

**Landscaping Water Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Doug Owens**

Senate Sponsor:

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**LONG TITLE****General Description:**

This bill addresses regulations regarding landscaping.

**Highlighted Provisions:**

This bill:

- defines terms;
- directs a municipality or county to adopt, maintain, and enforce certain water efficient landscaping requirements related to new development;
- permits a municipality or county to consider regional-based water use efficiency standards;
- addresses the Division of Water Resources keeping records, reporting compliance, and providing assistance related to the landscaping requirements; and
- makes technical and conforming changes.

**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

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*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 efficient landscaping -- Municipal landscaping regulations.**

(1) As used in this section:

- (a) "Division" means the Division of Water Resources.
- (b) "Great Salt Lake basin" means the area within:
- (i) the surveyed meander line of the Great Salt Lake;
  - (ii) the drainage areas of the Bear River or the Bear River's tributaries;
  - (iii) the drainage areas of Bear Lake or Bear Lake's tributaries;
  - (iv) the drainage areas of the Weber River or the Weber River's tributaries;
  - (v) the drainage areas of the Jordan River or the Jordan River's tributaries;
  - (vi) the drainage areas of Utah Lake or Utah Lake's tributaries;
  - (vii) other water drainages lying between the Bear River and the Jordan River that are tributary to the Great Salt Lake and not included in the drainage areas described in Subsections (1)(b)(ii) through (vi); and
  - (viii) the drainage area of Tooele Valley.
- (c) "Land use regulation" means the same as that term is defined in Section 10-20-102.
- (d) "Lawn or turf" means nonagricultural land planted in closely mowed, managed grasses.
- ~~(b)~~ (e) "Mulch" means material such as rock, bark, wood chips, or other materials left loose and applied to the soil.
- (f) "New development" means:
- (i) the construction or expansion of a building, structure, or use that creates additional demand and need for public facilities;
  - (ii) a change in use of a building or structure that creates additional demand and need for public facilities; or
  - (iii) a change in the use of land that creates additional demand and need for public facilities.
- ~~(e)~~ (g) "Overhead spray irrigation" means above ground irrigation heads that spray water through a nozzle.
- ~~(d)~~ (h) "Private landscaping plan" means the same as that term is defined in Section 10-20-807.
- ~~(e)~~ (i)(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)~~ (j) "Water [wise] efficient landscaping" means any or all of the following:
- (i) installation of plant materials suited to the microclimate and soil conditions that

- 65 can:
- 66 (A) remain healthy with minimal irrigation once established; or
- 67 (B) be maintained without the use of overhead spray irrigation;
- 68 (ii) use of water for outdoor irrigation through proper and efficient irrigation design
- 69 and water application; or
- 70 (iii) use of other landscape design features that:
- 71 (A) minimize the need of the landscape for supplemental water from irrigation; or
- 72 (B) reduce the landscape area dedicated to lawn or turf.
- 73 (2) A municipality may not enact or enforce an ordinance, resolution, or policy that
- 74 prohibits, or has the effect of prohibiting, a property owner from incorporating water [
- 75 wise-] efficient landscaping on the property owner's property.
- 76 (3)(a) Subject to Subsection (3)(b), Subsection (2) does not prohibit a municipality from
- 77 requiring a property owner to:
- 78 (i) comply with a site plan review, private landscaping plan review, or other review
- 79 process before installing water [wise] efficient landscaping;
- 80 (ii) maintain plant material in a healthy condition; and
- 81 (iii) follow specific water [wise] efficient landscaping design requirements adopted by
- 82 the municipality, including a requirement that:
- 83 (A) restricts or clarifies the use of mulches considered detrimental to municipal
- 84 operations;
- 85 (B) imposes minimum or maximum vegetative coverage standards; or
- 86 (C) restricts or prohibits the use of specific plant materials.
- 87 (b) A municipality may not require a property owner to install or keep in place lawn or
- 88 turf in an area with a width less than eight feet.
- 89 (4)(a) By no later than November 1, 2027, a municipality within the Great Salt Lake
- 90 basin shall adopt, maintain, and enforce a land use regulation that requires water
- 91 efficient landscaping for new development.
- 92 (b) When adopting a land use regulation under this Subsection (4), a municipality may
- 93 consider the regional-based water use efficiency standards established by the division
- 94 by rule under Section 73-10-37 so that an owner of land within the municipality
- 95 meets the requirement in Subsection 73-10-37(4)(c)(ii) to be eligible for the incentive
- 96 under Subsection 73-10-37(4).
- 97 [(4)] (5) A municipality may require a seller of a newly constructed residence to inform the
- 98 first buyer of the newly constructed residence of a municipal ordinance requiring water [

wise] efficient landscaping.

