

Local Planning and Regulation Impacts on Wildlife Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor:

LONG TITLE**General Description:**

This bill modifies provisions relating to local government land use plans and regulations.

Highlighted Provisions:

This bill:

- requires municipalities and counties to consider development impacts on wildlife in the process of considering and adopting general plans and land use regulations;

- requires the Department of Natural Resources to provide information relevant to a municipality's or county's consideration of the development impacts on wildlife; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

10-20-401, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

10-20-402, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

10-20-404, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

10-20-501, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

17-79-401, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 14

17-79-402, as enacted by Laws of Utah 2025, First Special Session, Chapter 14

17-79-403, as renumbered and amended by Laws of Utah 2025, First Special Session,

Chapter 14

17-79-501, as renumbered and amended by Laws of Utah 2025, First Special Session,
Chapter 14

ENACTS:

17E-7-402, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **10-20-401** is amended to read:**10-20-401 . General plan required -- Content.**

- (1) To accomplish the purposes of this chapter, a 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]~~ shall address:
 - (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 maintenance and enhancement of wildlife habitat connectivity and migration corridors;
 - (e) the use of energy conservation and solar and clean energy resources;
 - ~~[(e)]~~ ~~(f)~~ the protection of urban development;
 - ~~[(f)]~~ ~~(g)~~ if the municipality is a town, the protection or promotion of moderate income housing;
 - ~~[(g)]~~ ~~(h)~~ the protection and promotion of air quality;
 - ~~[(h)]~~ ~~(i)~~ historic preservation;
 - ~~[(i)]~~ ~~(j)~~ identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by an affected entity; and
 - ~~[(j)]~~ ~~(k)~~ an official map.
- (3)~~(a)~~ Subject to Section 10-20-404, the municipality may determine the comprehensiveness, extent, and format of the general plan.

(b) In preparing and adopting a general plan, the municipality shall, to the extent the municipality determines advisable, consider:

(i) the impacts of development on wildlife, wildlife movement, and wildlife habitat;
and

(ii) how impacts of development on wildlife, wildlife movement, and wildlife habitat may be mitigated.

- (4) Except for a city of the fifth class or a town, on or before December 31, 2025, a municipality that has a general plan that does not include a water use and preservation element that complies with Section 10-20-404 shall amend the municipality's general plan to comply with Section 10-20-404.

Section 2. Section **10-20-402** is amended to read:

10-20-402 . Information and technical assistance from the state.

- (1) Each state official, department, and agency shall:

~~[(1)]~~ (a) promptly deliver any data and information requested by a municipality unless the disclosure is prohibited by Title 63G, Chapter 2, Government Records Access and Management Act; and

~~[(2)]~~ (b) furnish any other technical assistance and advice that they have available to the municipality without additional cost to the municipality.

- (2) Upon request, the Department of Natural Resources shall provide a municipality or a municipal legislative body with information relevant to the consideration described in Subsection 10-20-401(3)(b) or 10-20-501(3)(b).

Section 3. Section **10-20-404** is amended to read:

10-20-404 . General plan preparation.

- (1)(a) The planning commission shall provide notice, as provided in Section 10-20-203, of the planning commission's 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 the planning commission's 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

99 eminent domain, when the plan of a municipality involves territory outside the
100 boundaries of the municipality, the municipality may not take action affecting that
101 territory without the concurrence of the county or other municipalities affected.

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

105 (i) a land use element that:

106 (A) designates the long-term goals and the proposed extent, general distribution,
107 and location of land for housing for residents of various income levels,
108 business, industry, agriculture, recreation, education, public buildings and
109 grounds, open space, and other categories of public and private uses of land as
110 appropriate;

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

114 (C) except for a city of the fifth class or a town, is coordinated to integrate the
115 land use element with the water use and preservation element;[-and]

116 (D) except for a city of the fifth class or a town, accounts for the effect of land use
117 categories and land uses on water demand; and

118 (E) considers how land use categories and land uses will impact hunting
119 opportunities, wildlife habitat connectivity, and wildlife migration corridors;

