

**WATER EFFICIENT LANDSCAPING REQUIREMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Doug Owens**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**Committee Note:**

The Legislative Water Development Commission recommended this bill.

Membership: 13 legislators 11 non-legislators

Total Vote: 7 voting for 2 voting against 4 absent

Legislative Vote: 7 voting for 2 voting against 4 absent

**General Description:**

This bill addresses use of lawn or turf.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ restricts the use of lawn or turf by certain governmental entities; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**63A-5b-1108**, as enacted by Laws of Utah 2022, Chapter 50

ENACTS:



28 [11-39-108](#), Utah Code Annotated 1953  
29 [53G-7-224](#), Utah Code Annotated 1953  
30 [72-7-111](#), Utah Code Annotated 1953



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

33 Section 1. Section **11-39-108** is enacted to read:

34 **11-39-108. Use of lawn or turf.**

35 (1) As used in this section:

36 (a) "Active recreation area" means an area of local entity property that is:

37 (i) comprised of lawn or turf dedicated to active use; and

38 (ii) installed or maintained on an area with a slope of not more than 25%.

39 (b) "Active use" means regular use for playing, exercise, recreation, or regular outdoor

40 activities that are ordinarily associated with lawn or turf, such as:

41 (i) a sports field;

42 (ii) a social gathering area;

43 (iii) an amphitheater;

44 (iv) a park; or

45 (v) the playing area, including roughs, driving ranges, and chipping and putting greens,

46 of a golf course.

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

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

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

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

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

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

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

54 (vii) other water drainages lying between the Bear River and the Jordan River that are

55 tributary to the Great Salt Lake and not included in the drainage areas described in Subsections

56 (1)(c)(ii) through (vi); and

57 (viii) the drainage area of Tooele Valley.

58 (d) "Landscaped area" means those portions of local entity property that are, or will not

59 be, occupied by:

60 (i) a permanent structure; or

61 (ii) an impervious surface associated with vehicular or pedestrian access or use, such as  
62 a driveway, sidewalk, or parking lot.

63 (e) "Land use regulation" means a land use regulation:

64 (i) as defined in Section 10-9a-103 for a municipality; or

65 (ii) as defined in Section 17-27a-103 for a county.

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

68 (g) "Local entity property" means real property owned by a local entity.

69 (h) "New construction" means a project for the construction of a public facility on local  
70 entity property that includes a new or modified landscaped area of more than 7,500 square feet.

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

73 (j) "Parkstrip" means the area between the back of a curb or, if there is no curb, the  
74 edge of pavement and the sidewalk.

75 (k) "Public facility" means a building, structure, infrastructure, improvement, park,  
76 playground, or other facility of a local entity.

77 (l) "Reconstruction" means a project for renovation, alteration, improvement, or repair  
78 of a public facility on local entity property that affects more than 25% of the landscaped area  
79 existing before the reconstruction.

80 (m) "Special use area" means an area of local entity property that requires the use of  
81 lawn or turf due to unique circumstances associated with the land, including cemeteries or  
82 detention or retention basins that serve a dual purpose of active recreation areas and storm  
83 water management.

84 (2) Local entity property in the Great Salt Lake basin and on which a local entity  
85 undertakes new construction or reconstruction on or after May 1, 2024:

86 (a) may not have lawn or turf installed or maintained:

87 (i) on more than the lesser of the following after deducting active recreation areas or  
88 special use areas:

89 (A) 20% of the landscaped area; or

90 (B) the amount of the landscaped area permitted to have lawn or turf under an  
91 applicable land use regulation if the land use regulation restricts the use of lawn or turf to less  
92 than 20%;

93 (ii) in a parkstrip;

94 (iii) within the interior of a parking lot; or

95 (iv) in an area where the lawn or turf would have a width of less than eight feet;

96 (b) may not have a sprinkler zone that provides overhead spray irrigation for lawn or  
97 turf shared with an area that does not have lawn or turf;

98 (c) shall have the use of overhead spray irrigation restricted to the portions of the  
99 landscaped area that has lawn or turf; and

100 (d) may not have an active recreation area with a size that is larger than the reasonably  
101 anticipated need for the type of use the area is intended to accommodate.

