HOA Policy & Compliance Guide

FOR HOA GOVERNING BOARDS



Scan for Resources

A PROGRAM OF

EAGLE COUNTY CONSERVATION DISTRICT

Beyond Lawn

- Waterwise Landscaping
- Biodiversity Enhancement
- Irrigation Efficiency
- Policy Guidance
- Firewise Landscaping
- Community Education

EAGLE RIVER VALLEY'S RESOURCE FOR SUSTAINABLE, RESILIENT LANDSCAPING

Beyond Lawn is an Eagle County Conservation District program that helps homeowners and HOAs replace thirsty landscaping with waterwise, biodiverse, fire-smart alternatives. Through low-cost property evaluations, expert guidance, robust self-serve resources, and financial support for upgrades, Beyond Lawn makes it easier to cut water use, lower maintenance, and build a landscape that actually fits our mountain climate — without giving up a yard you love.

SERVICES



Low Cost Landscape & Irrigation Evaluations



Financial Incentives for Upgrades



Resources & Educational Opportunities

OBJECTIVES



Establishing a Network of Qualified Landscape Professionals



Guiding resilient landscaping policy



Broadening community outreach

Visit beyondlawn.org/hoas or scan the QR code for the full HOA guide series: HOA Policy & Compliance Guide, HOA Waterwise Landscape Guide, and Your HOA & Your Yard.

beyondlawn.org **(970) 236-1165**

beyondlawn@eccdistrict.org

For information on other ECCD programs, visit eccdistrict.org

A PROGRAM OF THE EAGLE COUNTY CONSERVATION DISTRICT

Which Laws Apply?



What HOA Boards Need to Know

Not every law applies to every HOA. It depends on your housing type, the size of your community, and whether the work is new or existing. Find your community below, then read the pages that apply.

Find Your Community

Any Colorado HOA: SB 13-183. Owners have the right to waterwise landscaping on property they maintain (page 4).

Detached single-family HOAs: SB 13-183 and SB 23-178. Pre-approved waterwise designs and additional owner options (page 4).

More than 12 units, building or redeveloping common areas: HB 25-1113. No new nonfunctional turf, artificial turf, or invasive plants on common elements (page 5).

In unincorporated Eagle County: Eagle County land use code. Turf, artificial turf, and irrigation rules for new development and redevelopment (page 6).

Inside a town — that town's landscape code. Check with your town's planning department.

None of these laws require removing an existing lawn. Turf rules apply to new installations, redevelopment, and owner choices.

Not sure which applies? Check your declaration for your community type and unit count, and ask Eagle County Planning or your town which code covers your property.



Colorado Law & Your Landscape

What State Law Requires

Boards can set landscape rules, but not rules that block waterwise landscaping. Colorado has two laws that set the floor for what an HOA can prohibit. Here is what each one means for your board.

What Your HOA Must Allow

Every Colorado HOA: SB 13-183 (2013).

- An HOA may not prohibit xeriscape or drought-tolerant vegetative landscapes on property an owner is responsible for maintaining.
- It may not enforce a covenant that requires turf grass.
- It may not fine an owner for under-watering while the owner follows local watering restrictions.

Detached single-family HOAs: SB 23-178 (2023). Your HOA must select at least three pre-approved front-yard designs that follow waterwise principles or a local water provider's conservation program. It must also:

- Allow an option with at least 80% drought-tolerant plantings
- Not unreasonably require hardscape on more than 20% of a landscaped area
- Not prohibit vegetable gardens in front, side, or back yards
- Not prohibit artificial (nonvegetative) turf in owner backyards, though county or town code may still restrict it (see page 6)

Attached homes and condos are not covered by SB 23-178. SB 13-183 still applies to them.

What this means for your board: **Review your CC&Rs, rules, and design guidelines for language that conflicts with these laws.** Your HOA attorney can help you amend them.

What Your HOA Can Still Regulate

Design and aesthetic guidelines are still allowed.

An HOA may regulate the type, number, and placement of drought-tolerant plantings and hardscape. If an owner gives written notice of a violation, the HOA has 45 days to cure it. After that, the owner can sue to stop further violations and recover up to $500 or actual damages, whichever is greater.

What this means for your board: Answer owner requests and notices on time. Point owners to your pre-approved designs first.



Turf Rules for Common Areas

These rules apply only to new and redeveloped landscapes. No current policy requires replacing existing turf. Two terms decide whether a landscape is compliant.



Functional turf is used regularly for recreation or gathering, like playgrounds, sports fields, and picnic lawns. Nonfunctional turf is decorative-only grass that no one uses, such as medians, entry strips, parking islands, and street rights-of-way. Think of nonfunctional turf as turf that is only walked on to cross it or mow it. Nonfunctional turf is the target of SB 24-005 and HB 25-1113.



SB 24-005 (2024) and HB 25-1113 (2025). Local governments may not install, or allow anyone to install, nonfunctional turf, artificial turf, or invasive plants in new and redeveloped nonresidential property or on the common elements of HOAs with more than 12 units. HOAs with 12 or fewer units are not covered. Local limits for other new and redeveloped residential property are due by January 1, 2028.