120 (ii) a transportation and traffic circulation element that:

121 (A) provides the general location and extent of existing and proposed freeways,
122 arterial and collector streets, public transit, active transportation facilities, and
123 other modes of transportation that the planning commission considers
124 appropriate;

125 (B) for a municipality that has access to a major transit investment corridor,
126 addresses the municipality's plan for residential and commercial development
127 around major transit investment corridors to maintain and improve the
128 connections between housing, employment, education, recreation, and
129 commerce;

130 (C) for a municipality that does not have access to a major transit investment
131 corridor, addresses the municipality's plan for residential and commercial
132 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;
- (iii) a moderate income housing element that meets the requirements of Section 10-21-201; and
- (iv) except for a city of the fifth class or a town, a water use and preservation element that addresses:
- (A) the effect of permitted development or patterns of development on water demand and water infrastructure;
- (B) methods of reducing water demand and per capita consumption for future development;
- (C) methods of reducing water demand and per capita consumption for existing development; and
- (D) opportunities for the municipality to modify the municipality's operations to eliminate practices or conditions that waste water.
- (b) In drafting the land use element, the planning commission shall:
- (i) identify and consider each agriculture protection area within the municipality;
- (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; and
- (iii) consider and coordinate with any station area plans adopted by the municipality if required under Section 10-21-203.
- (c) In drafting the transportation and traffic circulation element, the planning commission shall:
- (i)(A) consider and coordinate with the regional transportation plan developed by the municipality's region's metropolitan planning organization, if the municipality is within the boundaries of a metropolitan planning organization; or
- (B) consider and coordinate with the long-range transportation plan developed by the Department of Transportation, if the municipality is not within the boundaries of a metropolitan planning organization; and
- (ii) consider and coordinate with any station area plans adopted by the municipality if required under Section 10-21-203.
- (d) In drafting the water use and preservation element, the planning commission:
- (i) shall consider:

(A) applicable regional water conservation goals recommended by the Division of Water Resources; and

(B) if Section 73-10-32 requires the municipality to adopt a water conservation plan in accordance with Section 73-10-32, the municipality's water conservation plan;

(ii) shall include a recommendation for:

(A) water conservation policies to be determined by the municipality; and

(B) landscaping options within a public street for current and future development that do not require the use of lawn or turf in a parkstrip;

(iii) shall review the municipality's land use ordinances and include a recommendation for changes to an ordinance that promotes the inefficient use of water;

(iv) shall consider principles of sustainable landscaping, including the:

(A) reduction or limitation of the use of lawn or turf;

(B) promotion of site-specific landscape design that decreases stormwater runoff or runoff of water used for irrigation;

(C) preservation and use of healthy trees that have a reasonable water requirement or are resistant to dry soil conditions;

(D) elimination or regulation of ponds, pools, and other features that promote unnecessary water evaporation;

(E) reduction of yard waste; and

(F) use of an irrigation system, including drip irrigation, best adapted to provide the optimal amount of water to the plants being irrigated;

(v) shall consult with the public water system or systems serving the municipality with drinking water regarding how implementation of the land use element and water use and preservation element may affect:

(A) water supply planning, including drinking water source and storage capacity consistent with Section 19-4-114; and

(B) water distribution planning, including master plans, infrastructure asset management programs and plans, infrastructure replacement plans, and impact fee facilities plans;

(vi) shall consult with the Division of Water Resources for information and technical resources regarding regional water conservation goals, including how implementation of the land use element and the water use and preservation