102 Section 2. Section **53G-7-224** is enacted to read:

103 **53G-7-224. Use of lawn or turf.**

104 (1) As used in this section:

105 (a) "Active recreation area" means an area of school property that is:

106 (i) comprised of lawn or turf dedicated to active use; and

107 (ii) installed or maintained on an area with a slope of not more than 25%.

108 (b) "Active use" means regular use for playing, exercise, recreation, or regular outdoor  
109 activities that are ordinarily associated with lawn or turf, such as:

110 (i) a sports field;

111 (ii) a social gathering area; or

112 (iii) an amphitheater.

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

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

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

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

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

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

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

120 (vii) other water drainages lying between the Bear River and the Jordan River that are

121 tributary to the Great Salt Lake and not included in the drainage areas described in Subsections  
122 (1)(c)(ii) through (vi); and

123 (viii) the drainage area of Tooele Valley.

124 (d) "Landscaped area" means those portions of school property that will not be

125 occupied by:

126 (i) a permanent structure; or

127 (ii) an impervious surface associated with vehicular or pedestrian access or use, such as  
128 a driveway, sidewalk, or parking lot.

129 (e) "Land use regulation" means a land use regulation:

130 (i) as defined in Section [10-9a-103](#) for a municipality; or

131 (ii) as defined in Section [17-27a-103](#) for a county.

132 (f) "Lawn or turf" means nonagricultural land planted in closely mowed, managed

133 grasses.

134 (g) "LEA" means:

135 (i) a school district;

136 (ii) a charter school, other than an online-only charter school; or

137 (iii) the Utah Schools for the Deaf and the Blind.

138 (h) "New construction" means a project for the construction of a public facility on  
139 school property that includes a new or modified landscaped area of more than 7,500 square  
140 feet.

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

143 (j) "Parkstrip" means the area between the back of a curb or, if there is no curb, the  
144 edge of pavement and the sidewalk.

145 (k) "Public facility" means a building, structure, infrastructure, improvement, sports  
146 field, playground, or other facility of an LEA.

147 (l) "Reconstruction" means a project for the renovation, alteration, improvement, or  
148 repair of a public facility on school property that affects more than 25% of the landscaped area  
149 existing before the reconstruction.

150 (m) "School property" means real property owned by an LEA.

151 (n) "Special use area" means an area of school property that requires the use of lawn or

152 turf due to unique circumstances associated with the land, including detention or retention  
153 basins that serve a dual purpose of active recreation areas and storm water management.

154 (2) School property in the Great Salt Lake basin on which an LEA undertakes new  
155 construction or reconstruction on or after May 1, 2024:

156 (a) may not have lawn or turf installed or maintained:

157 (i) on more than the lesser of the following after deducting active recreation areas or  
158 special use areas:

159 (A) 20% of the landscaped area; or

160 (B) the amount of the landscaped area that would be permitted to have lawn or turf  
161 under a land use regulation that would apply to the landscaped area but for the fact that it is  
162 school property and if the land use regulation would restrict the use of lawn or turf to less than  
163 20% of the landscaped area;

164 (ii) in a parkstrip;

165 (iii) within the interior of a parking lot;

166 (iv) in an area where the lawn or turf would have a width of less than eight feet; or

167 (v) within a road or area of vehicular access, including in a median or roundabout;

168 (b) may not have a sprinkler zone that provides overhead spray irrigation for lawn or  
169 turf shared with an area that does not have lawn or turf;

170 (c) shall have the use of overhead spray irrigation restricted to the portions of the  
171 landscaped area that has lawn or turf; and

172 (d) may not have an active recreation area with a size that is larger than the reasonably  
173 anticipated need for the type of use the area is intended to accommodate.

