

1 **Water Wise Landscaping Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

House Sponsor:

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2 **LONG TITLE**

3 **Committee Note:**

4 The Legislative Water Development Commission recommended this bill.

5 Legislative Vote: 10 voting for 0 voting against 4 absent

6 **General Description:**

7 This bill addresses water wise landscaping requirements for public facilities.

8 **Highlighted Provisions:**

9 This bill:

- 10
- 11 ▶ defines terms;
  - 12 ▶ imposes landscaping requirements related to state government facilities; and
  - 13 ▶ makes technical and conforming changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **63A-5b-1108**, as enacted by Laws of Utah 2022, Chapter 50

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

22 Section 1. Section **63A-5b-1108** is amended to read:

23 **63A-5b-1108 . Water wise landscaping and state government facilities.**

24 (1) As used in this section:

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- 26 (a) "Active use" means regular use for a community purpose, playing, exercise,
  - 27 recreation, or regular outdoor activities, such as:
  - 28 (i) a sports field;
  - 29 (ii) a social gathering area;
  - 30 (iii) an amphitheater;

- 31            (iv) a park;
- 32            (v) the playing area, including a rough, driving range, or chipping and putting green,
- 33            of a golf course; or
- 34            (vi) a cemetery.
- 35            (b) "Canopy" means the layer of leaves, branches, and stems of trees or other plants that
- 36            when viewed from above as of the sooner of maturity or five years after planting can
- 37            be measured as a percentage of a land area shaded by the trees or other plants.
- 38            (c) "Division" means the Division of Water Resources.
- 39            (d) "Functional turf" means turf that:
- 40            (i) is dedicated to active use; or
- 41            (ii)(A) is installed or maintained on an area with a slope of not more than 25%;
- 42            (B) is at least eight feet wide at the turf's narrowest point;
- 43            (C) is a native plant, has been hybridized for arid conditions, or has been
- 44            designated as low water use by the Utah State University Extension; and
- 45            (D) is watered to the plant's needs and does not require overhead spray irrigation
- 46            unless the overhead spray irrigation system has activated weather or soil based
- 47            monitoring technology.
- 48            ~~[(b)]~~ (e) "Grounds" means the~~[real property, whether fenced or unfenced, of the parcel~~
- 49            ~~of land on which is located a state government facility, including a public or private~~
- 50            ~~driveway, street, sidewalk or walkway, parking lot, or parking garage on the property]~~
- 51            portion of real property on which is located a state government facility designated for
- 52            landscaping, including natural landscaping, whether fenced or unfenced, excluding
- 53            building footprints and impervious surfaces.
- 54            (f) "Overhead spray irrigation" means above ground irrigation heads that spray water
- 55            through a nozzle.
- 56            (g) "Park strip" means the area between the back of a curb or, if there is no curb, the
- 57            edge of pavement and the sidewalk.
- 58            ~~[(e)(i) Except as provided in Subsection (1)(e)(ii), "lawn or turf" means~~
- 59            ~~nonagricultural land planted in closely mowed, managed grasses.]~~
- 60            ~~[(ii) "Lawn or turf" does not include a golf course, park, athletic field, or sod farm.]~~
- 61            ~~[(d)]~~ (h) "Reconstructed" means that a building is subject to construction that affects the
- 62            exterior of the building or the building's grounds.
- 63            ~~[(e)]~~ (i)(i) "State agency" means a department, division, office, entity, agency, or other
- 64            unit of state government.

- 65 (ii) "State agency" includes an institution of higher education.
- 66 [(f)] (j)(i) "State government facility" means a building, structure, or other  
67 improvement that is constructed on property owned by the state, the state's  
68 departments, commissions, institutions, or other state agency.
- 69 (ii) "State government facility" does not include:
- 70 (A) an unoccupied structure that is a component of the state highway system;
- 71 (B) a privately owned structure that is located on property owned by the state, the  
72 state's department, commission, institution, or other state agency; or
- 73 (C) a structure that is located on land administered by the trust lands  
74 administration under a lease, permit, or contract with the trust lands  
75 administration.
- 76 (k) "Turf" means a natural living ground cover that:
- 77 (i) produces a dense cover of contiguous plant coverage and an interconnected  
78 subsurface root network;
- 79 (ii) is installed or maintained on nonagricultural land; and
- 80 (iii) is closely mowed, managed grasses.
- 81 (l) "Water wise landscaping" means:
- 82 (i) installation of plant materials suited to the microclimate and soil conditions that  
83 can:
- 84 (A) remain healthy with minimal irrigation once established; or
- 85 (B) be maintained without the use of overhead spray irrigation, except for a  
86 functional turf area that uses an active weather or soil based monitoring  
87 technology;
- 88 (ii) use of water for outdoor irrigation through proper and efficient irrigation design  
89 and water application;
- 90 (iii) use of other landscape design features that:
- 91 (A) minimize the need of the landscape for supplemental water from irrigation; or
- 92 (B) reduce the landscape area dedicated to turf that is not functional turf; and
- 93 (iv) inclusion of a canopy.
- 94 (m) "Weather or soil based monitoring technology" means one of the following  
95 technologies that allow watering schedules to better match a plant's water needs:
- 96 (i) a weather-based irrigation controller that uses local weather and landscape  
97 conditions to tailor watering schedules; or
- 98 (ii) a soil moisture-based irrigation controller or soil moisture sensor that monitors