- 201 element may affect the Great Salt Lake;
- 202 (vii) may include recommendations for additional water demand reduction strategies,
- 203 including:
- 204 (A) creating a water budget associated with a particular type of development;
- 205 (B) adopting new or modified lot size, configuration, and landscaping standards
- 206 that will reduce water demand for new single family development;
- 207 (C) providing one or more water reduction incentives for existing development
- 208 such as modification of existing landscapes and irrigation systems and
- 209 installation of water fixtures or systems that minimize water demand;
- 210 (D) discouraging incentives for economic development activities that do not
- 211 adequately account for water use or do not include strategies for reducing
- 212 water demand; and
- 213 (E) adopting water concurrency standards requiring that adequate water supplies
- 214 and facilities are or will be in place for new development; and
- 215 (viii) for a town, may include, and for another municipality, shall include, a
- 216 recommendation for low water use landscaping standards for a new:
- 217 (A) commercial, industrial, or institutional development;
- 218 (B) common interest community, as defined in Section 57-25-102; or
- 219 (C) multifamily housing project.
- 220 (3) The proposed general plan may include:
- 221 (a) an environmental element that addresses:
- 222 (i) the protection, conservation, development, and use of natural resources, including
- 223 the quality of:
- 224 (A) air;
- 225 (B) forests;
- 226 (C) soils;
- 227 (D) rivers;
- 228 (E) groundwater and other waters;
- 229 (F) harbors;
- 230 (G) fisheries;
- 231 (H) wildlife, habitat connectivity, and migration corridors;
- 232 (I) minerals; and
- 233 (J) other natural resources; and
- 234 (ii)(A) the reclamation of land, flood control, prevention and control of the

- 235 pollution of streams and other waters;
- 236 (B) the regulation of the use of land on hillsides, stream channels and other
- 237 environmentally sensitive areas;
- 238 (C) the prevention, control, and correction of the erosion of soils;
- 239 (D) the preservation and enhancement of watersheds and wetlands; and
- 240 (E) the mapping of known geologic hazards;
- 241 (b) a public services and facilities element showing general plans for sewage, water,
- 242 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for
- 243 them, police and fire protection, and other public services;
- 244 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and
- 245 programs for:
- 246 (i) historic preservation;
- 247 (ii) the diminution or elimination of a development impediment as defined in Section
- 248 17C-1-102; and
- 249 (iii) redevelopment of land, including housing sites, business and industrial sites, and
- 250 public building sites;
- 251 (d) an economic element composed of appropriate studies and forecasts, as well as an
- 252 economic development plan, which may include review of existing and projected
- 253 municipal revenue and expenditures, revenue sources, identification of basic and
- 254 secondary industry, primary and secondary market areas, employment, and retail
- 255 sales activity;
- 256 (e) recommendations for implementing all or any portion of the general plan, including
- 257 the adoption of land and water use ordinances, capital improvement plans,
- 258 community development and promotion, and any other appropriate action;
- 259 (f) provisions addressing any of the matters listed in Subsection 10-20-401(2) or Section
- 260 10-20-403; and
- 261 (g) any other element the municipality considers appropriate.

262 Section 4. Section **10-20-501** is amended to read:

263 **10-20-501 . Enactment of land use regulation, land use decision, or development**
264 **agreement.**

- 265 (1) Only a legislative body, as the body authorized to weigh policy considerations, may
- 266 enact a land use regulation.
- 267 (2)(a) Except as provided in Subsection (2)(b), a legislative body may enact a land use
- 268 regulation only by ordinance.

(b) A legislative body may, by ordinance or resolution, enact a land use regulation that imposes a fee.

(3)(a) A legislative body shall ensure that a land use regulation is consistent with the purposes set forth in this chapter.

(b) In considering and adopting a land use regulation, a legislative body shall, to the extent the legislative body determines advisable, consider:

(i) the impacts of development on wildlife, wildlife movement, and wildlife habitat; and

(ii) how the impacts of development on wildlife, wildlife movement, and wildlife habitat may be mitigated.

(4)(a) A legislative body shall adopt a land use regulation to:

(i) create or amend a zoning district under Subsection 10-20-503(1)(a); and

(ii) designate general uses allowed in each zoning district.

(b) A land use authority may establish or modify other restrictions or requirements other than those described in Subsection (4)(a), including the configuration or modification of uses or density, through a land use decision that applies criteria or policy elements that a land use regulation establishes or describes.

