

1 **Landscaping Water Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor:

2 **LONG TITLE**3 **General Description:**

4 This bill addresses regulations regarding landscaping.

5 **Highlighted Provisions:**

6 This bill:

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- 8 ▶ defines terms;
- 9 ▶ directs a municipality or county to adopt, maintain, and enforce certain water efficient
- 10 landscaping requirements related to new development;

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- 12 ▶ permits a municipality or county to consider regional-based water use efficiency

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- 14 standards;
- 15 ▶ addresses the Division of Water Resources keeping records, reporting compliance, and
- 16 providing assistance related to the landscaping requirements; and
- 17 ▶ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**23 **AMENDS:**24 **10-20-619**, as renumbered and amended by Laws of Utah 2025, First Special Session,
25 Chapter 1526 **17-79-615**, as renumbered and amended by Laws of Utah 2025, First Special Session,
27 Chapter 14

28 *Be it enacted by the Legislature of the state of Utah:*29 Section 1. Section **10-20-619** is amended to read:30 **10-20-619 . Water efficient landscaping -- Municipal landscaping regulations.**

(1) As used in this section:

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

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

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

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

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

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

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

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

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

42 (viii) the drainage area of Tooele Valley.

43 (c) "Land use regulation" means the same as that term is defined in Section 10-20-102.

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

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

48 (f) "New development" means:

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

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

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

55 [(e)] (g) "Overhead spray irrigation" means above ground irrigation heads that spray
56 water through a nozzle.

57 [(d)] (h) "Private landscaping plan" means the same as that term is defined in Section
58 10-20-807.

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

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

63 [(f)] (j) "Water [wise] efficient landscaping" means any or all of the following:

64 (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 [

99 wise] efficient landscaping.

100 [(5)] (6) A municipality shall report to the [Division of Water Resources] division the
101 existence, enactment, or modification of an ordinance, resolution, or policy that:
102 (a) implements regional-based water use efficiency standards established by the [
103 Division of Water Resources] division by rule under Section 73-10-37[.] ; or
104 (b) relates to a land use regulation described in Subsection (4).

105 [(6)] (7) A municipality may enforce a municipal landscaping ordinance or other land use
106 regulation in compliance with this section.

107 (8)(a) The division shall:

108 (i) keep a record of a municipality's report under Subsection (6)(b) relating to a land
109 use regulation under Subsection (4); and
110 (ii) annually publish on the division's public website a list of municipalities that fail
111 to comply with Subsection (4).

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

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

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

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

119 (1) As used in this section:

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

121 (b) "Great Salt Lake basin" means the area within:
122 (i) the surveyed meander line of the Great Salt Lake;
123 (ii) the drainage areas of the Bear River or the Bear River's tributaries;
124 (iii) the drainage areas of Bear Lake or Bear Lake's tributaries;
125 (iv) the drainage areas of the Weber River or the Weber River's tributaries;
126 (v) the drainage areas of the Jordan River or the Jordan River's tributaries;
127 (vi) the drainage areas of Utah Lake or Utah Lake's tributaries;
128 (vii) other water drainages lying between the Bear River and the Jordan River that are
129 tributary to the Great Salt Lake and not included in the drainage areas described in
130 Subsections (1)(b)(ii) through (vi); and
131 (viii) the drainage area of Tooele Valley.

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

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

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

137 (f) "New development" means:

- 138 (i) the construction or expansion of a building, structure, or use that creates additional
139 demand and need for public facilities;
- 140 (ii) a change in use of a building or structure that creates additional demand and need
141 for public facilities; or
- 142 (iii) a change in the use of land that creates additional demand and need for public
143 facilities.

144 [(e)] (g) "Overhead spray irrigation" means above ground irrigation heads that spray
145 water through a nozzle.

146 [(d)] (h) "Private landscaping plan" means the same as that term is defined in Section
147 17-79-707.

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

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

152 [(f)] (j) "Water [wise] efficient landscaping" means any or all of the following:

- 153 (i) installation of plant materials suited to the microclimate and soil conditions that
154 can:
 - 155 (A) remain healthy with minimal irrigation once established; or
 - 156 (B) be maintained without the use of overhead spray irrigation;
- 157 (ii) use of water for outdoor irrigation through proper and efficient irrigation design
158 and water application; or
- 159 (iii) the use of other landscape design features that:
 - 160 (A) minimize the need of the landscape for supplemental water from irrigation; or
 - 161 (B) reduce the landscape area dedicated to lawn or turf.

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

165 (3)(a) Subject to Subsection (3)(b), Subsection (2) does not prohibit a county from
166 requiring a property owner to:

167 (i) comply with a site plan review, private landscaping plan review, or other review
168 process before installing water [wise] efficient landscaping;
169 (ii) maintain plant material in a healthy condition; and
170 (iii) follow specific water [wise] efficient landscaping design requirements adopted by
171 the county, including a requirement that:
172 (A) restricts or clarifies the use of mulches considered detrimental to county
173 operations;
174 (B) imposes minimum or maximum vegetative coverage standards; or
175 (C) restricts or prohibits the use of specific plant materials.

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

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

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

186 [(4)] (5) A county may require a seller of a newly constructed residence within the
187 unincorporated area of the county to inform the first buyer of the newly constructed
188 residence of a county ordinance requiring water [wise] efficient landscaping.

189 [(5)] (6) A county shall report to the [Division of Water Resources] division the existence,
190 enactment, or modification of an ordinance, resolution, or policy that:
191 (a) implements regional-based water use efficiency standards established by the [
192 Division of Water Resources] division by rule under Section 73-10-37[.]; or
193 (b) relates to a land use regulation described in Subsection (4).

194 [(6)] (7) A county may enforce a county landscaping ordinance or other land use regulation
195 in compliance with this section.

196 (8)(a) The division shall:
197 (i) keep a record of a county's report under Subsection (6)(b) relating to a land use
198 regulation under Subsection (4); and
199 (ii) annually publish on the division's public website a list of counties that fail to
200 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.