



AB 1572 HOA GUIDE

Key Points of the Non-Functional Turf Ban

In October 2023, California enacted Assembly Bill 1572. **That bill is sometimes called the “Nonfunctional Turf Ban.”**

AB 1572 amended parts of the California Water Code to prohibit the use of potable (drinking) water to irrigate “nonfunctional turf.”

The law defines that as:

Any turf that is not functional turf, and includes turf located within street rights-of-way and parking lots.

The law also sets deadlines by which the use of drinking water on non-functional turf in “common areas” of the properties of homeowners association (HOAs) and common interest developments (CIDs) must stop.



The law defines a “common area” as:

That portion of a [CID] or of a property owned or managed by a [HOA] . . . that is not assigned or allocated to the exclusive use of the occupants of an individual dwelling unit within the property.

Except in limited circumstances, HOAs and CIDs must stop using potable water for non-functional turf on common areas beginning January 1, 2029.

AB 1572 excludes “**functional turf**” from its otherwise general restrictions on the use of potable water. The law defines “functional turf” as follows: . . . *ground cover surface of turf located in a recreational use area or community space. [But the term excludes] [t]urf enclosed by fencing or other barriers to permanently preclude human access for recreation or assembly . . .*

The new law provides an opportunity to create attractive new spaces that showcase the beauty of water-wise and native plants, increase curb appeal, and provide a vision for others to follow, all while helping protect local water supplies for the future.

The exclusive elements of a homeowners’ unit are not subject to the Nonfunctional Turf Ban.

Individual homeowners should review their HOA or CID’s governing documents and may need to seek independent advice and counsel.

EXAMPLES OF NON-FUNCTIONAL TURF

One way to think about what could be deemed “nonfunctional turf” is turf that is ornamental. *If the only time people walk on the lawn is to mow it, it’s likely non-functional turf.*

Some examples include:

- Lawns or strips in or around parking lots and streets.
- Unusable lawns along sidewalks, building edges, or fences.
- Lawns between building with no seating, access, or activity.
- Lawn in medians, roundabouts, or entry signage zones.



EXAMPLES OF FUNCTIONAL TURF

One way to think about functional turf is whether it’s useful for formal or informal recreation, community uses, or health and safety purposes.

Some examples include:

- Sports fields and golf courses.
- Playgrounds and picnic grounds.
- Pet exercise areas.
- Areas for ceremonial, social, or other community gatherings or events.



LIMITED EXCEPTIONS

The law provides limited exceptions. Potable water may be used “to the extent necessary” to:

- Preserve the health of trees and perennial non-turf plants.
- Immediate health and safety needs.

COMPLIANCE TIMELINE

Starting **January 1, 2029**, HOAs and CIDs must stop irrigating non-functional turf with potable water. However, **HOAs and CIDs are not required under AB 1572 to replace non-functional turf by this date.** Under the new law, failing to comply may result in civil penalties and other enforcement measures.

CERTIFICATION REQUIREMENTS

Starting **June 30, 2031** and every 3 years after, HOAs and CIDs with more than 5,000 square feet of “irrigated area” must self-certify to the State Water Resources Control Board that their property is in compliance with the law.

**The self-certification process has not yet been developed by the State Board.*

CONSERVATION REBATE PROGRAMS

Lawn-to-Garden Conversion Program

Cal Water encourages low-water-use, aesthetically appealing native landscapes. Under Cal Water’s Lawn-to-Garden Program, eligible participants can receive **a rebate of \$1 for every square foot of turf converted** to an eligible water-saving alternative.”

This rebate is an excellent opportunity for our HOA customers wanting to reduce their outdoor water use as well as comply with AB 1572. We also offer other programs and rebates to help customers save water, both indoors and out.

***Rebates are offered on a first-come, first-served basis and are subject to available funding. Programs may be modified or discontinued at any time.*



AB 1572 HOA GUIDE

What Can HOAs and CIDs Do Next?

IDENTIFY Areas with Functional Turf and Non-functional Turf

Walk through your common areas and make an inventory of the areas with turf. Categorize what areas have functional turf and what areas have non-functional turf.

DEVELOP Plans for Water-Wise Landscapes

- Work with a Qualified Water Efficient Landscaper or WaterSense-Certified Professional on the installation of an irrigation system to help better-manage and often times reduces the use of water for irrigation. To find one of these professionals, visit <https://lookforwatersense.epa.gov/find-a-pro.html>
- Consider hiring a landscape architect who specializes in water-wise and native plant landscape design, which can also help with designing a landscape that uses less water.
- Phase any improvements or installations to focus first on areas with high water use, those with irregular dimensions (inefficient to irrigate), or areas in high-visibility but non-functional locations, such as entrances and exits.
- Develop strategies to protect existing trees during and after work.
- Consider holding meetings with residents to share information about the new law and to create a communal vision for the transformed landscapes, including shaded areas, native plant gardens, and increased curb appeal.

EXPLORE Funding Options

- Apply for a rebate, which can cover a significant portion of project costs. Rebates are offered on a first-come, first-served basis and subject to available funding. Cal Water conservation rebate programs may be modified or discontinued at any time.
- Consider using reserve funds or leveraging a special assessment, if needed.
- Develop a phased plan for lawn removal and conversion projects that are conducted over several years to spread out the costs.
- Explore state grants and low-interest loans for initiatives such as native habitat, watershed resilience programs, drought relief, and climate resilience.

UPGRADE AND ADJUST Irrigation Systems

- Work with a Qualified Water Efficient Landscaper or WaterSense-Certified Professional on the installation and conversion of the irrigation system.
- Convert sprinklers to efficient irrigation systems, so that trees are watered during the landscape makeover.
- See if new stations or valves should be added to the irrigation system. Drip irrigation and overhead should not be on the same zone or valve.
- Install a WaterSense-labeled, weather-based sprinkler timer to enhance the efficiency of your irrigation system.

PLANT the New Water-Wise Landscapes

- Begin with the high-priority areas.
- Plant in the fall, the ideal time to begin planting, when possible. The soil is still warm, which encourages root growth, but the days are shorter and cooler, reducing the amount of water the new plants need.

You are not required to replace lawn by the compliance dates—only to stop irrigating lawn with potable water.

DOCUMENT the Changes Made to the Non-functional Turf Areas

Check NonFunctionalTurfCA.org to determine how to certify^{***} your HOA's adherence to the law. Documentation could include the reduction in water used, the square footage of non-functional lawn transformed, and types of irrigation system upgrades.

^{***} The State has not yet issued a form or method to file for self-certification

EDUCATE Groundskeepers on How to Maintain the Landscape

- Identify training needs for maintaining the new landscape.
- Discuss with the landscape contractor the possibility of holding training sessions for maintenance staff and groundskeepers.
- Develop an appropriate watering schedule for newly planted areas.
- Establish a routine for inspecting the irrigation system for leaks and needed repairs, and for changes to watering scheduling if a self-adjusting weather-based sprinkler timer is not installed.

ADDITIONAL RESOURCES

- NonFunctionalTurfCA.org
- [HOA Template Newsletter](#)
(for HOAs to inform residents of common area landscape changes)
- [Cal Water Conservation Rebates](#)
- [Cal Water AB1572 Resources](#)