(5) A municipality may not adopt a land use regulation, development agreement, or land use decision that restricts the type of crop that may be grown in an area that is:

(a) zoned agricultural; or

(b) assessed under Title 59, Chapter 2, Part 5, Farmland Assessment Act.

(6) A municipal land use regulation pertaining to an airport or an airport influence area, as that term is defined in Section 72-10-401, is subject to Title 72, Chapter 10, Part 4, Airport Zoning Act.

Section 5. Section **17-79-401** is amended to read:

17-79-401 . General plan required -- Content -- Resource management plan -- Provisions related to radioactive waste facility.

(1) To accomplish the purposes of this chapter, a county shall prepare and adopt a comprehensive, long-range general plan:

(a) for present and future needs of the county;

(b)(i) for growth and development of all or any part of the land within the unincorporated portions of the county; or

(ii) if a county has designated a mountainous planning district, for growth and development of all or any part of the land within the mountainous planning

- 303 district; and
- 304 (c) as a basis for communicating and coordinating with the federal government on land
305 and resource management issues.
- 306 (2) To promote health, safety, and welfare, the [-]general plan [~~may provide for~~] shall
307 address:
- 308 (a) health, general welfare, safety, energy conservation, transportation, prosperity, civic
309 activities, aesthetics, and recreational, educational, and cultural opportunities;
- 310 (b) the reduction of the waste of physical, financial, or human resources that result from
311 either excessive congestion or excessive scattering of population;
- 312 (c) the efficient and economical use, conservation, and production of the supply of:
313 (i) food and water; and
314 (ii) drainage, sanitary, and other facilities and resources;
- 315 (d) the maintenance and enhancement of wildlife habitat connectivity and migration
316 corridors;
- 317 (e) the use of energy conservation and solar and clean energy resources;
- 318 [~~(e)~~] (f) the protection of urban development;
- 319 [~~(f)~~] (g) the protection and promotion of air quality;
- 320 [~~(g)~~] (h) historic preservation;
- 321 [~~(h)~~] (i) identifying future uses of land that are likely to require an expansion or
322 significant modification of services or facilities provided by an affected entity; and
- 323 [~~(i)~~] (j) an official map.
- 324 (3) The general plan may define the county's local customs, local culture, and the
325 components necessary for the county's economic stability.
- 326 (4)(a) Subject to Section 17-79-403, the county may determine the comprehensiveness,
327 extent, and format of the general plan.
- 328 (b) In preparing and adopting a general plan, the county shall, to the extent the county
329 determines advisable, consider:
- 330 (i) the impacts of development on wildlife, wildlife movement, and wildlife habitat;
331 and
- 332 (ii) how the impacts of development on wildlife, wildlife movement, and wildlife
333 habitat may be mitigated.
- 334 (5) Nothing in this part may be construed to limit the authority of the state to manage and
335 protect wildlife under Title 23A, Wildlife Resources Act.
- 336 (6) On or before December 31, 2025, a county that has a general plan that does not include

a water use and preservation element that complies with Section 17-79-403 shall amend the county's general plan to comply with Section 17-79-403.

Section 6. Section **17-79-402** is amended to read:

17-79-402 . Specific provisions for general plan.

(1)(a) The general plan of a specified county, as defined in Section 17-80-101, shall include a moderate income housing element that meets the requirements of Section 17-80-201.

(b)(i) This Subsection (1)(b) applies to a county that does not qualify as a specified county as of January 1, 2023.

(ii) As of January 1, if a county changes from one class to another or grows in population to qualify as a specified county, the county shall amend the county's general plan to include a moderate income housing element that meets the requirements of Section 17-80-201 on or before August 1 of the first calendar year beginning on January 1 in which the county qualifies as a specified county.

(iii) A county described in Subsection (1)(b)(ii) shall send a copy of the county's amended general plan to the association of governments, established in accordance with an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, of which the county is a member.

(2)(a) All county general plans shall contain a resource management plan for the public lands, as defined in Section 63L-6-102, within the county.