What this means for your board: map common-area turf as functional or nonfunctional now, so you know which areas need a waterwise design when new or existing areas are redeveloped.

County and Town Codes

Local rules can go further than state law

State law sets the minimum. County and town codes can add requirements, and they apply even where state law limits what an HOA can prohibit. Unincorporated Eagle County includes communities such as Edwards, Eagle-Vail, Cordillera, Arrowhead, and Singletree, among others.

EAGLE COUNTY: TURF AND ARTIFICIAL TURF

For new development and redevelopment in unincorporated Eagle County:



- New artificial turf is prohibited, except athletic fields owned by public entities or private schools.
- New turf is limited to functional areas and small residential allowances (up to 500 sq ft on a single-family lot, less per unit on duplexes).
- Nonfunctional turf is not allowed in HOA common areas, on multifamily and townhome properties, or in road rights-of-way.

EAGLE COUNTY: IRRIGATION

New and replacement systems must be efficient.



- Smart controllers are required on new or replacement irrigation serving common areas.
- Planting beds need drip irrigation, with spray heads limited to turf and defensible-space zones.
- Where a property has raw-water irrigation rights, that water must be used for irrigation.

EXISTING LAWNS AND PUDS

Existing lawns can stay.



- Existing turf can be kept, re-sodded, and re-seeded until a major redevelopment.
- For new development and redevelopment, the county code overrides conflicting PUD (Planned Unit Development) landscaping standards, unless the PUD is stricter on water use or wildfire.

WITHIN AN INCORPORATED TOWN

Vail, Avon, Eagle, Gypsum, Minturn, and Red Cliff each have their own codes.



Check with your town's planning department. What this means for your board: before approving any landscape project, owner or common area, confirm which code applies and check current requirements.

Compliance Checklist

Review your governing documents

Use this checklist with your CC&Rs, rules, and design guidelines. It's a starting point, not legal advice, so consult your HOA attorney before amending governing documents.

EVERY HOA (SB 13-183)

Applies to every Colorado HOA. Read the laws: SB 13-183, SB 23-178

- ☐ No ban on xeriscape or drought-tolerant landscaping
- ☐ No requirement for turf grass
- ☐ No fines for under-watering when owners follow local watering restrictions

DETACHED SINGLE-FAMILY (SB 23-178)

Applies to single-family detached communities.

- ☐ At least three pre-approved waterwise front-yard designs adopted and shared with owners
- ☐ An 80% drought-tolerant option, and no unreasonable hardscape requirement above 20%
- ☐ No ban on vegetable gardens in front, side, or back yards
- ☐ No ban on artificial turf in owner backyards (county or town code may still apply)

COMMON AREAS (SB 24-005, HB 25-1113)

Applies to new construction and redevelopment.

- ☐ Common-area turf mapped as functional or nonfunctional
- ☐ New and redevelopment plans avoid nonfunctional turf, artificial turf, and invasive plants
- ☐ Smart controllers planned for any irrigation replacement

LOCAL CODE & PROCESS

Check local code and set a clear process.

- ☐ Confirmed whether you're in unincorporated Eagle County or a town
- ☐ Checked current county or town landscape requirements
- ☐ A written process for owner landscape requests, with response timelines
- ☐ Documents reviewed by your HOA attorney before amending

Wildfire Rules

When wildfire codes apply to your HOA

Wildfire codes now shape landscaping near buildings. Like turf rules, they apply to new construction and major projects. For plants and spacing, see the Beyond Lawn Fire-Resilient Landscaping Guide.

COLORADO WILDFIRE RESILIENCY CODE

Applies to new construction and major additions in wildfire-risk areas.

- Local governments with wildland-urban interface (WUI) areas must adopt it
- Its model keeps the first 5 feet around buildings free of shrubs, wood mulch, and new trees
- Existing homes with no work planned don't have to change

FIRE-HARDENED MATERIALS (HB 24-1091)

Applies to every Colorado HOA.

- HOAs can't prohibit fire-hardened building materials, like noncombustible roofing, siding, decking, or fencing
- HOAs can still set reasonable standards for the design, placement, and appearance of fire-hardened fencing

COUNTY AND TOWN CODES

Wildfire rules win where they conflict with landscaping rules.

- Unincorporated Eagle County: required landscaping must also meet county wildfire rules, and PUD standards that are more protective against wildfire still apply
- Towns set their own rules. Eagle adopted the state code in 2026, and Vail requires a 5-foot noncombustible zone on new construction and significant additions and is moving toward requiring it around all buildings

WHAT THIS MEANS FOR YOUR BOARD

Review with your HOA attorney before amending documents.