- 99 moisture levels in the soil to prevent irrigation when water is not needed.
- 100 (2)(a) Unless exempted under Subsection (2)(b), a state agency that owns or occupies a  
101 state government facility that is built or reconstructed on or after [~~May 4, 2022~~] May  
102 6, 2026, may not have [~~more than~~] turf that is not functional turf:
- 103 (i) that exceeds the lesser of:
- 104 (A) 20% of the grounds of the state government facility[~~-be lawn or turf.~~] ; or
- 105 (B) the percentage of grounds allowed by ordinance in the municipality or county  
106 where the state government facility is located; or
- 107 (ii) in a park strip.
- 108 (b) The division may exempt a state government facility from the restrictions of  
109 Subsection (2)(a) if the division determines that the purposes of a state agency that  
110 occupies the state government facility requires additional [~~lawn or turf~~] turf that is not  
111 functional turf.
- 112 (3)(a) A state agency shall reduce the state agency's outdoor water use as compared to  
113 the state agency's outdoor water use for fiscal year 2020:
- 114 (i) in an amount equal to or greater than 5% by the end of fiscal year 2023; and
- 115 (ii) in an amount equal to or greater than 25% by the end of fiscal year 2026.
- 116 (b) A state agency shall submit the following information to the division:
- 117 (i) by no later than October 1, 2022:
- 118 (A) the state agency's water use for fiscal year 2020; and
- 119 (B) the state agency's water use for fiscal year 2022;
- 120 (ii) by no later than October 1, 2023, the state agency's water use for fiscal year 2023;  
121 and
- 122 (iii) by no later than October 1, 2026, the state agency's water use for fiscal year 2026.
- 123 (c) The division shall:
- 124 (i) post the information provided to the division under this Subsection (3) on a public  
125 website; and
- 126 (ii) by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative  
127 Rulemaking Act, establish a uniform measure for purposes of this section of a  
128 state agency's water use.
- 129 (4) Except when allowed by the division, a state agency may not use overhead spray  
130 irrigation to water landscapes at a state government facility between the hours of 10 a.m.  
131 and 6 p.m.
- 132 (5) A state agency shall do the following at a state government facility:

- 133 (a) follow weekly lawn watering guides if issued by the division;
- 134 (b) manually shut off overhead spray irrigation systems during rain and wind events if
- 135 the landscape irrigation system does not have [~~rain and wind shutoff functions~~]
- 136 activated weather or soil based monitoring technology;
- 137 (c) implement a leak-detection and repair program for outdoor use;
- 138 (d) coordinate with the division to implement water efficient methods, technologies, and
- 139 practices; [~~and~~]
- 140 (e) at least annually:
- 141 (i) evaluate opportunities to update irrigation technology with devices that:
- 142 (A) meet national recognized standards for efficiency;
- 143 (B) include rain and wind shutoff functions; and
- 144 (C) include soil moisture sensors;
- 145 (ii) evaluate opportunities to:
- 146 (A) subject to Subsection (2), limit [~~lawn or turf~~] turf on the grounds of [a] an
- 147 existing state government facility and replace [~~lawn or turf~~] turf with [
- 148 water-wise plants] water wise landscaping, including native plant species
- 149 described in Subsection (1)(d)(ii)(C); [~~and~~]
- 150 (B) update facility-management technology to include metering for
- 151 water-consuming processes related to irrigation and mechanical systems; and
- 152 (C) add activated weather or soil based monitoring technology to overhead spray
- 153 irrigation systems; and
- 154 (iii) audit and repair a landscape irrigation system so that the landscape irrigation
- 155 system is operating at maximum acceptable efficiency[-] ; and
- 156 (f) at the time a state government facility is built or reconstructed, consider landscaping
- 157 options that include functional turf.
- 158 (6)(a) Except as provided in Subsection (6)(b), in addition to complying with the other
- 159 provisions of this section, a state agency that owns or occupies a state government
- 160 facility that is built or reconstructed on or after May 6, 2026, shall use water wise
- 161 landscaping for the grounds of the state government facility including ensuring that
- 162 canopy, which may include functional turf, covers at least 50% of the grounds of the
- 163 state government facility.
- 164 (b) The amount of canopy or functional turf installed pursuant to Subsection (6)(a) may
- 165 not exceed what is allowed by ordinance in the municipality or county where the
- 166 state government facility is located.

167           Section 2. **Effective Date.**  
168           This bill takes effect on May 6, 2026.