(b) The resource management plan described in Subsection (2)(a) shall address:

- (i) mining;
- (ii) land use;
- (iii) livestock and grazing;
- (iv) irrigation;
- (v) agriculture;
- (vi) fire management;
- (vii) noxious weeds;
- (viii) forest management;
- (ix) water rights;
- (x) ditches and canals;
- (xi) water quality and hydrology;
- (xii) flood plains and river terraces;
- (xiii) wetlands;

- (xiv) riparian areas;
- (xv) predator control;
- (xvi) wildlife, habitat connectivity, and migration corridors;
- (xvii) fisheries;
- (xviii) recreation and tourism;
- (xix) energy resources;
- (xx) mineral resources;
- (xxi) cultural, historical, geological, and paleontological resources;
- (xxii) wilderness;
- (xxiii) wild and scenic rivers;
- (xxiv) threatened, endangered, and sensitive species;
- (xxv) land access;
- (xxvi) law enforcement;
- (xxvii) economic considerations; and
- (xxviii) air.

(c) For each item listed under Subsection (2)(b), a county's resource management plan shall:

- (i) establish findings pertaining to the item;
- (ii) establish defined objectives; and
- (iii) outline general policies and guidelines on how the objectives described in Subsection (2)(c)(ii) are to be accomplished.

(3)(a)(i) All county general plans shall include specific provisions related to an area within, or partially within, the exterior boundaries of the county, or contiguous to the boundaries of a county, which are proposed for the siting of a storage facility or transfer facility for the placement of high-level nuclear waste or greater than class C radioactive nuclear waste, as these wastes are defined in Section 19-3-303.

(ii) The provisions described in Subsection (3)(a)(i) shall address the effects of the proposed site upon the health and general welfare of citizens of the state, and shall provide:

- (A) the information identified in Section 19-3-305;
- (B) information supported by credible studies that demonstrates that Subsection 19-3-307(2) has been satisfied; and
- (C) specific measures to mitigate the effects of high-level nuclear waste and greater than class C radioactive waste and guarantee the health and safety of

- the citizens of the state.
- (b) A county may, in lieu of complying with Subsection (3)(a), adopt an ordinance indicating that all proposals for the siting of a storage facility or transfer facility for the placement of high-level nuclear waste or greater than class C radioactive waste wholly or partially within the county are rejected.
 - (c) A county may adopt the ordinance listed in Subsection (3)(b) at any time.
 - (d) The county shall send a certified copy of the ordinance described in Subsection (3)(b) to the executive director of the Department of Environmental Quality by certified mail within 30 days of enactment.
 - (e) If a county repeals an ordinance adopted under Subsection (3)(b), the county shall:
 - (i) comply with Subsection (3)(a) as soon as reasonably possible; and
 - (ii) send a certified copy of the repeal to the executive director of the Department of Environmental Quality by certified mail within 30 days after the repeal.
- (4) If a county has designated a mountainous planning district, the general plan for the mountainous planning district is the controlling plan.
- Section 7. Section **17-79-403** is amended to read:
- 17-79-403 . General plan preparation.**
- (1)(a) The planning commission shall provide notice, as provided in Section 17-79-203, of the planning commission's 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 the planning commission's 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 the county plan is recommended by the municipal planning commission and adopted by the governing body of the municipality.

(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;

(B) includes 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;

(C) is coordinated to integrate the land use element with the water use and preservation element; ~~and~~

(D) accounts for the effect of land use categories and land uses on water demand; and

(E) considers how land use categories and land uses will impact hunting opportunities, wildlife habitat connectivity, and migration corridors;

(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) for a specified county as defined in Section 17-80-101, a moderate income housing element that meets the requirements of Section 17-80-202;

(iv) a resource management plan detailing the findings, objectives, and policies required by Section 17-79-402; and

(v) a water use and preservation element that addresses:

- 473 (A) the effect of permitted development or patterns of development on water
474 demand and water infrastructure;
- 475 (B) methods of reducing water demand and per capita consumption for future
476 development;
- 477 (C) methods of reducing water demand and per capita consumption for existing
478 development; and
- 479 (D) opportunities for the county to modify the county's operations to eliminate
480 practices or conditions that waste water.
- 481 (b) In drafting the land use element, the planning commission shall:
- 482 (i) identify and consider each agriculture protection area within the unincorporated
483 area of the county or mountainous planning district;
- 484 (ii) avoid proposing a use of land within an agriculture protection area that is
485 inconsistent with or detrimental to the use of the land for agriculture; and
- 486 (iii) consider and coordinate with any station area plans adopted by municipalities
487 located within the county under 10-21-203.
- 488 (c) In drafting the transportation and traffic circulation element, the planning
489 commission shall:
- 490 (i)(A) consider and coordinate with the regional transportation plan developed by
491 the county's region's metropolitan planning organization, if the relevant areas
492 of the county are within the boundaries of a metropolitan planning
493 organization; or
- 494 (B) consider and coordinate with the long-range transportation plan developed by
495 the Department of Transportation, if the relevant areas of the county are not
496 within the boundaries of a metropolitan planning organization; and
- 497 (ii) consider and coordinate with any station area plans adopted by municipalities
498 located within the county under Section 10-21-203.
- 499 (d) In drafting the water use and preservation element, the planning commission:
- 500 (i) shall consider applicable regional water conservation goals recommended by the
501 Division of Water Resources;
- 502 (ii) shall consult with the Division of Water Resources for information and technical
503 resources regarding regional water conservation goals, including how
504 implementation of the land use element and water use and preservation element
505 may affect the Great Salt Lake;
- 506 (iii) shall notify the community water systems serving drinking water within the

unincorporated portion of the county and request feedback from the community water systems about how implementation of the land use element and water use and preservation element may affect:

(A) water supply planning, including drinking water source and storage capacity consistent with Section 19-4-114; and

(B) water distribution planning, including master plans, infrastructure asset management programs and plans, infrastructure replacement plans, and impact fee facilities plans;

(iv) shall consider the potential opportunities and benefits of planning for regionalization of public water systems;

(v) shall consult with the Department of Agriculture and Food for information and technical resources regarding the potential benefits of agriculture conservation easements and potential implementation of agriculture water optimization projects that would support regional water conservation goals;

(vi) shall notify an irrigation or canal company located in the county so that the irrigation or canal company can be involved in the protection and integrity of the irrigation or canal company's delivery systems;

(vii) shall include a recommendation for:

(A) water conservation policies to be determined by the county; and

(B) landscaping options within a public street for current and future development that do not require the use of lawn or turf in a parkstrip;

(viii) shall review the county's land use ordinances and include a recommendation for changes to an ordinance that promotes the inefficient use of water;

(ix) shall consider principles of sustainable landscaping, including the:

(A) reduction or limitation of the use of lawn or turf;

(B) promotion of site-specific landscape design that decreases stormwater runoff or runoff of water used for irrigation;

(C) preservation and use of healthy trees that have a reasonable water requirement or are resistant to dry soil conditions;

(D) elimination or regulation of ponds, pools, and other features that promote unnecessary water evaporation;

(E) reduction of yard waste; and

(F) use of an irrigation system, including drip irrigation, best adapted to provide the optimal amount of water to the plants being irrigated;

- (x) may include recommendations for additional water demand reduction strategies, including:
- (A) creating a water budget associated with a particular type of development;
 - (B) adopting new or modified lot size, configuration, and landscaping standards that will reduce water demand for new single family development;
 - (C) providing one or more water reduction incentives for existing landscapes and irrigation systems and installation of water fixtures or systems that minimize water demand;
 - (D) discouraging incentives for economic development activities that do not adequately account for water use or do not include strategies for reducing water demand; and
 - (E) adopting water concurrency standards requiring that adequate water supplies and facilities are or will be in place for new development; and
- (xi) shall include a recommendation for low water use landscaping standards for a new:
- (A) commercial, industrial, or institutional development;
 - (B) common interest community, as defined in Section 57-25-102; or
 - (C) multifamily housing project.
- (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:
 - (A) air;
 - (B) forests;
 - (C) soils;
 - (D) rivers;
 - (E) groundwater and other waters;
 - (F) harbors;
 - (G) fisheries;
 - (H) wildlife, habitat connectivity, and migration corridors;
 - (I) minerals; and
 - (J) other natural resources; and
 - (ii)(A) the reclamation of land, flood control, prevention and control of the

