure asset
599 management programs and plans, infrastructure replacement plans, and impact
600 fee facilities plans;
- 601 (iv) shall consider the potential opportunities and benefits of planning for
602 regionalization of public water systems;
- 603 (v) shall consult with the Department of Agriculture and Food for information and
604 technical resources regarding the potential benefits of agriculture conservation
605 easements and potential implementation of agriculture water optimization projects
606 that would support regional water conservation goals;

- 607 (vi) shall notify an irrigation or canal company located in the county so that the
608 irrigation or canal company can be involved in the protection and integrity of the
609 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
613 that do not require the use of lawn or turf in a parkstrip;
- 614 (viii) shall review the county's land use ordinances and include a recommendation for
615 changes to an ordinance that promotes the inefficient use of water;
- 616 (ix) shall consider principles of sustainable landscaping, including the:
- 617 (A) reduction or limitation of the use of lawn or turf;
618 (B) promotion of site-specific landscape design that decreases stormwater runoff
619 or runoff of water used for irrigation;
620 (C) preservation and use of healthy trees that have a reasonable water requirement
621 or are resistant to dry soil conditions;
622 (D) elimination or regulation of ponds, pools, and other features that promote
623 unnecessary water evaporation;
624 (E) reduction of yard waste; and
625 (F) use of an irrigation system, including drip irrigation, best adapted to provide
626 the optimal amount of water to the plants being irrigated;
- 627 (x) may include recommendations for additional water demand reduction strategies,
628 including:
- 629 (A) creating a water budget associated with a particular type of development;
630 (B) adopting new or modified lot size, configuration, and landscaping standards
631 that will reduce water demand for new single family development;
632 (C) providing one or more water reduction incentives for existing landscapes and
633 irrigation systems and installation of water fixtures or systems that minimize
634 water demand;
635 (D) discouraging incentives for economic development activities that do not
636 adequately account for water use or do not include strategies for reducing
637 water demand; and
638 (E) adopting water concurrency standards requiring that adequate water supplies
639 and facilities are or will be in place for new development; and
640 (xi) shall include a recommendation for low water use landscaping standards for a

- 641 new:
- 642 (A) commercial, industrial, or institutional development;
- 643 (B) common interest community, as defined in Section 57-25-102; or
- 644 (C) multifamily housing project.
- 645 (3) The proposed general plan may include:
- 646 (a) an environmental element that addresses:
- 647 (i) to the extent not covered by the county's resource management plan, the
- 648 protection, conservation, development, and use of natural resources, including the
- 649 quality of:
- 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
- 661 pollution of streams and other waters;
- 662 (B) the regulation of the use of land on hillsides, stream channels and other
- 663 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,
- 668 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for
- 669 them, police and fire protection, and other public services;
- 670 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and
- 671 programs for:
- 672 (i) historic preservation;
- 673 (ii) the diminution or elimination of a development impediment as defined in Section
- 674 17C-1-102; and

- 675 (iii) redevelopment of land, including housing sites, business and industrial sites, and
 676 public building sites;
- 677 (d) an economic element composed of appropriate studies and forecasts, as well as an
 678 economic development plan, which may include review of existing and projected
 679 county revenue and expenditures, revenue sources, identification of basic and
 680 secondary industry, primary and secondary market areas, employment, and retail
 681 sales activity;
- 682 (e) recommendations for implementing all or any portion of the general plan, including
 683 the adoption of land and water use ordinances, capital improvement plans,
 684 community development and promotion, and any other appropriate action;
- 685 (f) provisions addressing any of the matters listed in Subsection 17-79-401(2) or
 686 17-79-402(1); and
- 687 (g) any other element the county considers appropriate.

688 (4) A county of the third class that is adjacent to a county of the first class is subject to the
 689 specific general plan requirements described in Section 17-79-409.

690 Section 8. Section **17-79-409** is enacted to read:

691 **17-79-409 . Metropolitan growth county.**

692 (1) As used in this section:

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

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

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

697 (a) a county population projection that:

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

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

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

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

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

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

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

- 709 (c) identify potential locations for future schools, parks, public safety facilities, and
710 other public uses;
- 711 (d) evaluate the capacity of water, sewer, and other public utility facilities necessary to
712 support the projected population and employment growth described in Subsection (2);
713 and
- 714 (e) contain land use policies supporting the orderly transition from rural to urban
715 development patterns.
- 716 (5) A metropolitan growth county may not, in the metropolitan growth county's general
717 plan, designate an area with an urban density for primarily residential development,
718 unless the metropolitan growth county demonstrates the reasonable availability of
719 culinary water, wastewater treatment capacity, transportation access, and public safety
720 services for the area.
- 721 (6)(a) A metropolitan growth county's general plan shall include policies that support
722 eventual incorporation or annexation of an urban reserve area when sufficient
723 demand develops for a variety of municipal services.
- 724 (b) The policies described in Subsection (6)(a) shall encourage logical municipal
725 boundaries and efficient municipal services.
- 726 (c) A metropolitan growth county shall coordinate with each municipality that is
727 adjacent to an urban reserve area to determine the longterm feasibility of the
728 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
730 Section 11-36a-301 an evaluation of the public facilities required to serve new
731 development within an urban reserve area.
- 732 (8)(a) A metropolitan growth county shall coordinate with each school district that
733 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
735 feasible.
- 736 (9) A metropolitan growth county may include in the metropolitan growth county's general
737 plan:
- 738 (a) a corridor preservation element that identifies future transportation routes, utility
739 corridors, and regional infrastructure alignments necessary to support projected
740 growth; and
- 741 (b) a specific plan for using the metropolitan growth county's authority to preserve
742 transportation corridors under Title 72, Chapter 5, Part 4, Transportation Corridor

- 743 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
- 747 regulations; or
- 748 (c) create a private right of action.
- 749 (11) A metropolitan growth county may not amend the metropolitan growth county's
- 750 general plan to materially reduce the development capacity of an urban reserve area
- 751 unless the metropolitan growth county includes written findings in the general plan
- 752 demonstrating that:
- 753 (a) water resources are deficient;
- 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
- 757 a specific state or federal resource protection law.
- 758 **Section 9. Effective Date.**
- 759 This bill takes effect on May 6, 2026.