174 (3) Nothing in this section:

175 (a) requires an LEA to submit a land use application to a municipality or county to  
176 landscape school property; or

177 (b) authorizes a municipality or county to:

178 (i) impose landscaping requirements on school property; or

179 (ii) require an LEA to obtain approval for landscaping on school property.

180 Section 3. Section **63A-5b-1108** is amended to read:

181 **63A-5b-1108. Water conservation and state government facilities.**

182 (1) As used in this section:

- 183 (a) "Division" means the Division of Water Resources.
- 184 (b) "Grounds" means the real property, whether fenced or unfenced, of the parcel of  
185 land on which is located a state government facility, ~~[including a]~~ but not including areas  
186 occupied by a building, public or private driveway, street, sidewalk or walkway, parking lot, or  
187 parking garage on the property.
- 188 (c) (i) Except as provided in Subsection (1)(c)(ii), "lawn or turf" means nonagricultural  
189 land planted in closely mowed, managed grasses.
- 190 (ii) "Lawn or turf" does not include a golf course, park, athletic field, or sod farm.
- 191 (d) "Land use regulation" means a land use regulation:
- 192 (i) as defined in Section 10-9a-103 for a municipality; or
- 193 (ii) as defined in Section 17-27a-103 for a county.
- 194 (e) "Parkstrip" means the area between the back of a curb or, if there is no curb, the  
195 edge of pavement and the sidewalk.
- 196 ~~[(d)]~~ (f) "Reconstructed" means that a building is subject to construction that affects  
197 the exterior of the building or the building's grounds.
- 198 ~~[(e)]~~ (g) (i) "State agency" means a department, division, office, entity, agency, or other  
199 unit of state government.
- 200 (ii) "State agency" includes an institution of higher education.
- 201 ~~[(f)]~~ (h) (i) "State government facility" means a building, structure, or other  
202 improvement that is constructed on property owned by the state, the state's departments,  
203 commissions, institutions, or other state agency.
- 204 (ii) "State government facility" does not include:
- 205 (A) an unoccupied structure that is a component of the state highway system;
- 206 (B) a privately owned structure that is located on property owned by the state, the  
207 state's department, commission, institution, or other state agency; or
- 208 (C) a structure that is located on land administered by the trust lands administration  
209 under a lease, permit, or contract with the trust lands administration.
- 210 (2) (a) Unless exempted under Subsection (2)(b), a state agency that owns or occupies  
211 a state government facility that is built or reconstructed on or after ~~[May 4, 2022]~~ May 1, 2024,  
212 may not ~~[have]~~ install or maintain lawn or turf:
- 213 (i) on more than [20%] the lesser of the following of the grounds of the state

214 government facility ~~[be lawn or turf]~~;

215 (A) 20% of the grounds; or

216 (B) the amount of grounds that would be permitted to have lawn or turf under a land  
217 use regulation that would apply to the grounds but for the fact that the grounds are owned by  
218 the state or a state agency and if the land use regulation would restrict the use of the lawn or  
219 turf to less than 20% of the grounds;

220 (ii) in a parkstrip;

221 (iii) within the interior of a parking lot on the grounds of the state government facility;

222 or

223 (iv) in an area of the grounds of the state government facility where the lawn or turf  
224 would have a width of less than eight feet.

225 (b) The division may exempt a state government facility from the restrictions of  
226 Subsection (2)(a) if the division determines that the purposes of a state agency that occupies the  
227 state government facility requires additional lawn or turf.

228 (c) Nothing in this section:

229 (i) requires a state agency to submit a land use application to a municipality or county  
230 to landscape the grounds of a state government facility; or

231 (ii) authorizes a municipality or county to:

232 (A) impose landscaping requirements on the grounds of a state government facility; or

233 (B) require a state agency to obtain approval for landscaping on the grounds of a state  
234 government facility.