- 575 pollution of streams and other waters;
576 (B) the regulation of the use of land on hillsides, stream channels and other
577 environmentally sensitive areas;
578 (C) the prevention, control, and correction of the erosion of soils;
579 (D) the preservation and enhancement of watersheds and wetlands; and
580 (E) the mapping of known geologic hazards;
- 581 (b) a public services and facilities element showing general plans for sewage, water,
582 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for
583 them, police and fire protection, and other public services;
- 584 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and
585 programs for:
586 (i) historic preservation;
587 (ii) the diminution or elimination of a development impediment as defined in Section
588 17C-1-102; and
589 (iii) redevelopment of land, including housing sites, business and industrial sites, and
590 public building sites;
- 591 (d) an economic element composed of appropriate studies and forecasts, as well as an
592 economic development plan, which may include review of existing and projected
593 county revenue and expenditures, revenue sources, identification of basic and
594 secondary industry, primary and secondary market areas, employment, and retail
595 sales activity;
- 596 (e) recommendations for implementing all or any portion of the general plan, including
597 the adoption of land and water use ordinances, capital improvement plans,
598 community development and promotion, and any other appropriate action;
- 599 (f) provisions addressing any of the matters listed in Subsection 17-79-401(2) or
600 17-79-402(1); and
601 (g) any other element the county considers appropriate.

602 Section 8. Section **17-79-501** is amended to read:

603 **17-79-501 . Enactment of land use regulation.**

- 604 (1) Only a legislative body, as the body authorized to weigh policy considerations, may
605 enact a land use regulation.
- 606 (2)(a) Except as provided in Subsection (2)(b), a legislative body may enact a land use
607 regulation only by ordinance.
- 608 (b) A legislative body may, by ordinance or resolution, enact a land use regulation that

imposes a fee.

(3)(a) A land use regulation shall be consistent with the purposes set forth in this chapter.

(b) In considering and adopting a land use regulation, a legislative body shall, to the extent the legislative body determines advisable, consider:

(i) the impacts of development on wildlife, wildlife movement, and wildlife habitat;
and

(ii) how the impacts of development on wildlife, wildlife movement, and wildlife habitat may be mitigated.

(4)(a) A legislative body shall adopt a land use regulation to:

(i) create or amend a zoning district under Subsection 17-79-503(1)(a); and

(ii) designate general uses allowed in each zoning district.

(b) A land use authority may establish or modify other restrictions or requirements other than those described in Subsection (4)(a), including the configuration or modification of uses or density, through a land use decision that applies criteria or policy elements that a land use regulation establishes or describes.

(5) A county may not adopt a land use regulation, development agreement, or land use decision that restricts the type of crop that may be grown in an area that is:

(a) zoned agricultural; or

(b) assessed under Title 59, Chapter 2, Part 5, Farmland Assessment Act.

(6) A county land use regulation pertaining to an airport or an airport influence area, as that term is defined in Section 72-10-401, is subject to Title 72, Chapter 10, Part 4, Airport Zoning Act.

Section 9. Section **17E-7-402** is enacted to read:

17E-7-402 . Impacts of development on wildlife.

Upon request from a county, the Department of Natural Resources shall provide the county or county legislative body with information relevant to the consideration of the impact of development on wildlife, wildlife movement, and wildlife habitat, as described in Sections 17-79-401 and 17-79-501.

Section 10. **Effective Date.**

This bill takes effect on May 6, 2026.