[(5)] (6) A municipality shall report to the [~~Division of Water Resources~~] division the

existence, enactment, or modification of an ordinance, resolution, or policy that:

(a) implements regional-based water use efficiency standards established by the [

~~Division of Water Resources~~] division by rule under Section 73-10-37[:] ; or

(b) relates to a land use regulation described in Subsection (4).

[(6)] (7) A municipality may enforce a municipal landscaping ordinance or other land use regulation in compliance with this section.

(8)(a) The division shall:

(i) keep a record of a municipality's report under Subsection (6)(b) relating to a land use regulation under Subsection (4); and

(ii) annually publish on the division's public website a list of municipalities that fail to comply with Subsection (4).

(b) The division may provide technical assistance to a municipality to support the municipality's adoption of a land use regulation under Subsection (4).

(c) When consulted by a municipality for information and technical resources regarding regional water conservation goals, the division may seek input from the appropriate watershed council or councils.

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

**17-79-615 . Water efficient landscaping -- County landscaping regulations.**

(1) As used in this section:

(a) "Division" means the Division of Water Resources.

(b) "Great Salt Lake basin" means the area within:

(i) the surveyed meander line of the Great Salt Lake;

(ii) the drainage areas of the Bear River or the Bear River's tributaries;

(iii) the drainage areas of Bear Lake or Bear Lake's tributaries;

(iv) the drainage areas of the Weber River or the Weber River's tributaries;

(v) the drainage areas of the Jordan River or the Jordan River's tributaries;

(vi) the drainage areas of Utah Lake or Utah Lake's tributaries;

(vii) other water drainages lying between the Bear River and the Jordan River that are tributary to the Great Salt Lake and not included in the drainage areas described in Subsections (1)(b)(ii) through (vi); and

(viii) the drainage area of Tooele Valley.

(c) "Land use regulation" means the same as that term is defined in Section 17-79-102.

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

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

(f) "New development" means:

(i) the construction or expansion of a building, structure, or use that creates additional demand and need for public facilities;

(ii) a change in use of a building or structure that creates additional demand and need for public facilities; or

(iii) a change in the use of land that creates additional demand and need for public facilities.

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

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

~~(e)~~ (i)(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)~~ (j) "Water ~~wise~~ efficient 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) the 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.

(2) A county may not enact or enforce an ordinance, resolution, or policy that prohibits, or has the effect of prohibiting, a property owner from incorporating water ~~wise~~ efficient landscaping on the property owner's property.

(3)(a) Subject to Subsection (3)(b), Subsection (2) does not prohibit a county 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] efficient landscaping;

(ii) maintain plant material in a healthy condition; and

(iii) follow specific water [wise] efficient landscaping design requirements adopted by the county, including a requirement that:

(A) restricts or clarifies the use of mulches considered detrimental to county operations;

(B) imposes minimum or maximum vegetative coverage standards; or

(C) restricts or prohibits the use of specific plant materials.

(b) A county 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) By no later than November 1, 2027, a county within the Great Salt Lake basin shall adopt, maintain, and enforce a land use regulation that requires water efficient landscaping for new development.

(b) When adopting a land use regulation under this Subsection (4), a county may consider the regional-based water use efficiency standards established by the division by rule under Section 73-10-37 so that an owner of land within the county meets the requirement in Subsection 73-10-37(4)(c)(ii) to be eligible for the incentive under Subsection 73-10-37(4).

~~[(4)]~~ (5) A county may require a seller of a newly constructed residence within the unincorporated area of the county to inform the first buyer of the newly constructed residence of a county ordinance requiring water [wise] efficient landscaping.

~~[(5)]~~ (6) A county shall report to the ~~[Division of Water Resources]~~ division the existence, enactment, or modification of an ordinance, resolution, or policy that:

(a) implements regional-based water use efficiency standards established by the [  
Division of Water Resources] division by rule under Section 73-10-37[-] ; or

(b) relates to a land use regulation described in Subsection (4).

~~[(6)]~~ (7) A county may enforce a county landscaping ordinance or other land use regulation in compliance with this section.

(8)(a) The division shall:

(i) keep a record of a county's report under Subsection (6)(b) relating to a land use regulation under Subsection (4); and

(ii) annually publish on the division's public website a list of counties that fail to comply with Subsection (4).

- 201        (b) The division may provide technical assistance to a county to support the county's  
202            adoption of a land use regulation under Subsection (4).
- 203        (c) When consulted by a county for information and technical resources regarding  
204            regional water conservation goals, the division may seek input from the appropriate  
205            watershed council or councils.
- 206        Section 3. **Effective Date.**
- 207        This bill takes effect on May 6, 2026.