235 (3) (a) A state agency shall reduce the state agency's outdoor water use as compared to  
236 the state agency's outdoor water use for fiscal year 2020:

237 (i) in an amount equal to or greater than 5% by the end of fiscal year 2023; and

238 (ii) in an amount equal to or greater than 25% by the end of fiscal year 2026.

239 (b) A state agency shall submit the following information to the division:

240 (i) by no later than October 1, 2022:

241 (A) the state agency's water use for fiscal year 2020; and

242 (B) the state agency's water use for fiscal year 2022;

243 (ii) by no later than October 1, 2023, the state agency's water use for fiscal year 2023;

244 and



245 (iii) by no later than October 1, 2026, the state agency's water use for fiscal year 2026.

246 (c) The division shall:

247 (i) post the information provided to the division under this Subsection (3) on a public  
248 website; and

249 (ii) by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative  
250 Rulemaking Act, establish a uniform measure for purposes of this section of a state agency's  
251 water use.

252 (4) Except when allowed by the division, a state agency may not water landscapes at a  
253 state government facility between the hours of 10 a.m. and 6 p.m.

254 (5) A state agency shall do the following at a state government facility:

255 (a) follow weekly lawn watering guides if issued by the division;

256 (b) manually shut off systems during rain and wind events if the landscape irrigation  
257 system does not have rain and wind shutoff functions;

258 (c) implement a leak-detection and repair program for outdoor use;

259 (d) coordinate with the division to implement water efficient methods, technologies,  
260 and practices; and

261 (e) at least annually:

262 (i) evaluate opportunities to update irrigation technology with devices that:

263 (A) meet national recognized standards for efficiency;

264 (B) include rain and wind shutoff functions; and

265 (C) include soil moisture sensors;

266 (ii) evaluate opportunities to:

267 (A) subject to Subsection (2), limit lawn or turf on the grounds of a state government  
268 facility and replace lawn or turf with water-wise plants; and

269 (B) update facility-management technology to include metering for water-consuming  
270 processes related to irrigation and mechanical systems; and

271 (iii) audit and repair a landscape irrigation system so that the landscape irrigation  
272 system is operating at maximum acceptable efficiency.

273 Section 4. Section **72-7-111** is enacted to read:

274 **72-7-111. Use of lawn or turf.**

275 (1) As used in this section:

276 (a) "Great Salt Lake basin" means the area within:  
277 (i) the surveyed meander line of the Great Salt Lake;  
278 (ii) the drainage areas of the Bear River or the Bear River's tributaries;  
279 (iii) the drainage areas of Bear Lake or Bear Lake's tributaries;  
280 (iv) the drainage areas of the Weber River or the Weber River's tributaries;  
281 (v) the drainage areas of the Jordan River or the Jordan River's tributaries;  
282 (vi) the drainage areas of Utah Lake or Utah Lake's tributaries;  
283 (vii) other water drainages lying between the Bear River and the Jordan River that are  
284 tributary to the Great Salt Lake and not included in the drainage areas described in Subsections  
285 (1)(a)(ii) through (vi); and  
286 (viii) the drainage area of Tooele Valley.  
287 (b) "Lawn or turf" means nonagricultural land planted in closely mowed, managed  
288 grasses.  
289 (2) On land within the Great Salt Lake basin a highway authority may not install,  
290 maintain, or allow for the installation or maintenance by others of lawn or turf requiring the use  
291 of artificial irrigation in a highway construction project commenced on or after May 1, 2024,  
292 within the portion of the highway:  
293 (a) located between the back of the curb on either side of the highway, including in a  
294 median or roundabout; or  
295 (b) if there is no curb, between the shoulders contiguous to the traveled way, including  
296 in a median or roundabout.  
297 **Section 5. Effective date.**  
298 This bill takes effect on May 1, 2024.