- □ Guidelines don't require wood mulch, foundation shrubs, or wood fences and decks
- □ Rock or other noncombustible material allowed in the first 5 feet around buildings
- □ A firewise option included in your pre-approved designs
- □ Wildfire requirements confirmed before approving projects near buildings

Making Compliance Easy

Designs, requests, and where to get help

A clear process saves your board time. Most landscape disputes start with an unclear process or a missing answer. These steps help your board stay compliant and keep owners on your side.

YOUR PRE-APPROVED DESIGNS

Fit designs to your community, not a one-size-fits-all plan.



SB 23-178 asks detached single-family HOAs to select at least three pre-approved waterwise front-yard designs. They must follow waterwise principles or a local water provider's conservation program; how they look is up to the HOA. Beyond Lawn has design resources your HOA can use and adapt to suit your needs, and can work with your Design Review Board (DRB) to create waterwise designs specific to your HOA. Post your adopted designs where owners can find them.

HANDLING OWNER REQUESTS

Respond promptly and in writing.



Point owners to your pre-approved designs first, and answer requests within the timeline in your documents. If an owner sends written notice of a violation, act quickly. State law gives an HOA 45 days to cure before an owner can take legal action.

WHERE TO GET ADDITIONAL HELP

You don't have to sort this out alone.



Colorado Division of Real Estate HOA Center: dre.colorado.gov/hoa-center · HOA mediation: coloradojudicial.gov/hoa-mediations · Eagle County Planning or your town planning department · Your HOA attorney · Beyond Lawn, for education and guidance

ABOUT BEYOND LAWN



Beyond Lawn is a voluntary program of the Eagle County Conservation District. Sign up for HOA updates and support at bit.ly/bl-hoa-signup.

We help communities conserve water through evaluations, education, and guidance. We don't enforce HOA rules or state law. This guide is for information only and is not legal advice.

Beyond Lawn Resources

Everything we offer, in one place

Help yourself, or work with us. Our free online tools answer most landscape questions. When you're ready for a closer look at your property or community, our services can help.

SELF-SERVE RESOURCES

Free guides and tools, available anytime.

- Plant Explorer · beyondlawn.org/plant-explorer
- Design Guide · design.beyondlawn.org
- Fire-Resilient Landscaping Guide (in the Design Guide)
- Irrigation Guide · irrigation.beyondlawn.org
- DIY Guide · diy.beyondlawn.org
- Maintenance Guide · maintenance.beyondlawn.org
- HOA Guides · beyondlawn.org/hoas
- Professional Guides · beyondlawn.org/professionals
- Recursos en Español · beyondlawn.org/recursos-en-español
- Workshops & Events · beyondlawn.org/workshops-&-events
- FAQ · beyondlawn.org/faq

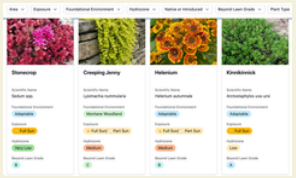
SERVICES

Hands-on help for homeowners and HOAs.

- Landscape & Irrigation Evaluations · beyondlawn.org/evaluations
- Beyond Lawn Rebates · beyondlawn.org/rebates
- HOA Evaluations (16 or fewer common-area zones) · bit.ly/bl-hoa-signup
- HOA Mini-Grants · beyondlawn.org/hoas
- Soil Tests & Native Seed Mixes (ECCD) · eccdistrict.org/seed
- Free Wildfire Assessments (Eagle County REALFire) · bit.ly/bl-realfire

Questions? beyondlawn@eccdistrict.org · (970) 236-1165
Newsletter: bit.ly/beyondlawn-signup · @beyond.lawn
We also offer presentations for HOA boards and community groups.

RESOURCES



Plant Explorer



Web-based & Downloadable Guides

SERVICES



Low Cost Landscape & Irrigation Evaluations



Financial Incentives for Upgrades



Resources & Educational Opportunities

Meet the Team

A PROGRAM OF THE EAGLE COUNTY CONSERVATION DISTRICT

The Eagle County Conservation District is dedicated to preserving and restoring our county's natural resources - soil, water, air, plants, animals, and people - through local projects, partnerships, research, and education. We work with the community to conserve our natural landscapes and to enhance individual conservation efforts, promoting ecological balance in our region for generations to come

IN PARTNERSHIP WITH THE EAGLE RIVER COALITION

The Eagle River Coalition advocates for the health of the Upper Colorado and Eagle River watersheds through research, education and projects. We strive to protect and enhance the high-quality natural, scenic and economic values that our rivers and tributaries provide to the citizens, visitors and wildlife of the Eagle River and Colorado River watersheds located in Eagle County

COLORADO
Colorado Water Conservation Board
Department of Natural Resources

COLORADO RIVER DISTRICT
PROTECTING WESTERN COLORADO WATER SINCE 1937

EAGLE RIVER WATER & SANITATION DISTRICT

SINGLETREE

EDWARDS COLORADO

AVON COLORADO

Town of Gypsum EST. 1911

EAGLE COUNTY WILDFIRE COLLABORATIVE

Irrigation Analysis
Less Water ... More Green

waternow alliance

ET Irrigation