

Political Subdivision Landscaping Authority

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Thomas W. Peterson

Senate Sponsor:

LONG TITLE**General Description:**

This bill restricts a municipality or county from prohibiting removal of vegetation on property located in a wildland-urban interface area.

Highlighted Provisions:

This bill:

- defines terms; and
- restricts a municipality or county from prohibiting a property owner from removing vegetation on property located in a wildland-urban interface area.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

10-20-619, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

17-79-615, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 14

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

Section 1. Section **10-20-619** is amended to read:

10-20-619 . Water wise landscaping -- Municipal landscaping regulations.

(1) As used in this section:

(a) "Lawn or turf" means nonagricultural land planted in closely mowed, managed grasses.

(b) "Mulch" means material such as rock, bark, wood chips, or other materials left loose and applied to the soil.

- (c) "Overhead spray irrigation" means above ground irrigation heads that spray water through a nozzle.
- (d) "Private landscaping plan" means the same as that term is defined in Section 10-20-807.
- (e)(i) "Vegetative coverage" means the ground level surface area covered by the exposed leaf area of a plant or group of plants at full maturity.
- (ii) "Vegetative coverage" does not mean the ground level surface area covered by the exposed leaf area of a tree or trees.
- (f) "Water wise landscaping" means any or all of the following:
- (i) installation of plant materials suited to the microclimate and soil conditions that can:
- (A) remain healthy with minimal irrigation once established; or
- (B) be maintained without the use of overhead spray irrigation;
- (ii) use of water for outdoor irrigation through proper and efficient irrigation design and water application; or
- (iii) use of other landscape design features that:
- (A) minimize the need of the landscape for supplemental water from irrigation; or
- (B) reduce the landscape area dedicated to lawn or turf.
- (g) "Wildland-urban interface" means the same as that term is defined in Section 65A-1-1.
- (2) A municipality may not enact or enforce ~~[an ordinance, resolution]~~ a land use regulation, or adopt or enforce a policy, that prohibits, or has the effect of prohibiting, a property owner from incorporating water wise landscaping on the property owner's property.
- (3)(a) Subject to Subsection (3)(b), Subsection (2) does not prohibit a municipality from requiring a property owner to:
- (i) comply with a site plan review, private landscaping plan review, or other review process before installing water wise landscaping;
- (ii) maintain plant material in a healthy condition; and
- (iii) follow specific water wise landscaping design requirements adopted by the municipality, including a requirement that:
- (A) restricts or clarifies the use of mulches considered detrimental to municipal operations;
- (B) imposes minimum or maximum vegetative coverage standards; or
- (C) restricts or prohibits the use of specific plant materials.

(b) A municipality may not require a property owner to install or keep in place lawn or turf in an area with a width less than eight feet.

(4) A municipality may require a seller of a newly constructed residence to inform the first buyer of the newly constructed residence of a municipal ordinance requiring water wise landscaping.

(5) A municipality shall report to the Division of Water Resources the existence, enactment, or modification of an ordinance, resolution, or policy that implements regional-based water use efficiency standards established by the Division of Water Resources by rule under Section 73-10-37.

(6) A municipality may not enact or enforce a land use regulation, or adopt or enforce a policy, that prohibits, or has the effect of prohibiting, a property owner from removing vegetation from the property owner's property that is within a designated wildland-urban interface area.

~~[(6)]~~ (7) A municipality may enforce a municipal landscaping ordinance in compliance with this section.

Section 2. Section **17-79-615** is amended to read:

17-79-615 . Water wise landscaping -- County landscaping regulations.

(1) As used in this section:

(a) "Lawn or turf" means nonagricultural land planted in closely mowed, managed grasses.

(b) "Mulch" means material such as rock, bark, wood chips, or other materials left loose and applied to the soil.

(c) "Overhead spray irrigation" means above ground irrigation heads that spray water through a nozzle.

(d) "Private landscaping plan" means the same as that term is defined in Section 17-79-707.

(e)(i) "Vegetative coverage" means the ground level surface area covered by the exposed leaf area of a plant or group of plants at full maturity.

(ii) "Vegetative coverage" does not mean the ground level surface area covered by the exposed leaf area of a tree or trees.

(f) "Water wise landscaping" means any or all of the following:

(i) installation of plant materials suited to the microclimate and soil conditions that can:

(A) remain healthy with minimal irrigation once established; or

- 99 (B) be maintained without the use of overhead spray irrigation;
- 100 (ii) use of water for outdoor irrigation through proper and efficient irrigation design
- 101 and water application; or
- 102 (iii) the use of other landscape design features that:
- 103 (A) minimize the need of the landscape for supplemental water from irrigation; or
- 104 (B) reduce the landscape area dedicated to lawn or turf.
- 105 (g) "Wildland-urban interface" means the same as that term is defined in Section
- 106 65A-1-1.
- 107 (2) A county may not enact or enforce [~~an ordinance, resolution~~] a land use regulation, or
- 108 adopt or enforce a policy, that prohibits, or has the effect of prohibiting, a property
- 109 owner from incorporating water wise landscaping on the property owner's property.
- 110 (3)(a) Subject to Subsection (3)(b), Subsection (2) does not prohibit a county from
- 111 requiring a property owner to:
- 112 (i) comply with a site plan review, private landscaping plan review, or other review
- 113 process before installing water wise landscaping;
- 114 (ii) maintain plant material in a healthy condition; and
- 115 (iii) follow specific water wise landscaping design requirements adopted by the
- 116 county, including a requirement that:
- 117 (A) restricts or clarifies the use of mulches considered detrimental to county
- 118 operations;
- 119 (B) imposes minimum or maximum vegetative coverage standards; or
- 120 (C) restricts or prohibits the use of specific plant materials.
- 121 (b) A county may not require a property owner to install or keep in place lawn or turf in
- 122 an area with a width less than eight feet.
- 123 (4) A county may require a seller of a newly constructed residence within the
- 124 unincorporated area of the county to inform the first buyer of the newly constructed
- 125 residence of a county ordinance requiring water wise landscaping.
- 126 (5) A county shall report to the Division of Water Resources the existence, enactment, or
- 127 modification of an ordinance, resolution, or policy that implements regional-based water
- 128 use efficiency standards established by the Division of Water Resources by rule under
- 129 Section 73-10-37.
- 130 (6) A county may not enact or enforce a land use regulation, or adopt or enforce a policy,
- 131 that prohibits, or has the effect of prohibiting, a property owner from removing
- 132 vegetation from the property owner's property that is within a designated wildland-urban

133 interface area.

134 [(6)] (7) A county may enforce a county landscaping ordinance in compliance with this
135 section.

136 Section 3. **Effective Date.**

137 This bill takes effect on May 6, 2026.