

**S.B. 209**

**LAND USE, DEVELOPMENT, AND MANAGEMENT ACT AMENDMENTS**

Representative **Carl Wimmer** proposes the following amendments:

1. *Page 1, Line 23:*

- 23                   •       modify the notice that is required;  
                      ▶ **prohibits counties and municipalities from restricting the use of land near water except through the acquisition of a conservation easement;**

2. *Page 2, Line 56*

*Senate 2nd Reading Amendments  
3-6-2009:*

56               17-27a-609.5, as last amended by Laws of Utah 2007, Chapter 243

**ENACTS:**

**10-9a-522, Utah Code Annotated 1953**

**17-27a-521, Utah Code Annotated 1953**

3. *Page 4, Line 102:*

102   hearing.]

**Section 3. Section 10-9a-522 is enacted to read:**

**10-9a-522. Conservation easement required for restricting use of land near water.**

**(1) Except as provided in Subsection (2), a municipality may not restrict the use of land because of its proximity to a stream or other body of water.**

**(2) A municipality may acquire a conservation easement on land for the purpose of restricting the use of the land because of its proximity to a stream or other body of water.**

4. *Page 11, Line 308:*

308   and posting notice in three public places for four consecutive weeks before the hearing.]

**Section 10. Section 17-27a-521 is enacted to read:**

**17-27a-521. Conservation easement required for restricting use of land near water.**

**(1) Except as provided in Subsection (2), a county may not restrict the use of land because of its proximity to a stream or other body of water.**

**(2) A county may acquire a conservation easement on land for the purpose of restricting the use of the land because of its proximity to a stream or other body of water.**

**ReNUMBER remaining sections accordingly.**